

BOARD OF GOVERNORS
Rutgers, The State University of New Jersey

December 17, 2019

12:00 p.m. - open session / 12:05 p.m. - closed session / 1:00 p.m. - open session
Winants Hall, 7 College Avenue, New Brunswick, New Jersey

Tentative Agenda

1. CALL TO ORDER
2. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
3. ROLL CALL (taken while meeting continues)
4. RESOLUTION TO CONDUCT CLOSED SESSION – December 17, 2019
5. CLOSED SESSION
6. RESUMPTION OF OPEN SESSION
7. MATTERS PRESENTED BY THE PRESIDENT
8. APPROVAL OF MINUTES OF THE BOARD OF GOVERNORS – OCTOBER 2, 2019 AND DECEMBER 3, 2019
9. EXECUTIVE COMMITTEE
 - a. Proposed Resolution Amending the Charge to the Committee on Audit
 - b. Proposed Resolution Amending the Charge to the Committee on Health Affairs
 - c. Proposed Resolution Approving Revisions to University Policy 40.2.14: Investment Policy
10. COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS – December 2, 2019
11. COMMITTEE ON FINANCE AND FACILITIES – December 2, 2019
 - a. Proposed Resolution Approving Schematic Design and Infrastructure Improvement Work for the New Jersey Medical School Medical Science Building on the Newark Campus
12. COMMITTEE ON AUDIT – October 30, 2019
13. COMMITTEE ON HEALTH AFFAIRS – November 6, 2019
14. COMMITTEE ON INTERCOLLEGIATE ATHLETICS – November 7, 2019
15. CONSENT AGENDA
 - a. Proposed Recommendation to Membership on the Board of Managers of the New Jersey Agricultural Experiment Station
 - b. Committee on Academic and Student Affairs – December 2, 2019
 - (1) Faculty Tenure Appointment Recommendations
 - (2) Faculty Promotion Recommendation
 - (3) Proposed Resolution Approving Revisions to University Policy 10.2.11: Code of Student Conduct
 - (4) Proposed Resolution Approving Revisions to University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking and Related Misconduct
 - c. Committee on Finance and Facilities – December 2, 2019
 - (1) Proposed Resolution Accepting and Certifying the Financial Report on Rutgers' Allocation and Transfer of Resources Across Campuses for the Period July 1, 2018 to June 30, 2019
 - d. Committee on Health Affairs – November 6, 2019
 - (1) Minutes of the University Behavioral Health Care Leadership Meetings of August 27, 2019 and September 17, 2019
 - (2) Proposed University Behavioral Health Care Staff Appointments, Reappointments and Clinical Privileges of September 17, 2019 and October 22, 2019
16. REPORT OF THE EXECUTIVE VICE PRESIDENT FOR FINANCE AND ADMINISTRATION AND UNIVERSITY TREASURER
 - a. Joint Committee on Investments – October 7, 2019 and November 18, 2019
17. REPORT ON THE CAMDEN BOARD OF DIRECTORS – September 13, 2019 and December 16, 2019
18. REPORT OF THE UNIVERSITY SENATE
19. OLD BUSINESS
20. NEW BUSINESS
19. ADJOURNMENT



**PROPOSED RESOLUTION
ADOPTING REVISIONS TO THE BOARD OF GOVERNORS' CHARGE
TO THE COMMITTEE ON AUDIT**

WHEREAS, the Board of Governors of Rutgers, The State University of New Jersey, last revised its Charge to the Committee on Audit on October 9, 2014, as reflected in the minutes of that meeting; and

WHEREAS, during the Committee on Audit's annual review of the Charge it was determined that certain revisions were necessary to include those items the Committee on Audit routinely reviews, including compliance processes as well the University's annual internal audit plan; and

WHEREAS, the Charge must also be updated to reflect recent changes to titles, departmental names, and reporting relationships; and

WHEREAS, on November 8, 2019, the Executive Committee of the Board of Governors reviewed and endorsed the attached revisions to the Charge to the Committee on Audit for approval by the Board of Governors.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Executive Committee, the Board of Governors of Rutgers, The State University of New Jersey, approves the attached revisions to its Charge to the Committee on Audit.

Attachment: Proposed Revisions to the Charge to the Committee on Audit

Board of Governors
Rutgers, The State University
of New Jersey
December 17, 2019



BOARD OF GOVERNORS CHARGE TO THE COMMITTEE ON AUDIT

PURPOSE:

The Committee on Audit assists the Board of Governors in fulfilling its responsibility for the oversight of the quality, reliability, and integrity of the University's accounting, auditing, compliance, internal control, and financial reporting processes, as well as the independence of the internal and external auditors.

MEMBERSHIP:

All members shall be independent and free from any relationship that, in the opinion of the Board, would interfere with the exercise of his or her independent judgment as a member of the Audit Committee. Preference will be given to appointments of individuals who have demonstrated financial expertise to serve on this committee (e.g., experience in the not-for-profit sector, finance, accounting, auditing, biomedical and health sciences, or service on an audit committee).

AUTHORITY:

The Board of Governors authorizes the Audit Committee to:

- ~~p~~Perform the activities to fulfill the scope of its charge;—
- ~~R~~recommend, with input from the University's financial management, the external audit firm to perform the annual examination of the University's financial statements and approve the firm's letter of engagement that outlines its proposed scope and audit fees;—
- ~~C~~conduct or direct the investigation into any matter relating to the University's accounting, auditing, internal control, compliance, or financial reporting processes brought to its attention;—
- ~~H~~have unrestricted access to management, faculty, and employees, the internal auditors, as well as the books, records, and facilities of the University;—
- ~~S~~seek any information it requires from external auditors and external parties;—
- ~~R~~retain independent auditors, consultants, counsel, and accountants as necessary to assist it in the conduct of its duties;—
- ~~E~~establish procedures for the receipt, investigation, and resolution of complaints received from the University community regarding accounting, auditing, internal control, compliance, and financial reporting matters.
- ~~accept~~, on its behalf, University management's year-end financial statements and the opinion rendered thereon, any related management advisory reports by the external audit firm, and other reports related to examinations performed (e.g., Federal OMB Circular
- ~~A-133~~, New Jersey OMB Circular 04-04);—
- Endorse the annual internal audit workplan.

MEETINGS:

The audit committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require. All audit committee members are expected to attend each meeting in person or via teleconference or videoconference. The audit committee will invite

members of management, auditors, or others to attend meetings and provide pertinent information as the agenda topics require. It will hold private meetings with auditors (see below) and executive sessions. Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials. Minutes will be prepared.

DUTIES AND RESPONSIBILITIES:

To fulfill the Committee's Charge, the Audit Committee shall meet and do the following:

A. Perform reviews of:

- The Audit Committee's charge at least every three years or as circumstances warrant, and update it, as necessary, for new best practices and new legal or regulatory requirements.
- The University's annual financial statements and related footnotes and any reports or other financial information submitted for publication or shared with bodies outside the University, including any certifications and opinions, prior to their issuance.
- The external auditors' audit of the annual financial statements and their report thereon.
- Significant written communications to management rendered by external auditors concerning internal control matters.
- All non-audit services provided by the external audit firm before the services are rendered.
- Required communications to the Audit Committee under generally accepted auditing standards, including a formal written statement describing all relationships between the external auditors and the University.
- Reports submitted by the University's Internal Audit Department and the related responses from management.
- Review periodic Compliance reports provided by the Senior Vice President and Chief Enterprise Risk Management, Ethics, Audit, and Health Care Chief Compliance Officer and the Office of General Counsel.
- Review the annual report on conflict of interest disclosures submitted by the Office of the Secretary.
- Review the content and status of hotline complaints.
- Other duties/issues from time to time as assigned by the Boards.

B. Provide reports to the Board of Governors and Board of Trustees:

- Report the Committee's actions to the Board of Governors and Board of Trustees by submitting minutes of all meetings with such recommendations, as the Committee may deem appropriate.
- Propose to the Board of Governors the appointment and compensation of the independent auditor engaged to perform the annual examination of the University's financial statements.

C. Assess the University's Financial Reporting, Internal Control, and Compliance Processes:

- Review the integrity of the University's financial reporting processes in consultation with the external and internal auditors.
- Consider the external auditors' judgments about the quality and appropriateness of the University's accounting policies and practices as applied in its financial reporting, particularly a review of alternative accounting treatments estimates, reserves, audit adjustments, and accruals.

- Consider and approve, if appropriate, major changes to the University's auditing and accounting policies and practices on its own initiative and as suggested by the external auditors, management or the Internal Audit Department.
- Inquire of management, compliance officers, the internal auditors, and external auditors about the University's significant risks or exposures, and assess the steps management has taken to minimize such risks.
- Review with management, compliance officers, internal auditors, and external auditors about the adequacy and effectiveness of the University's system of internal controls and assessment of compliance, including computerized information system controls and security, any control-related findings, and seek recommendations for the improvement of such system. Consider management's responses and actions thereto.
- Review the University's conflict of interest policy and the results of the annual submission of disclosure statements by all Board of Governor and Board of Trustees members, as well as University officers.
- Review legal and regulatory matters, as well as other unique transactions and financial relationships that may have a material impact on the financial statements and related University policies.

D. Relationships:

In order to perform its duties and responsibilities effectively to the Boards, the Committee must maintain relationships with the captioned parties below. The Committee is expected to provide a free and open avenue of dialogue among these parties. The Committee will also resolve any disagreements and conflicts.

University Management:

- The Committee will ask members of management or others to attend meetings as necessary and provide pertinent information.
- Hold executive sessions with senior members of management when circumstances dictate.
- Review with the appropriate University personnel, the internal auditor, and external auditor the significant financial, operational, and compliance risks facing the University; assess the steps that management has taken to monitor and control such risks and exposures; and periodically review compliance with such steps.

External Auditors:

- When determining what firm to recommend to the Board of Governors for engagement as the external auditors to audit the University's financial statements, the Committee shall consider the external auditors' independence, experience in higher education and healthcare, and fee structure.
- On an annual basis, the Committee should review the performance of the external auditors and discuss with the external auditors all significant relationships the auditors have with the University to determine the auditors' independence.
- Periodically, and not less than annually, consult with the external auditors without the presence of management concerning matters falling within the scope of the Committee's charge.
- At least annually, the Committee shall meet with the University's external auditors to review the external auditors' scope of the annual examination of the University's financial statements, any significant changes to their audit plan, and any other projects for which they may be engaged.
- Request the external audit firm rotate the engagement partner every seven years.

- Review the external auditor's management letter on internal control matters, including new or significant accounting pronouncements, and emerging issues in higher education.

Internal Audit Department Audit and Advisory Services:

- Evaluate the internal audit function including the department's charge, the independence and authority of the department's reporting obligations, the proposed annual audit plans, the department's year end results, and budget and staffing resources.
- At least annually, meet with the Chief Audit Executive without management present to discuss cooperation provided during internal audits, limitations as to scope and restricted access to information, adequacy of the Internal Audit Department's staffing, and any other matters important to sustaining the independence of the internal auditors.
- Review the coordination of audit efforts, the effective use of audit resources, and the reduction of redundant efforts with the internal and external auditors.
- The Committee shall review and, in its discretion, concur with any recommendation by the Senior Vice President and Chief Enterprise Risk Management, Ethics, Audit, and Compliance Officer for Finance and Treasurer on the appointment, replacement, reassignment, or dismissal of the Chief Audit Executive. ~~The Committee will approve all decisions regarding the performance evaluation of the Chief Audit Executive as well as the Chief Audit Executive's remuneration, consistent with the University's compensation program.~~

Health Care Compliance Office Office of University Ethics and Compliance:

- Review the effectiveness of the system for monitoring compliance with ~~health care~~ laws and regulations applicable to the University and the results of management's investigation and follow-up (including disciplinary action) of ~~any~~ instances of noncompliance.
- Review the findings of any examinations by regulatory agencies and any auditor observations.
- Review the procedures for the receipt, retention, and treatment of complaints received by the University that are submitted by individuals using the hotline. The Committee should also periodically review the content and status of hotline complaints.
- Review the process for communicating the Rutgers Biomedical Health Sciences Code of Conduct to the responsible personnel and for monitoring compliance.
- Obtain regular updates from management and the Senior Vice President and Chief Enterprise Risk Management, Ethics, Audit, and Healthcare Chief Compliance Officer regarding compliance matters.

Office of the Senior Vice President and General Counsel:

- Review the findings of any examinations by regulatory agencies and any auditor observations.
- Review the effectiveness of the system for monitoring compliance with laws and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of noncompliance.
- Review the process for communicating the Code of Ethics: General Conduct to the University's personnel and for monitoring compliance therewith.

Board of Governors
Adopted October 13, 2009
Amended June 22, 2010
Amended June 14, 2011
Amended June 20, 2013
Amended October 9, 2014
Amended December 17, 2019

Draft



**PROPOSED RESOLUTION
ADOPTING REVISIONS TO THE BOARD OF GOVERNORS' CHARGE
TO THE COMMITTEE ON HEALTH AFFAIRS**

WHEREAS, the Board of Governors of Rutgers, The State University of New Jersey, adopted its Charge to the Committee on Health Affairs on July 16, 2014, as reflected in the minutes of that meeting; and

WHEREAS, since the inception of Rutgers Health, the Committee on Health Affairs has regularly reviewed and monitored its establishment and functioning during committee meetings; and

WHEREAS, during the Committee on Health Affairs' annual review of the Charge it was determined that the Charge should be amended to formalize the committee's responsibility to review and monitor the functioning of Rutgers Health; and

WHEREAS, on November 8, 2019, the Executive Committee of the Board of Governors reviewed and endorsed the attached revisions to the Charge to the Committee on Health Affairs for approval by the Board of Governors.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Executive Committee, the Board of Governors of Rutgers, The State University of New Jersey, approves the attached revisions to its Charge to the Committee on Health Affairs.

Attachment: Proposed Revisions to the Charge to the Committee on Health Affairs

Board of Governors
Rutgers, The State University
of New Jersey
December 17, 2019



BOARD OF GOVERNORS CHARGE TO THE COMMITTEE ON HEALTH AFFAIRS

The Health Affairs Committee reviews and reports to the Board of Governors on matters concerning the health care services provided by all schools and programs at the University. These schools and programs include, but are not limited to: Cancer Institute of New Jersey, Rutgers School of Nursing in Newark and New Brunswick, Rutgers School of Nursing – Camden, New Jersey Medical School, Rutgers School of Dental Medicine, Robert Wood Johnson Medical School, School of Health Related Professions, School of Pharmacy, School of Public Health, and University Behavioral Health Care ("UBHC"). and Rutgers Health.

Using appropriate metrics for each clinical entity, the committee will monitor the functioning of these units and forward significant issues to the Board's attention. The Committee shall consider such matters as may be appropriate including: operations, budget, financial performance, quality improvement, environment of care, outcome measures, patient safety, strategic planning, and compliance with accreditation and regulatory requirements. The Committee will vet major changes in the health care services offered by the University's schools and programs.

Meetings will be held as often as necessary to fulfill the Committee's mission. More specifically, the Committee shall have the following responsibilities:

Governance and Accreditation

1. Review and recommend to the Board appropriate action on health sciences school and medical staff bylaws, as required by accrediting bodies.
2. Fulfill the liaison function between the clinical service entities and the Board of Governors.
3. Review the RBHS strategic plan as well as the Camden strategic plan as it relates to the Rutgers School of Nursing – Camden.
4. Review and recommend board action on clinical staff appointments and privileges at UBHC.
5. Review and recommend board action on UBHC Executive Committee minutes.
6. Review and recommend board action on major changes in the scope of services at UBHC as required by the Joint Commission on Accreditation of Healthcare Organizations.
7. Review major changes in service to all health sciences programs and refer for Board action, as necessary.
8. Review accreditation reports pertinent to clinical services provided by clinical entities, such as the Liaison Committee on Medical Education and the American Council of Graduate Medical Education.

Fiscal Matters

1. Review financial performance of each clinical service entity.
2. Review business plans for major changes to service delivery system.

Regulatory and Compliance Matters

1. Review clinical compliance programs.
2. Review major changes to environment of care.
3. Review major changes to licensing needs.
4. Review reports of patient safety programs and issues and receive information on major issues of concern.

5. Review periodic reports from the Office of Enterprise Risk Management, Ethics and Compliance regarding the Corporate Integrity Agreement as well as results of relevant audits.

Quality Improvement and Clinical Outcomes

1. Review quality improvement plans.
2. Review aggregate results of quality improvement programs.
3. Review the measures used to assess pertinent clinical outcomes.

Clinical Affairs

1. Monitor the relationship of the education and research components with the clinical service delivery systems.
2. Recommend action on major changes regarding clinical affiliations.
3. Review and recommend Board action on major affiliation agreements with hospital/clinical partners or substantive changes thereto.
4. Review and recommend Board action on joint ventures/partnerships.
5. Discuss trends in medical malpractice claims and be advised of significant medical malpractice claims.
6. Review the development of inter-professional practice and training.

Board of Governors

Adopted July 16, 2014

Amended December 17, 2019



**PROPOSED RESOLUTION
ADOPTING REVISIONS TO THE BOARD OF GOVERNORS' CHARGE
TO THE COMMITTEE ON AUDIT**

WHEREAS, the Board of Governors of Rutgers, The State University of New Jersey, last revised its Charge to the Committee on Audit on October 9, 2014, as reflected in the minutes of that meeting; and

WHEREAS, during the Committee on Audit's annual review of the Charge it was determined that certain revisions were necessary to include those items the Committee on Audit routinely reviews, including compliance processes as well the University's annual internal audit plan; and

WHEREAS, the Charge must also be updated to reflect recent changes to titles, departmental names, and reporting relationships; and

WHEREAS, on November 8, 2019, the Executive Committee of the Board of Governors reviewed and endorsed the attached revisions to the Charge to the Committee on Audit for approval by the Board of Governors.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Executive Committee, the Board of Governors of Rutgers, The State University of New Jersey, approves the attached revisions to its Charge to the Committee on Audit.

Attachment: Proposed Revisions to the Charge to the Committee on Audit

Board of Governors
Rutgers, The State University
of New Jersey
December 17, 2019



BOARD OF GOVERNORS CHARGE TO THE COMMITTEE ON AUDIT

PURPOSE:

The Committee on Audit assists the Board of Governors in fulfilling its responsibility for the oversight of the quality, reliability, and integrity of the University's accounting, auditing, compliance, internal control, and financial reporting processes, as well as the independence of the internal and external auditors.

MEMBERSHIP:

All members shall be independent and free from any relationship that, in the opinion of the Board, would interfere with the exercise of his or her independent judgment as a member of the Audit Committee. Preference will be given to appointments of individuals who have demonstrated financial expertise to serve on this committee (e.g., experience in the not-for-profit sector, finance, accounting, auditing, biomedical and health sciences, or service on an audit committee).

AUTHORITY:

The Board of Governors authorizes the Audit Committee to:

- ~~p~~Perform the activities to fulfill the scope of its charge;—
- ~~R~~Recommend, with input from the University's financial management, the external audit firm to perform the annual examination of the University's financial statements and approve the firm's letter of engagement that outlines its proposed scope and audit fees;—
- ~~C~~Conduct or direct the investigation into any matter relating to the University's accounting, auditing, internal control, compliance, or financial reporting processes brought to its attention;—
- ~~H~~Have unrestricted access to management, faculty, and employees, the internal auditors, as well as the books, records, and facilities of the University;—
- ~~S~~Seek any information it requires from external auditors and external parties;—
- ~~R~~Retain independent auditors, consultants, counsel, and accountants as necessary to assist it in the conduct of its duties;—
- ~~E~~Establish procedures for the receipt, investigation, and resolution of complaints received from the University community regarding accounting, auditing, internal control, compliance, and financial reporting matters.
- ~~—~~—accept, on its behalf, University management's year-end financial statements and the opinion rendered thereon, any related management advisory reports by the external audit firm, and other reports related to examinations performed (e.g., Federal OMB Circular
- ~~—~~—A-133, New Jersey OMB Circular 04-04);
- Endorse the annual internal audit workplan.

MEETINGS:

The audit committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require. All audit committee members are expected to attend each meeting in person or via teleconference or videoconference. The audit committee will invite

members of management, auditors, or others to attend meetings and provide pertinent information as the agenda topics require. It will hold private meetings with auditors (see below) and executive sessions. Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials. Minutes will be prepared.

DUTIES AND RESPONSIBILITIES:

To fulfill the Committee's Charge, the Audit Committee shall meet and do the following:

A. Perform reviews of:

- The Audit Committee's charge at least every three years or as circumstances warrant, and update it, as necessary, for new best practices and new legal or regulatory requirements.
- The University's annual financial statements and related footnotes and any reports or other financial information submitted for publication or shared with bodies outside the University, including any certifications and opinions, prior to their issuance.
- The external auditors' audit of the annual financial statements and their report thereon.
- Significant written communications to management rendered by external auditors concerning internal control matters.
- All non-audit services provided by the external audit firm before the services are rendered.
- Required communications to the Audit Committee under generally accepted auditing standards, including a formal written statement describing all relationships between the external auditors and the University.
- Reports submitted by the University's Internal Audit Department and the related responses from management.
- Review periodic Compliance reports provided by the Senior Vice President and Chief Enterprise Risk Management, Ethics, Audit, and Health Care Chief Compliance Officer and the Office of General Counsel.
- Review the annual report on conflict of interest disclosures submitted by the Office of the Secretary.
- Review the content and status of hotline complaints.
- Other duties/issues from time to time as assigned by the Boards.

B. Provide reports to the Board of Governors and Board of Trustees:

- Report the Committee's actions to the Board of Governors and Board of Trustees by submitting minutes of all meetings with such recommendations, as the Committee may deem appropriate.
- Propose to the Board of Governors the appointment and compensation of the independent auditor engaged to perform the annual examination of the University's financial statements.

C. Assess the University's Financial Reporting, Internal Control, and Compliance Processes:

- Review the integrity of the University's financial reporting processes in consultation with the external and internal auditors.
- Consider the external auditors' judgments about the quality and appropriateness of the University's accounting policies and practices as applied in its financial reporting, particularly a review of alternative accounting treatments estimates, reserves, audit adjustments, and accruals.

- Consider and approve, if appropriate, major changes to the University's auditing and accounting policies and practices on its own initiative and as suggested by the external auditors, management or the Internal Audit Department.
- Inquire of management, compliance officers, the internal auditors, and external auditors about the University's significant risks or exposures, and assess the steps management has taken to minimize such risks.
- Review with management, compliance officers, internal auditors, and external auditors about the adequacy and effectiveness of the University's system of internal controls and assessment of compliance, including computerized information system controls and security, any control-related findings, and seek recommendations for the improvement of such system. Consider management's responses and actions thereto.
- Review the University's conflict of interest policy and the results of the annual submission of disclosure statements by all Board of Governor and Board of Trustees members, as well as University officers.
- Review legal and regulatory matters, as well as other unique transactions and financial relationships that may have a material impact on the financial statements and related University policies.

D. Relationships:

In order to perform its duties and responsibilities effectively to the Boards, the Committee must maintain relationships with the captioned parties below. The Committee is expected to provide a free and open avenue of dialogue among these parties. The Committee will also resolve any disagreements and conflicts.

University Management:

- The Committee will ask members of management or others to attend meetings as necessary and provide pertinent information.
- Hold executive sessions with senior members of management when circumstances dictate.
- Review with the appropriate University personnel, the internal auditor, and external auditor the significant financial, operational, and compliance risks facing the University; assess the steps that management has taken to monitor and control such risks and exposures; and periodically review compliance with such steps.

External Auditors:

- When determining what firm to recommend to the Board of Governors for engagement as the external auditors to audit the University's financial statements, the Committee shall consider the external auditors' independence, experience in higher education and healthcare, and fee structure.
- On an annual basis, the Committee should review the performance of the external auditors and discuss with the external auditors all significant relationships the auditors have with the University to determine the auditors' independence.
- Periodically, and not less than annually, consult with the external auditors without the presence of management concerning matters falling within the scope of the Committee's charge.
- At least annually, the Committee shall meet with the University's external auditors to review the external auditors' scope of the annual examination of the University's financial statements, any significant changes to their audit plan, and any other projects for which they may be engaged.
- Request the external audit firm rotate the engagement partner every seven years.

- Review the external auditor's management letter on internal control matters, including new or significant accounting pronouncements, and emerging issues in higher education.

Internal Audit Department Audit and Advisory Services:

- Evaluate the internal audit function including the department's charge, the independence and authority of the department's reporting obligations, the proposed annual audit plans, the department's year end results, and budget and staffing resources.
- At least annually, meet with the Chief Audit Executive without management present to discuss cooperation provided during internal audits, limitations as to scope and restricted access to information, adequacy of the Internal Audit Department's staffing, and any other matters important to sustaining the independence of the internal auditors.
- Review the coordination of audit efforts, the effective use of audit resources, and the reduction of redundant efforts with the internal and external auditors.
- The Committee shall review and, in its discretion, concur with any recommendation by the Senior Vice President and Chief Enterprise Risk Management, Ethics, Audit, and Compliance Officer for Finance and Treasurer on the appointment, replacement, reassignment, or dismissal of the Chief Audit Executive. ~~The Committee will approve all decisions regarding the performance evaluation of the Chief Audit Executive as well as the Chief Audit Executive's remuneration, consistent with the University's compensation program.~~

Health Care Compliance Office Office of University Ethics and Compliance:

- Review the effectiveness of the system for monitoring compliance with ~~health care~~ laws and regulations applicable to the University and the results of management's investigation and follow-up (including disciplinary action) of ~~any~~ instances of noncompliance.
- Review the findings of any examinations by regulatory agencies and any auditor observations.
- Review the procedures for the receipt, retention, and treatment of complaints received by the University that are submitted by individuals using the hotline. The Committee should also periodically review the content and status of hotline complaints.
- Review the process for communicating the Rutgers Biomedical Health Sciences Code of Conduct to the responsible personnel and for monitoring compliance.
- Obtain regular updates from management and the Senior Vice President and Chief Enterprise Risk Management, Ethics, Audit, and Healthcare Chief Compliance Officer regarding compliance matters.

Office of the Senior Vice President and General Counsel:

- Review the findings of any examinations by regulatory agencies and any auditor observations.
- Review the effectiveness of the system for monitoring compliance with laws and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of noncompliance.
- Review the process for communicating the Code of Ethics: General Conduct to the University's personnel and for monitoring compliance therewith.

Board of Governors
Adopted October 13, 2009
Amended June 22, 2010
Amended June 14, 2011
Amended June 20, 2013
Amended October 9, 2014
Amended December 17, 2019

Draft



PROPOSED RESOLUTION
APPROVING SCHEMATIC DESIGN AND INFRASTRUCTURE
IMPROVEMENT WORK FOR THE NEW JERSEY MEDICAL SCHOOL
MEDICAL SCIENCE BUILDING ON THE NEWARK CAMPUS

WHEREAS, the Rutgers Biomedical and Health Sciences (RBHS) New Jersey Medical School (NJMS) currently provides on-campus services and programs to educate students, physicians, and scientists to meet society's current and future health care needs; and

WHEREAS, most of NJMS' programs are currently located in the Medical Science Building, a 650,000 square-foot building built in 1976; and

WHEREAS, the Medical Science Building has undergone minimal modernization and is ill-equipped to fulfill the health care, research, and education needs in line with today's standards; and

WHEREAS, NJMS proposes a multi-year phased approach enabling it to accomplish its' mission while undertaking construction activities to modernize the building in parallel; and

WHEREAS, schematic design of the entire modernization project, as well as replacement of the building-wide fire detection, annunciation, and alarm systems, and certain elevator upgrades, constitute "Phase I" of the overall modernization project, as more fully described in the attached Project Summary; and

WHEREAS, the cost of Phase I of the modernization project is estimated to be \$14.0 million with \$9.0 paid for through internal NJMS funds and \$5.0 million through an internal bank loan, provided, however, that the University may elect to finance the costs of this Phase I ("Phase I Costs") with debt issued by the University at a later date; and

WHEREAS, on December 2, 2019, the Committee on Finance and Facilities reviewed and discussed the Phase I portion of the NJMS Medical Science Building modernization project and recommended Phase I for approval by the Board of Governors of Rutgers, The State University of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Committee on Finance and Facilities, the Board of Governors of Rutgers, The State University of New Jersey, approves the Phase I portion of the NJMS Medical Science Building modernization project as described herein and in the attached Project Summary with spending authority up to the currently available funding limit of \$14.0 million for Phase I Costs; and

BE IT FURTHER RESOLVED that the Board of Governors of the University reasonably expects to reimburse the expenditure of Phase I Costs paid prior to the issuance of debt, with proceeds of such debt, and this resolution is intended to be, and hereby is, a declaration of the official intent to reimburse the expenditure of Phase I Costs paid prior to the issuance of the debt, with proceeds of such debt, in accordance with Treasury Regulations Section 1.150-2; and

BE IT FURTHER RESOLVED that the University administration, acting through the Executive Vice President for Strategic Planning and Operations and Chief Operating Officer, in consultation with the Executive Vice President of Finance and Administration and University Treasurer, and the Senior Vice President and General Counsel, is hereby authorized and directed to negotiate, approve, execute, and perform all necessary agreements, contracts, certificates, reports, and documents on behalf of Rutgers that are necessary for the successful execution of Phase I, including a contract with the lowest responsible bidder for construction of the Phase I improvements; and

BE IT FINALLY RESOLVED, that this resolution shall take effect immediately.

Attachment: New Jersey Medical School Medical Science Building Renovations –
Phase I / Infrastructure Project Summary

Board of Governors
Rutgers, The State University
of New Jersey
December 17, 2019

PROJECT SUMMARY

New Jersey Medical School Medical Science Building Renovations – Phase I / Infrastructure

Rutgers Biomedical and Health Sciences – Newark

December 2, 2019

Introduction

Rutgers Biomedical and Health Sciences New Jersey Medical School (NJMS) is an academic, biomedical research, and health care enterprise whose mission is to meet the needs of the local and global community through outstanding education, pioneering research, cutting-edge clinical care, and public service. Founded in 1954 and based in Newark, NJMS educates students, physicians, and scientists to meet society's current and future health care needs.

NJMS occupies more than one million gross square feet across six facilities in Newark. Education, research, clinical care, and administrative operations are located in the Medical Science Building (MSB), the school's main building. The 650,000 square-foot MSB, completed and occupied in 1976, was constructed to accommodate the medical education and medical research components of the then-recently-created New Jersey College of Medicine and Dentistry (later the University of Medicine and Dentistry of New Jersey and now, as part of Rutgers Biomedical and Health Sciences, the New Jersey Medical School.) The building has received routine maintenance over the last forty-three years, with comprehensive alterations/renovations limited to only a few areas of the building, most notably on the "A" Level in the areas occupied by the vivarium and related animal research support spaces. Much of the building's infrastructure has exceeded its useful life and is in need of replacement.

A feasibility study was completed in 2018 to assess needs, provide for infrastructure upgrades, and determine a phased approach to renovation that would address functional and programmatic needs. The renovated MSB would:

- Provide new medical research laboratories, laboratory support spaces and laboratory faculty staff workspaces which are efficient, flexible, and collaborative and which will attract and retain the best and brightest principal investigators;
- Upgrade, reconfigure and/or expand all medical education spaces to support the current pedagogical trends in medical education and exceed the expectations of instructors and students;

- Enhance the exterior appearance of the existing building, provide a new entrance pavilion, and reconfigure the major public spaces on Levels B and C in a way that will communicate that the building and its programs have undergone a major transformation.

The project is designed to be phased over a number of years and was originally presented to the Board of Governors' Committee on Finance and Facilities in March of 2019. Phase I of the Medical Science Building Renovation focuses on two areas: schematic design of the entire renovation and key early infrastructure upgrades. These efforts are the first step in renovating the building and providing much needed progress toward modernization of the facility. The work contemplated is aligned with the longer-range facilities plan.

Scope

The scope of work associated with this phase of the project includes schematic design for the entire building. Advancing design to schematic is required to calculate loads and demand on infrastructure, provide information for staging and temporary relocations, and provide information on phasing and costs for the next phase of work, which will renovate research space. The schematic design will address equipment and infrastructure work, public spaces and entry pavilion, academic and administrative spaces, exterior façade work, and demolition and renovation of research space.

The scope also includes design and provision of a new fire detection, annunciation, and alarm system throughout the building, including interface with campus notification systems. Finally, elevator upgrades are included to provide for new elevator controls, modern safety mechanisms, and refinished cabs.

Benefits

The primary benefits of the project are advancing design of the phased project so as to develop further the planning of the renovations, enhancing life safety by replacement of the fire alarm system with a new system (including IT upgrades needed to support the modern system), and enhancing life safety and functionality of the building by upgrade of the elevators throughout the building.

The design of renovations and commencement of infrastructure upgrades supports the NJMS and RBHS Strategic Plans, reduces deferred maintenance burden, and will improve student, faculty, and staff safety and experience in the building.

Financial

The total cost of the project (capital costs excluding cost of borrowing), based on a conceptual estimate prepared by University Facilities and the architect that completed the feasibility study, is not expected to exceed \$14 million.



**PROPOSED RESOLUTION
APPROVING REVISIONS TO UNIVERSITY POLICY 10.2.11:
CODE OF STUDENT CONDUCT**

WHEREAS, on July 7, 1972, the Board of Governors of Rutgers, The State University of New Jersey, approved the "Code of Student Conduct" policy (formerly Book 4.2.7 in the University Regulations and Procedures Manual); and

WHEREAS, this policy has been renumbered as Policy Section 10.2.11 in the University Policy Library; and

WHEREAS, this policy was last revised on July 18, 2018 by Resolution of the Board of Governors, to include changes to the Policy resulting from a five-year review of the policy to clarify and streamline processes, incorporate efficiencies, and improve alignment with best practices of peer institutions; and

WHEREAS, a subsequent six-month review of the revised policy was undertaken by senior members of the Student Affairs offices across the University, resulting in additional necessary adjustments to the policy for alignment with current standards of proof, further clarification of the provision for medical amnesty, and improvements for clarity; and

WHEREAS, on December 2, 2019, with the endorsement of Senior Vice President for Academic Affairs Barbara A. Lee; Rutgers University–New Brunswick Vice Chancellor for Student Affairs, Salvador Mena; Rutgers Biomedical and Health Sciences Assistant Vice Chancellor for Academic & Student Affairs & Title IX Coordinator, Susan Hamilton; Rutgers University–Newark Vice Chancellor for Student Affairs, Corlisse Thomas; and Rutgers University–Camden Vice Chancellor for Student Affairs, Mary Beth Daisey, the Board of Governors Committee on Academic and Student Affairs reviewed the attached proposed revisions to University Policy 10.2.11: Code of Student Conduct, and recommended approval by the Board of Governors.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Committee on Academic and Student Affairs, the Board of Governors of Rutgers, The State University of New Jersey, approves the attached revised University Policy 10.2.11: Code of Student Conduct, with additions underlined and deletions shown in strikeout, effective immediately.

Attachment: Proposed Revisions to University Policy 10.2.11: Code of Student Conduct

Board of Governors
Rutgers, The State University
of New Jersey
December 17, 2019

UNIVERSITY POLICY

Policy Name:	Code of Student Conduct				
Section #:	10.2.11	Section Title:	Academic: Student Academic Regulations & Policies	Formerly Book:	4.2.7
Approval Authority:	Board of Governors		Adopted:	7/7/1972	Reviewed: 7/18/2018 12/17/2019
Responsible Executive:	Senior Vice President for Academic Affairs		Revised:	Effective 7/1/2007; 5/28/2009 – Section 13b; 10/13/2009 – Section 67 & other administrative title changes; 4/15/2010 administrative title changes; unauthorized or undisclosed recording-added 10.(u) and 10.(aa) under Prohibited Conduct; and incorporated Academic Integrity policy (see Appendix I); 1/3/2011;); 5/20/2011 (revisions are on file with the Office of the Secretary of the University); 9/1/2013 – complete rewrite of Code of Student Conduct (removed Appendix I: Academic Integrity Policy text-see separate policy 10.2.13); 7/1/2013; 12/9/2014; 10/14/2015; 10/7/2016; 4/6/2017; 7/18/2018; 12/17/2019	
Responsible Office:	Office of Student Affairs, New Brunswick		Contact:	Office of Student Conduct: 848-932-9414, http://studentconduct.rutgers.edu , Office of Student Affairs Compliance: 848-932-8576, http://compliance.rutgers.edu	

1. Policy Statement

The University Code of Student Conduct sets specific expectations for Rutgers University student behavior. It lists the behaviors prohibited at Rutgers University, the process for addressing allegations of student misconduct, and the possible consequences for students who violate the policy.

2. Reason for Policy

When students choose to attend Rutgers University, they understand that they must abide by all behavioral guidelines set by the Rutgers Community. The University Code of Student Conduct outlines behavioral expectations for Rutgers University students and provides information to all community members about what types of behaviors are not tolerated at Rutgers University.

3. Who Should Read This Policy

All members of the Rutgers University Community

4. Resources

- [University Policy 10.2.13: Rutgers University Academic Integrity Policy](#)
 - <http://academicintegrity.rutgers.edu/>
 - ~~https://s1.wordpress.rutgers.edu/academicintegrity/wp-content/uploads/sites/41/2014/11/AI_Policy_2013.pdf~~
- [University Policy 10.2.12: Safety Intervention Policy](#)
- [University Policy 10.3.11: Communication to Students](#)
- [University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct](#)
- [University Policy 30.1.9: Protection of Minors](#)
- [University Policy 50.3.5: Disruptions: Administrative Policy and Response](#)
- [Rutgers Biomedical and Health Sciences \(RBHS\) Policies](#)
- [RBHS Students Rights, Responsibilities, and Disciplinary Procedures](#)
- [Organizational Conduct Policy Standards of Conduct for Student Organizations](#)
- ~~<http://studentconduct.rutgers.edu/>~~
- Residence Life Policies:
 - New Brunswick: <http://ruoncampus.rutgers.edu/policies/>
 - Newark: <http://housing.newark.rutgers.edu/guide-residence-life>
 - Camden: https://housing.camden.rutgers.edu/oc_living_guide
- Ticket policy
 - ~~<http://ruoncampus.rutgers.edu/tickets/>~~
- ~~<https://www.stophazing.org/new-jersey/>~~ Stop Hazing: Prevention Through Education:
- ~~<https://www.stophazing.org/new-jersey/>~~
- [Family Educational Rights and Privacy Act of 1974](#)

5. Definitions

All policies are subject to amendment. Please refer to the Rutgers University Policy Library website (policies.rutgers.edu) for the official, most recent version.

~~See Section II~~ Please note that definitions in this section relate to policies and procedures that are consistent universitywide (Rutgers University–Camden, Rutgers University–Newark, and Rutgers University–New Brunswick. Definitions are also provided in procedures documents.

- ~~A.~~ "Accused student" or "responding student" is any current student who has had disciplinary charges filed against them.
- ~~A.B.~~ "Administration or staff" includes any person who currently holds a non-faculty appointment within the University.
- ~~B.C.~~ "Campus Advisor" is a member of the University community who has been trained to provide support and guidance to accused students and complaint parties.
- ~~C.D.~~ "Charge" is a determination that the University has reasonable suspicion that a student or student organization may have violated University policy.
- ~~E.~~ "Chief Conduct Officer" is the person (or people) on each campus who enforces the University Code of Student Conduct, oversees the processes for handling misconduct, and may develop procedures for administration of the conduct process.
- ~~D.F.~~ "Clemency Officer" is the Senior Student Affairs Officer, on the campus from which the student was expelled, who may be petitioned for clemency by the former student for the opportunity to complete their degree.
- ~~E.G.~~ "College" or "School" means any academic division at Rutgers University.
- ~~F.H.~~ "Complaint party" refers to anyone who has filed a report with the Office of Student Conduct/Community Standards alleging misconduct by a Rutgers University student.
- ~~G.I.~~ "Conduct Officer" refers to any University staff member or administrator with responsibility for investigating and adjudicating student conduct cases.
- ~~H.J.~~ "Faculty" includes any person who holds a current academic appointment within the University.
- ~~I.K.~~ "Institution" and "University" mean Rutgers, The State University of New Jersey.
- ~~J.L.~~ "Impact statement" is a description of the effect of a policy violation on an affected party; it may be submitted in writing or via audio or video recording.
- ~~K.M.~~ "Member of the University community" means any student, faculty, administrator or employee at the University.
- ~~L.N.~~ "Office of Student Conduct" or "Office of Community Standards" refer to the offices that handle the conduct process at Rutgers University–Camden, Rutgers University–Newark, and Rutgers University–New Brunswick.
- ~~M.O.~~ "Preponderance of Information/Evidence" refers to the standard of proof required in adjudicating non-academic cases. This standard requires that the finder of fact must be persuaded that it is more likely than not that the allegations brought against the accused

student are true. Refer to the Academic Integrity Policy for information about the standard of proof used in academic integrity cases.

N.P. "Senior Student Affairs Officer" refers to the officer in the Division of Student Affairs (or their designee), who oversees the Office of Student Conduct/Community Standards on each campus.

O.Q. "Student" is any person for whom the University maintains educational records, and who has not yet been awarded a degree from the University at the time of the alleged violation as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations. The term student may also include any person who is a non-matriculating student at the time of the alleged violation.

P.R. "Student organization" is any identified group of students who have complied with the formal requirements for University recognition and affiliation and have registered for affiliation with the University, or who are advised by a University department or University employee.

Q.S. "Support person" is the person or persons asked by the accused student or complaint party to provide support and assistance during the disciplinary process. A support person cannot represent the student during any proceeding and cannot address a Hearing Board, Presiding Officer, or Conduct Officer unless granted permission by the Presiding Officer or Conduct Officer.

R.T. "University premises" includes buildings or grounds owned, leased, operated, controlled, or supervised by the University.

S.U. "University sponsored activity" means any academic, co-curricular, extra-curricular, or other activity on or off campus, which is initiated, aided, authorized, or supervised by the University.

T.V. "Working day" includes any weekday that is not listed as a University holiday on the University Calendar. Days when classes are not in session, but the University is open for business, are "working days."

W. "Written Notice" is delivery of mail to a student's local, permanent, or email address. Students are responsible for checking any/all email addresses connected to their NetID. Students have the responsibility for providing the University with current addresses, e-mail addresses, and phone numbers.

6. The Policy

I. TABLE OF CONTENTS

I. Table of Contents

II. Preamble

III. Definitions

IV-III. Jurisdiction and Authority

~~V-IV. Violations~~ Criminal and Civil Proceedings and the University Code of Student Conduct

~~VI-V. Rights of the Complaint Party and Accused Party~~ Student

VII. VI.	Rules and Regulations
VIII. VII.	Interim Action
IX. VIII.	Disciplinary Sanctions
X. IX.	Disciplinary Process
XI. X.	Appeals
XII. XI.	Disciplinary Files
XIII. XII.	Clemency for Expulsion
XIV. XIII.	Student Conduct Process Volunteers
XV. XIV.	Revisions to
XVI. XV.	the Code of Student Conduct

~~II.~~ PREAMBLE

The University Code of Student Conduct was created to ensure the safety and security of the Rutgers community. This document is intended to ensure students and organizations are aware of their rights and responsibilities within the conduct process, and to uphold the integrity and values of Rutgers, The State University of New Jersey. When students choose to enroll at Rutgers University, they are encouraged to respect its values.

The Code of Student Conduct is more than a collection of ~~u~~University regulations to be abided by – it seeks to promote the ~~u~~University's values and educate. The Code of Student Conduct encourages students to be their authentic selves as they find their place on campus, while also encouraging students to embrace inclusion through discovery, dialogue, and development as they celebrate diverse backgrounds.

The spirit of the Code of Student Conduct promotes student engagement both on and off campus, global citizenship, and leadership. It encourages students to uphold the highest tenets of trust, honesty, and integrity, understanding at all times that our actions significantly impact our personal journeys, our communities, and our larger society.

~~Rutgers~~ ~~Rutgers~~–Camden, ~~Rutgers~~–Newark, and ~~Rutgers~~–New Brunswick students originate from all corners of the world and travel between many campuses and cities. As our students strive to achieve their goals, they are expected to conduct themselves in accordance with University policies and procedures, but more importantly, the values and spirit that ~~they~~these policies and procedures are founded upon.

~~III.~~ DEFINITIONS

Please note that definitions in this section relate to policies and procedures that are consistent system-wide (~~Rutgers University–Camden, Rutgers University–Newark, and Rutgers University–New Brunswick~~). Definitions are also provided in procedures documents.

A. ~~“Accused student” or “responding party”~~student is any current student who has had disciplinary charges filed against them.

B. ~~“Administration or staff”~~ includes any person who currently holds a non-faculty appointment within the University.

C. ~~“Campus Advisor”~~ is a member of the University community who has been trained to provide support and guidance to accused students and compliant complaint parties.

D.——“Charge” is a determination that the University has reasonable suspicion that a student or student organization may have violated University policy.

E.——“Chief Conduct Officer” is the person (or people) that ~~on each campus who enforce the University Code of Student Conduct, oversees the processes for handling misconduct, and may develop procedures for administration of the conduct process.~~

F.——“College” or “School” means any academic division at Rutgers University.

G.——“Complaint initiator” or “complaint party” refers to anyone who has filed a report with the Office of Student Conduct/Community Standards alleging misconduct by a Rutgers University student.

H.——“Conduct Officer” refers to an individual appointed by the Chief Conduct Officer to carry out the disciplinary process any University staff member or administrator with responsibility for investigating and adjudicating student conduct cases.

I.——“Faculty” includes any person who holds a current academic appointment within the University.

J.——“Institution” and “University” mean Rutgers, The State University of New Jersey.

K.——“Impact statement” is a description of the effect of a policy violation on an affected party, it may be submitted in writing, or via audio, or video recording.

L.——“Member of the University community” means any student, faculty, administrator or employee at the University.

“Office of Student Conduct” or “Office of Community Standards” refer to the offices that handle the conduct process at Rutgers University–Camden, Rutgers University–Newark, and Rutgers University–New Brunswick.

M.——“Preponderance of Information/Evidence” refers to the standard of proof required in adjudicating non-academic cases. This standard requires that the finder of fact must be persuaded that it is more likely than not that the allegations brought against the accused student are true. Refer to the Academic Integrity Policy for information about the standard of proof used in academic integrity cases.

N.——“Senior Student Affairs Officer” refers to the officer in the Division of Student Affairs, (or their designee(s), who oversees the Office of Student Conduct/Community Standards on each campus.

O.——“Student” is any person for whom the University maintains educational records, and who has not yet been awarded a degree from the University at the time of the alleged violation as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations. The term student may also include any person who is a non-matriculating student at the time of the alleged violation.

P.——“Student organization” is any identified group of students who have complied with the formal requirements for University recognition and affiliation and have registered for

~~affiliation with the University, or who are advised by a uUniversity department or uUniversity employee.~~

Q. ~~“Support person” is the person or persons asked by the accused student or complaint party to provide support and assistance during the disciplinary process. A support person cannot represent the student during any proceeding and cannot address a Hearing Board, Presiding Officer, or Conduct Officer unless specific procedures provide that person the opportunity to speak granted permission by the Presiding Officer or Conduct Officer.~~

R. ~~“University premises” includes buildings or grounds owned, leased, operated, controlled, or supervised by the University.~~

S. ~~“University sponsored activity” means any academic, co-curricular, extra-curricular, or other activity on or off campus, which is initiated, aided, authorized, or supervised by the University.~~

T. ~~“Working day” includes any weekday that is not listed as a University holiday on the University Calendar. Days when classes are not in session, but the University is open for business, are “working days.”~~

U. ~~“Written Notice” is delivery of mail to a student’s local, permanent, or email address. Students are responsible for checking any/all email addresses connected to their NetID. Students have the responsibility for providing the University with current addresses, e-mail addresses, and phone numbers.~~

III.V. — JURISDICTION AND AUTHORITY

A. The University Code of Student Conduct

~~— This policy applies to conduct that occurs on University premises; at University sponsored activities; at functions, activities, or events hosted by recognized students or recognized student organizations, on or off campus; and other off-campus conduct that affects a University interest (as defined ~~below~~ above). Each student is responsible for their conduct from the time of application through the actual awarding of a degree or certificate, even if that conduct occurs before classes begin or after a semester is complete.~~

Rutgers Biomedical and Health Sciences (“RBHS”) student behavior is not regulated under the University Code of Student Conduct. RBHS guidelines regarding academic integrity, non-academic misconduct, and disciplinary procedures are found in the [RBHS Students Rights, Responsibilities, and Disciplinary Procedures](#) document. Please consult the RBHS website: <http://rbhs.rutgers.edu> or the [Rutgers University Policy Library](#) for specific ~~procedures~~ information regarding RBHS school procedures.

B. The Rutgers University Academic Integrity Policy (10.2.13)

This policy is used to address allegations of student academic misconduct. Please refer to [University Policy 10.2.13: Rutgers University Academic Integrity Policy](#) for specific information regarding what would constitute a violation of this policy.

C._–The Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking and Related Misconduct

This policy is used to address allegations of sexual harassment, sexual assault, relationship violence, stalking, and other gender-based discrimination in which a Rutgers student is the perpetrator. Descriptions of violations and procedures for addressing violations are described in [University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking and Related Misconduct](#).

—D.____–Professional/Academic Programs

Individual academic programs may have additional ethical rules, professional requirements and professional standards of conduct. Academic programs are empowered to address deviations from acceptable professional standards of conduct. Any procedures a program puts in place to address deviations from their professional standards must include, at a minimum, notice to the student of the issue and some opportunity for the student to respond to the information before a decision is made.

E.__–Student Organizations

Student organizations are collectively responsible for any action that violates University policy committed by members on behalf of the organization. Disciplinary action against student organizations is separate from action taken against individuals. Student organizations will be asked to account for behavior committed by organization members on behalf of the organization.

F.__–Criminal and Civil Court Cases

Formal rules of process, procedure, and/or evidence that are applied in criminal and civil courts are not used in campus disciplinary proceedings. Participants are provided process and procedure as outlined in this Code.

G.__–Residence Life

Incidents that occur in or around the residence halls will typically be managed by Residence Life staff.

H.__–Electronic Content

The Code may ~~also~~ be applied to conduct online and via email or ~~via~~ other electronic media. Students and student organizations should be aware that online ~~postings~~ media such as blogs, ~~web postings~~ websites, chats, and social networking sites are in the public sphere and are not private. Online ~~postings~~ media that indicate possible misconduct may subject a student and/or student organization to ~~allegations of conduct violations~~ disciplinary action.

I. —University Interest

Student or student organization conduct committed on or off the campus that affects a University interest is behavior that:

1. —Constitutes a violation of local, state, or federal law;
2. Indicates that the student or student organization may present a danger or threat to the health or safety of themselves or others;
3. Impinges upon the rights, property, or achievements of others or significantly breaches the peace and/or causes social disorder; or
4. Is detrimental to the educational interests of the University.

Any on or off campus behavior that adversely affects a University interest and/or violates the Code of Student Conduct is subject to conduct action following standard University procedures.

J. —Interim Action

—The University may take interim disciplinary action as outlined in Section VIII.

IV. —VIOLATIONS—CRIMINAL AND CIVIL PROCEEDINGS AND THE UNIVERSITY CODE OF STUDENT CONDUCT

Students may be held accountable for their behavior through both the criminal system and the University conduct process. University conduct proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the Chief Conduct Officer, (or their designee(s)), on each campus. Disciplinary action, decisions, and/or sanctions shall not be subject to change because criminal charges were dismissed, reduced, or resolved in favor of the student. University community members are not precluded from filing a civil or criminal charge against a student before, while, or after the University pursues disciplinary action.

VI. —RIGHTS OF THE COMPLAINT PARTY AND THE ACCUSED PARTY—STUDENT

The University is committed to providing accessible, prompt, thorough, and fair methods of investigation and resolution of incidents reported under this Code to all University members of the Rutgers community. To this end, both the complaint party and responding student are entitled to the following rights throughout the disciplinary processes set forth in this Code, subject to the terms of this Code.

- A. To be treated with dignity by all persons involved in the disciplinary process.
- B. To equal access to information, evidence, and University resources, including information pertaining to counseling services.
- C. To a fair hearing ~~hearing~~ disciplinary process.
- D. To information about this Code.

- E. To participate or to decline to participate in the disciplinary process.
- F. To have a Campus Advisor and support person present at all meetings and hearingsdisciplinary proceedings. ~~SCampus Advisor/support person availability is not sufficient grounds for postponing a meeting, Administrative Conference, or University Hearingdisciplinary proceeding.~~
- ~~G. To have a Campus Advisor present at all meetings and hearings. Advisor availability is not sufficient grounds for postponing a meeting, Administrative Conference, or University Hearing.~~
- G. To written notice of all meetings and ~~hearingsdisciplinary proceedings~~, including the time and place.
- H. To present information and/or witnesses on their behalf during the disciplinary process. The relevance of witnesses shall be determined by the Conduct Officer or by the Presiding Officer ~~during the disciplinary process~~.
- I. To choose to withhold information or testimony if the student feels information presented will lead to self-incrimination. Students are expected to fully cooperate with and participate in the University disciplinary system when notified, but no negative inference will be made should a student choose not to speak.
- J. To hear and respond to all information presented against them.
- K. To one written copy, upon request, of the report stating the circumstances and allegations involved. This information will be made available after a student is notified of charges.
- L. To notice of the charges, including what prohibited conduct is at issue.
- M. To submit written materials relevant to the sanction decision, which may include written impact statements.
- N. ~~To be free from have complaints of intimidation, harassment, bullying, or any other form of retaliation throughout the investigation and disciplinary processaddressed by the Office of Student Conduct/Community Standards.~~
- O. To written notification of the ~~results of the hearing or other case resolution~~, including any sanctions imposed.
- P. To be informed of their right to appeal and of the process for doing so (applies only to accused students).
- Q. To written notification of the outcome of any appeal.
- R. To privacy throughout the investigation and disciplinary process. The Office of Student Conduct/Community Standards ~~office~~ will not release information about a case unless legally bound.
- S. To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.
- T. To have reasonable steps taken to prevent any unnecessary or unwanted contact with the other party or parties during the investigation and disciplinary process.

VII. RULES AND REGULATIONS

Any student found responsible for committing, attempting to commit, or assisting others in committing a violation of this Code shall be subject to disciplinary sanctions as outlined in Section ~~IX~~VIII.

Violations, ~~including~~ of this Code include, but are not limited to:

A. Aiding, enabling, or assisting any person in committing any violation of this Code.

~~A.B. _____ Violations of academic integrity.~~ Violations of the Rutgers University Academic Integrity Policy.

~~Violations of the Rutgers University Academic Integrity Policy.~~ Please refer to [University Policy 10.2.13: Rutgers University Academic Integrity Policy](#) for specific information regarding what would constitute a violation of this policy.

C. Violations of the Student Policy Prohibiting Sexual Harassment, Sexual Violence, Stalking, and Related Misconduct.

Please refer to University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Stalking, and Related Misconduct for specific information regarding what would constitute a violation of this policy.

~~B.~~ _____

~~G.D.~~ _____ Acts of dishonesty:

- ~~4.~~ 1. Forgery, unauthorized alteration, or unauthorized use of any University documents or records, or any instrument or form of identification, or access credentials. This includes, but is not limited to, transfer of a Rutgers University Identification Card ("RU ID"), and misuse or transfer of a residence hall key or access card.
2. Intentionally furnishing false information to the University.
3. Intentionally furnishing false information to persons outside the University concerning the student's academic record, degree, or activities.
4. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency.
5. Unauthorized entry into, use of, or misuse of University property, including computers and data and voice communication networks.
6. Possessing or selling false identification, including RU IDs.
7. Unauthorized sale or re-sale of University event tickets or tickets provided through sponsored events/programs funded by University student fees, or the sale of such tickets above face value.

~~D.E.~~ _____ Safety violations:

1. Intentionally or recklessly starting a fire (does not include University approved programs including fire, e.g., bonfires).
2. Misusing fire safety equipment or elevators.
3. Intentionally or recklessly endangering the welfare of any individual.
4. Intentionally or recklessly obstructing fire, police, or emergency services.
5. Using, possessing, or storing dangerous chemicals, fireworks, or explosives on University property (even if they are legal to possess because of a license) or illegally possessing dangerous chemicals, fireworks or explosives on an off-campus property. Possessing and storing small containers of Mace/pepper spray is permitted.
6. Using, possessing, or storing of any object classified as a weapon by the State of New Jersey on University property or illegally possessing a weapons on an off-campus property. Law enforcement officials who are authorized by law to carry firearms are excluded from this definition.
7. Utilizing any instrument in a manner that endangers or tends to endanger any person.
8. Obstructing the free flow of pedestrian or vehicular traffic on or adjacent to University premises or at University events.
9. Failing to comply with the reasonable and lawful directions of University officials and/or University police, including but not limited to, failure to follow instructions to produce identification.

~~E.F.~~ Physical misconduct:

1. Inflicting bodily harm upon any person or animal.
2. Using or threatening to use force against a person or animal.

~~E. Sexual Harassment, Sexual Violence, Relationship Violence, Stalking and Related Misconduct~~

~~Violations of University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Stalking, and Related Misconduct. Please refer to the policy for specific information regarding what would constitute a violation of this policy.~~

G. Bullying, intimidation, and harassment:

1. Making any communication to another person in any manner likely to cause alarm, including through electronic or social media platforms.
2. Subjecting or threatening to subject another person or animal or threatening to subject another person or animal to striking, kicking, shoving, or offensive touching.

3. Threatening to reveal or releasing personal information or media about a person electronically or through other means of communication.
4. Engaging in any other course of alarming conduct or repeatedly committing acts with the purpose of seriously alarming another person.

In order to constitute bullying, intimidation, and/or harassment, a person's behavior ~~should~~ must be sufficiently severe, pervasive, or persistent as to substantially disrupt or interfere with the orderly operation of the institution or the rights of a student to participate in or benefit from the educational program.

H. Child abuse:

Neglecting, or inflicting any form of physical, emotional, or psychological harm or harassment upon any minor identified as a permanent or temporary dependent, or co-dependent of the accused, or as under the responsibility of the accused.

I. Defamation:

Creating a false statement about a University community member and communicating that false statement to a third party, which then exposes that community member to hatred, contempt, ridicule, loss of good will, or loss of reputation as a result of the false statement.

J. Hazing:

1. Engaging in any act that impacts the mental, emotional, or physical health or safety of a student for the purpose of initiation into, admission into, affiliation with, or continued membership in any organization or team whose members are Rutgers University students.
2. Engaging in any activity that is inconsistent with regulations or policies of Rutgers University or laws in the State of New Jersey for the purpose of initiation into, admission into, affiliation with, or continued membership in any organization or team whose members are Rutgers University students.

Behavior falling into these categories shall be considered hazing regardless of whether a person is a willing participant.

K. Invasion of privacy:

1. Making, attempting to make, live streaming, transmitting, or attempting to transmit audio, video, or images of any person(s) on or off University premises in bathrooms, showers, bedrooms, common areas of suites or apartments, medical examination rooms, training rooms, or other premises where there is an explicit expectation of privacy with respect to nudity and/or sexual activity, without the knowledge and consent of all participants subject to such recordings and/or transmissions.

2. Viewing any person(s) on or off University premises in bathrooms, showers, bedrooms, common areas of suites or apartments, medical examination rooms, training rooms, or other premises where there is an explicit expectation of privacy with respect to nudity and/or sexual activity, without the knowledge and consent of all participants.

~~KL~~—Theft or damage to property:

1. Taking or attempting to take University, public, ~~property~~ or private property without the consent of the owner or person legally responsible for that property.
2. Obtaining University services through devious means.
3. Knowingly possessing University, public, or private property without the consent of the owner or person legally responsible for that property.
4. Intentionally or recklessly damaging University, public, or private property.

~~LM~~—Use or possession of alcohol, narcotics, or other drugs:

1. Possessing or consuming alcohol by persons under the legal drinking age in New Jersey.
2. Possessing alcohol in areas ~~of~~ on campus where alcohol is not permitted.
3. Unlawfully possessing or using drugs, narcotics, controlled substances, or paraphernalia.**
4. Misusing or misappropriating any prescription, over-the-counter medication, or legal substance.**
5. Possessing or using medical marijuana on any Rutgers University property.
6. ~~Impaired driving: Driving under the influence of alcohol and/or other drugs is prohibited.~~

**The University strongly encourages students to call a University ~~O~~fficial and/or ~~M~~edical ~~P~~rofessional for medical assistance for themselves or for community members who are dangerously under the influence of alcohol or other drugs ~~or alcohol~~. Normally, students seeking medical treatment for the effects of drug or alcohol use will not be subject to ~~u~~niversity discipline for violations pertaining to drug or alcohol possession/use as outlined in this Code ~~of Conduct~~.

Medical Amnesty will be granted to both the intoxicated student and to the student seeking medical assistance for the intoxicated student; ~~however~~, under the following conditions:

1. ~~Both~~ Both the intoxicated student and the reporting student will be required to meet with their respective campus' Office of Student Conduct/Community

Standards Office to provide a detailed account of the events leading to the need for assistance, ~~in order to receive amnesty. Additionally,~~

2. ~~Involved students may be required to participate in an educational program related to drugs or alcohol.-~~ Failure to participate in a required educational program may result in charges under this Code. Medical Amnesty does not apply to disciplinary action relating to any other code violation including, but not limited to, assault, property damage, ~~or the presence of or prohibited~~ distribution of ~~other~~ substances. Medical Amnesty does not apply to student organizations.

Normally, the person who called for assistance will be expected to remain at the scene with the intoxicated student until assistance arrives and to cooperate with medical and law enforcement personnel on the scene.

MN.— Distribution of alcohol, narcotics, or other drugs:

1. Selling, transferring, giving away, or exchanging something in return for narcotics, prescription medications, or other illegal substances.
2. Providing or facilitating the consumption of alcohol by any person without taking ~~—reasonable and prudent precautions to insure~~ —reasonable and prudent precautions to ensure that the person is of legal drinking age in New Jersey.
3. Sharing medical marijuana with any individuals who does not have a medical marijuana prescription.

NO.— Disruption:

1. Intentionally or recklessly interfering with any University activity or University sponsored activity.
- 2.— Disrupting or obstructing an academic class or lecture, an administrative or support
—function, or official University business.
- 3.— Engaging in classroom conduct that is prohibited by the faculty member or is in violation of the law or University policy.

It should be noted that this policy is not intended to punish students for classroom dissent or hinder organized, peaceful, and orderly protests that are undertaken within reasonable time, place, and manner restrictions placed upon the same by the University.

OP.— Disorderly conduct:

Engaging in conduct that is disruptive, lewd, or indecent, regardless of intent, which breaches the peace of the community.

PQ.— Undisclosed recording:

Recording, live streaming, or transmitting images, audio, or video of private, non-public conversations and/or meetings on University premises without the knowledge and consent of all participants. This may include recording instructors without consent. Students must consult with instructors for guidance on their recording policies. This provision does not extend to the recording of public events or discussions, to recordings made for law enforcement purposes, or to any registered disability accommodation.

~~QR.—~~ _____ Violations of other published University regulations or policies.

~~Violating other published University regulations or policies.~~

S. Engaging in behavior that violates a University interest (as defined ~~under~~ in Part VIII, "Jurisdiction and Authority," Section I).

~~ST.—~~ _____ Abuse of the disciplinary system:

1. Knowingly providing false testimony or evidence at a ~~University Hearing or Disciplinary Conference~~ proceeding.
2. Disrupting or interfering with the conduct process.
3. Failing to complete imposed sanctions.
4. Refusing to provide information at a disciplinary proceeding. Students are expected to fully cooperate with and participate in the University disciplinary system when notified. A student may choose to withhold information or testimony if the student feels information presented will lead to self-incrimination.
5. ~~Harassing a University Hearing Board member, Campus Appeals Committee member, Conduct Officer, Presiding Officer, Campus Advisor, or witness before or after a~~ or intimidating any participant in the disciplinary proceeding process.

VIII. INTERIM ACTION

A. Interim Suspension:

- 1.— _____ In certain circumstances, the Senior Student Affairs Officer (or their designee(s)) may impose an Interim Suspension or other restrictions before the student goes through University disciplinary proceedings. Interim suspension shall be enacted when the Senior Student Affairs Officer (or their designee(s)), determines there is a reasonable basis to conclude that the continued presence of the student at the University presents an acute and immediate threat to themselves, to others at the institution, or to University property.
2. During an Interim Suspension, the students shall be denied access to University premises (including classes) and to all University activities or privileges for which the student might otherwise be eligible.

3.— It is the right of the student issued an ~~Interim~~ Suspension to meet with the Senior Student Affairs Officer, (or their designee(s)). This meeting must occur within two (2) working days of the student's request to meet. The meeting should include reaching out to schedule a meeting to discussion of the following issues only:

- a. the reliability of the information concerning the student's alleged misconduct, including the matter of their identity.
- b. whether the alleged conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a substantial and immediate threat to themselves, to others, or to University property.

4.— The Senior Student Affairs Officer (or their designee(s)) may affirm the Interim Suspension or lift the Interim Suspension. The student shall be notified of the decision in writing. The student will then be asked to participate in ~~the an~~ an investigation. If applicable, the appropriate disciplinary proceeding will then be scheduled at the earliest possible time.

B. In certain circumstances, the Senior Student Affairs Officer (or their designee(s)) may impose other interim restrictions on a student prior to the conduct of University disciplinary proceedings. Such restrictions may include, but are not limited to, such as a residence hall suspension, termination of housing contract, or mandated room reassignment, or ~~other restrictions prior to the conduct of University disciplinary proceedings.~~ These restrictions shall be enacted when the Senior Student Affairs Officer (or their designee(s)) determines there is a reasonable basis to conclude that the student presents a substantial and immediate threat to themselves, to others, or to University property if the student is allowed access to the ~~item~~ resource being restricted.

C. Under certain circumstances when it is impossible for a student to address a disciplinary action issue, due to specific mitigating factors and the incident in question does not require an Interim Suspension, the University may grant a ~~the~~ student a disciplinary withdrawal. The decision to grant a disciplinary withdrawal will be made by the Senior Student Affairs Officer (or their designee(s)), in consultation with the Chief Conduct Officer on the student's campus. The student shall be permitted to withdraw from classes and a disciplinary hold will be placed on the student's registration and transcript. The student ~~shall understand that they will not be permitted to return to Rutgers University until the disciplinary matter has been resolved.~~

C-D. For additional relevant considerations and actions, please see University Policy 10.2.12: Safety Intervention Policy.

VIII. DISCIPLINARY SANCTIONS

A. Disciplinary sanctions are imposed when students are found in violation of University regulations. The purpose of sanctioning is to educate a student as to why their behavior is inappropriate, as well as to make the student aware of and sensitive to all the possible consequences of the behavior in question. Sanctions for misconduct will be determined on a case-by-case basis, utilizing six main criteria:

1. The nature of the offense.
2. The precedent established by previous sanctions.

3. The previous disciplinary history of the student.
4. ~~—Aggravating or mitigating circumstances brought up during the Investigation, Administrative Conference, or University Hearing.~~
5. The developmental needs of the student.
6. The safety and well-being of the community.

B. Sanctions ~~are typically comprised of~~ include two components:

1. An “inactive sanction” or official University sanction (Reprimand, ~~Suspension Withheld Probation~~, Disciplinary Suspension, Expulsion or loss of University housing)
2. An “active sanction” requiring the student to complete some form of service or assignment.

C. Inactive Sanctions:

1. Reprimand

A reprimand formally indicates to a student that their behavior is unacceptable and that continuing that behavior shall warrant additional, more serious consequences.

2. Probation

Probation is a notice to a student that their actions are of such a serious nature that they may jeopardize their status as a student. The University shall refrain from suspending the student at this time, as long as the student meets all sanction requirements. Any additional incidents in which the student is found in violation of the Code of Student Conduct may result in ~~immediate removal from the University for a specific period of time~~ Disciplinary Suspension with the possibility of additional sanctions.

There are two types of Probation:

- a. Term without Conditions: A term Probation without conditions stipulates the period of Probation, after which the student regains good standing with the University.
- a.b. Term with Conditions: A term Probation with conditions stipulates the period of Probation and includes specific restrictions or requirements to be met during the probationary period. The probationary period shall continue until the Conduct Officer determines that the conditions have been satisfied. When the term is complete and all conditions have been met, the student will regain good standing with the University.

~~While a student is serving a probation, they cannot hold elected office and cannot represent the University in any official capacity, including but not limited to: intercollegiate athletics, Residence Life positions, major extracurricular activities, or~~

~~student exchange programs including Global Studies and Learning Abroad. At the end of the probationary period, all lost privileges and eligibility shall be restored.~~

3. Disciplinary Suspension

Disciplinary Suspension is the temporary loss of student status. While on suspension, a student may not take classes, participate in University-sponsored activities, or be present on University premises.

There are two types of suspension; students may be subject to one or both. In either case, a notation will remain on the student's official University transcript through the duration of the suspension.

- a. Term: A term suspension stipulates the period of suspension, after which the student may return to the University community as a student (if the student meets the academic requirements of the program of study).
- b. Conditional: A conditional suspension requires that the student meet certain requirements before they can return to the University community. The conditional suspension shall continue until the Conduct Officer determines that the conditions have been satisfied. When the term is complete and all conditions have been met, the student may return to the University community as a student (if the student meets the academic requirements of the program of study). While on suspension, a student shall not be permitted to earn credits at any other institution for the purpose of transferring those credits and making progress towards a Rutgers degree.

~~In either case, a notation will remain on the student's official University transcript through the duration of the suspension. When the term is complete and all conditions have been met, the notation will be removed.~~

~~While on suspension, a student shall not be permitted to earn credits at any other institution for the purpose of transferring those credits and making progress towards a Rutgers degree. Notice of the suspension shall appear on the student's academic transcript for the term of the suspension.~~

4. Dismissal or Expulsion

Expulsion of a student from the University is a permanent loss of student status, unless the student has successfully petitioned for clemency. A student is precluded from registration, participation in any class, activity, or program of the University, and presence on University premises. The sanction of expulsion is permanently noted on a student's official University transcript unless the student has successfully petitioned for clemency, and has completed their degree.

5. Loss of University Housing

Termination of student housing privileges, and exclusion from campus residence hall premises and activities. Loss of housing privileges is often permanent, but can be designated for a period of time at the discretion of the University. This sanction may be implemented when a resident student has either breached the terms and conditions of their housing contract, has engaged in inappropriate behavior on or off campus that severely impacts the University community, and/or has been suspended, dismissed, or expelled from the University. The termination can be enforced immediately, at the discretion of the University, and is typically carried out and overseen by the Residence Life staff on the student's campus. The student losing housing privileges will not receive a refund of any housing fees paid, may be subject to a contract cancellation fee, and may be held financially responsible for the full cost of their housing for the remainder of the contract period.

D. Active Sanctions: _____

1. _____ Restitution

_____ Repayment to the University or to an affected party for damages resulting from a violation of this Code.

2. Fines

Fines are monetary penalties utilized as a deterrent to further student misconduct, and are put in place in cases involving the use of alcohol and other drugs. Conduct fine rates are approved by the Senior Student Affairs Officers (or their designee(s)), on each campus.

3. Restorative

Programs, projects, or assignments designed to mitigate the harm done to the affected parties and restore the University community. Restorative sanctions may include (but are not limited to) educational service, letters of apology, and restorative justice practices.

a. ~~Educational Service Hours~~ – Service to the University or local community organization to be completed by a specified date. Locations and projects for completion of educational service must be approved by the Conduct Officer.

b. Alternative Resolution – Students may be sanctioned to nontraditional means of conflict resolution. These sanctions may vary from case to case and are imposed at the discretion of the Conduct ~~e~~Officer.

4. Educational

Programs, projects, or assignments designed to educate a student or student organization about the consequences of their actions and to impart skills that may help the student or organization avoid future violations.

5. Other Sanctions

Other sanctions may be imposed instead of, or in addition to, those specified above. ~~Students may be subject to~~ Restrictions upon or denials of University parking privileges may be imposed for violations involving the ~~use of registration of motor vehicles on campus and the loss of privileges for access to University of Department of Transportation policy.~~ Students found responsible for misuse of University computers or networks may lose the privilege of accessing those computers and/or networks. For violations of academic integrity, appropriate academic penalties shall also be applied (see [University Policy 10.2.13: Rutgers University Academic Integrity Policy](#)). For sanctions ~~regarding~~ violations associated with University housing, please refer to the Residence Life Living Guide ([Rutgers University–New Brunswick](#), [Rutgers University–Newark](#), and [Rutgers University–Camden](#)). For sanctions ~~regarding~~ violations associated with ~~the Student Organization policy~~ committed by student organizations, please refer to ~~the~~ Standards of Conduct for Student Organizations ~~sanctions~~. For violations associated with intercollegiate athletes or student organizations with national affiliations, ~~NCAA/athletic~~ non-University sanctions may apply.

IX. DISCIPLINARY PROCESS

For all cases, except those:

- (a) involving academic integrity violations
- (b) subject to the Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking and Related Misconduct
- (c) occurring in RBHS
- (d) involving student organizational misconduct

A. Any University community member may submit a complaint alleging a violation of the Code of Student Conduct. University community members may also submit a complaint on behalf of another person. All complaints shall be reported to the Office of Student Conduct/Community Standards.

B. During the disciplinary process, the accused student and complaint party shall be informed of their rights (as identified in Part V, “Rights of the Complaint Party and the Accused ~~Party~~ Student”) and given information about the disciplinary process.

C. Should ~~a~~ the accused student withdraw from the University for any reason, at any time during the disciplinary process, a hold will be placed on their transcripts and registration, and the student will be prohibited from graduating while the matter is pending. The student will be unable to return to the University until they have completed the disciplinary process and the matter has been resolved.

~~CD.~~ Once a complaint has been received, a Conduct Officer conducts an Investigation. The Investigation may include meetings with the responding ~~party~~ student, the complaint party, witnesses, and any other involved individuals. ~~All~~ The accused student and complaint parties party will be given written notice of meeting time(s), their rights and responsibilities, a list of Campus Advisors, and any other necessary information as determined by the Conduct Officer. An investigation may not require meeting with all

parties; the Conduct Officer will determine what meetings are necessary. The Investigation will determine the next step of the process.

E. If the accused student fails to respond to the Office of Student Conduct/Community Standards after contact has been attempted via several modes of communication, or fails to meet with the Conduct Officer for an Investigation or Administrative Conference, the Conduct Officer will assume the student declines to participate in the process. The Conduct Officer will make a determination based on their investigation; cases involving suspension, expulsion, or loss of University housing will be referred to a University Hearing. The Conduct Officer will notify the student of the complaint, charges, finding, and sanctions, if any. Should the student disagree with the finding, they will have the right to appeal to the Campus Appeals Committee.

F. After the Investigation, one of several things may happen:

- (1) The Conduct Officer has insufficient information. No charges will be brought against the accused student at this time.
- (2) The parties may be able to bypass the conduct process using Alternative Resolution practices.
- (3) The Conduct Officer finds enough information to send a Finding Letter.
- (4) The Conduct Officer may request an Administrative Conference.
- (5) Following an Administrative Conference, the accused student may be called to a University Hearing— (Only for cases where the recommended sanctions include suspension/ or expulsion from the University or loss of University housing).

1.— No charges

_____The Conduct Officer determines that no charges should be filed, or that the complaint does not include enough information for the Conduct Officer to bring charges against the student. If new information is found, the University may reopen a case and the student may be subject to the disciplinary process.

2. Alternative Resolution Practices

The University aims to create a culture that supports and utilizes Restorative Justice Practices to address and repair harm in the community, restore wellness, and promote communication, engagement, and cooperation. The Office of Student Conduct/Community Standards offers several practices to resolve issues outside of the disciplinary process. Any University community member or group may contact the Office of Student Conduct/Community Standards to learn about available resolution options, and/or to initiate a resolution process.

_____For resolution options, see the Rutgers University—New Brunswick Student Conduct website.

~~Practice Options:~~

~~a. Circles/Conferences~~

Circles/Conferences bring together members of the community that have been impacted by an event or incident. They allow both victims and respondents to have honest dialogue in a space where all members may speak and ask questions. It is a non-threatening way to rebuild trust, community, and relationships. Circles/conferences focus on gaining understanding and reaching a mutually desired outcome or resolution.

b. Conflict Negotiation/Resolution

Conflict negotiation involves bringing in a third party to encourage communication. Once the negotiator has a full understanding of the motives and needs of each person, they can begin to look for ways for them to compromise. The negotiator creates a contract or agreement by incorporating the agreed-upon compromises.

c. Impact Panels

Panels provide an opportunity for indirect encounter when either the victim or respondent is unwilling or unable to meet the other in person. A panel is comprised of unrelated victims and respondents linked only by a similar type of violation. The panel may help bring closure to the victims and to expose respondents to the harms that they have caused by providing an opportunity for the parties to speak about their experiences.

d. Mediation

Mediation is a dispute resolution process. Co-mediators will guide the people involved toward their own resolution. Through joint sessions and separate caucuses with each person, the mediators help both sides define the issues, understand the other's position, and move closer toward their own resolution.

3. Finding Letter

In certain minor cases, a Conduct Officer will have enough information to determine charges and responsibility from the complaint alone. The Conduct Officer will provide students with written notification that includes the complaint, the given charges, the finding of responsibility, and sanctions.

Should an accused student feel they received a letter in error or if they disagree with the finding and/or sanctions, they will have the opportunity to appeal to the Campus Appeals Committee. The eOffice of Student Conduct/Community Standards will review the case for eligibility.

4. Administrative Conference

After an investigation has been conducted, the Conduct Officer can request that the student attend an Administrative Conference. The student may choose to have a Campus Advisor and/or a support person present. The student will have the opportunity to present information, including witnesses in their defense. At this meeting, the Conduct Officer will review all available information and determine charges, responsibility, and sanctions, should the student be found responsible for those charges. The Administrative Conference will be recorded. The Conduct Officer will notify the student of the outcome of the Administrative Conference in writing.

If the sanctions *do not* include separation from the University or loss of housing, the Conduct Officer will issue a finding and impose sanctions. Should a student disagree with the findings and/or the sanctions, they will have opportunity to appeal to the Campus Appeals Committee.

If the Conduct Officer finds that the matter warrants separation or loss of housing, the Conduct Officer will refer the matter to a University Hearing for a determination, unless the student chooses to accept the outcome of the Administrative Conference.

5. University Hearing

~~After an investigation or an Administrative Conference, a Conduct Officer may find enough information to suggest separation from the University. These cases~~ Cases referred to a University Hearing will be heard by the University Hearing Board. The University Hearing Board is ~~the~~ formal disciplinary body ~~comprised of two students and one faculty or staff member, of trained students, faculty, and staff members~~ overseen by a trained University community member serving as the Presiding Officer. The student may choose to have a Campus Advisor and/or a support person present. During the hearing, the complaint party will provide a narrative of what happened. Then the respondent will have the opportunity to provide their narrative of what happened. Then witnesses in support of the complaint will provide their accounts. Then the respondent can provide witnesses to support their interpretation of the incident.

The University Hearing Board will review all available information, question all parties and any witnesses, and determine responsibility and sanctions, if appropriate. ~~All University Hearings will be recorded.~~ Should a student disagree with the findings and/or the sanctions, they will have opportunity to appeal to the Campus Appeals Committee.

- ~~a. Hearing Boards will be comprised of two students, one faculty or staff member, and a trained University community member to serve as the Presiding Officer.~~
- ~~b. If the responding student fails to respond to the Office of Conduct/Community Standards after contact has been attempted via several modes of communication, or fails to meet with the Conduct Officer for an investigation, or Administrative Conference, the Conduct Officer will assume the student declines to participate in the process. The Conduct Officer will make a determination based on their investigation. The Conduct Officer will notify the student of the complaint, charges, findings, and sanctions, if any. Should the student disagree with the findings, they will have the right to appeal to the Campus Appeals Committee.~~
- ~~c. Should a student need to withdraw from the University for any reason, at any time during the disciplinary process, there will be a hold will be placed on their transcripts, registration, and graduation. The student will be unable to return to the University until they have completed the disciplinary process and their disciplinary matter has been resolved.~~

XI. ___—Appeals

- A. An accused student will have ten working days following a decision to file an appeal. All appeals must be submitted in writing, and will be referred to the Campus Appeals Committee (“CAC”) on the responding student’s campus. Failure to submit an appeal by the appropriate deadline will render the decision final and conclude the disciplinary process.

Appeals may be made on the following grounds:

1. —Unsupported Conclusion: The decision made by the Conduct Officer or University Hearing Board is not supported by the facts of the case.
2. —Procedural Error: The ~~Administrative Conference or University Hearing~~ disciplinary process was conducted unfairly and not in conformity with prescribed procedures. The error committed must ~~be determined to have~~ substantially impacted the fairness of the disciplinary process.
3. New Information: There is new information available that was not available at the time of the original Administrative Conference or University Hearing and that is sufficient to alter the original decision.
4. —Disproportionate Sanction: The sanction imposed against the student was not appropriate for the offense committed.

B. Procedures

1. —The Campus Appeals Committee (CAC) on the responding student’s campus will convene to review the case being appealed.
2. —The Campus Appeals Committee will typically be comprised of two students, and one faculty, or staff member, and ~~will be overseen~~ advised by a Conduct Officer unaffiliated with the case. ~~In the case of an Academic Integrity violation the Campus Appeals Committee will include a faculty member.~~
3. —Appeals are decided upon the record of the original proceeding and any written information submitted by any of the parties. The Campus Appeals Committee shall not substitute its judgment for ~~the decision of the original hearing body~~ that of the original finder of fact or attempt to rehear the case.
4. —In preparation of an appeal, the responding ~~party~~ student may have access to the recording of the Administrative Conference or University Hearing, if any recording exists.
5. —The Presiding Officer (if any), the Conduct Officer, and the complaint party (if any) may respond in writing to the student’s appeal.
6. —Any responding student who accepts responsibility for, or is found responsible for, a violation is given one appeal to be reviewed by the Campus Appeals Committee.
 - a. Accepted Responsibility – Any accused student who accepts responsibility for a ~~Code of Student Conduct~~ violation of University

policy but disagrees with the sanction imposed, maintains the right to have their sanction reviewed by the Campus Appeals Committee. All information will be reviewed and a final determination will be made, affirming or modifying the sanctions. If the sanctions are modified, the student is given new sanction instructions by the Campus Appeals Committee and the case is concluded. If the sanction is affirmed, the original sanctions will stand, and the case is concluded. However, should the sanctions include ~~loss of University housing~~, suspension or expulsion, the Campus Appeals Committee's decision is not final; ~~however~~ the student will have a final five working days to file an additional appeal to the Senior Student Affairs Officer (or their designee), who makes the final decision on the appeal.

- b. Found Responsible — Any accused student who is found responsible for a ~~Code of Student Conduct violation of University~~ policy but disagrees with the finding and/or sanctions imposed, maintains the right to have their case reviewed by the Campus Appeals Committee. The Campus Appeals Committee will review all information and make a determination; affirm the original finding and sanction; affirm the finding and modify the sanction; or remand the case for a new Administrative Conference or University Hearing.
 - c. Sanctions will only be recommended for change if they are found to be clearly disproportionate to the gravity of the violation, precedent for similar offenses, and/or the accused student's prior disciplinary record. Cases will only be recommended for remand for a new Administrative Conference or University Hearing in the event of an unsupported finding, new and significant evidence, or significant procedural error.
 - d. If the sanctions include suspension or expulsion, the ~~CAC~~ Campus Appeals Committee decision is not final; ~~however~~, ~~the~~ student will have a final five working days to file an additional appeal to the Senior Student Affairs Officer (or their designee), who makes the final decision on the appeal.
- C. The imposition of sanctions will normally be deferred during any appeals process. The status of the student shall not change until the appeals process is complete. The University reserves the right to place a hold on the student's registration and/or transcript and no degree will be awarded to the student during the appeals process. Interim actions may also be taken to protect either party or the University community while the case is going through the appeals process ~~to protect a complaint party or the University community~~. Where permitted by state and federal laws, the Chief Conduct Officer, (or their designee(s)), may notify the victim of an act of student misconduct of any sanction imposed.
- D. Upon the conclusion of the appeal process, outlined above, there are no additional remedies available to the student.

XII.- DISCIPLINARY FILES (not including RBHS)

- A. A student found responsible for, or who accepts responsibility for, violating the ~~Code of Student Conduct or Academic Integrity~~ University policy shall have a disciplinary file created in their name. University Records Retention Policy requires that disciplinary records be kept for ten years from the date of the letter providing notice of final disciplinary action. Disciplinary records may only be reported to third parties in accordance with University regulations and subject to the Family Educational Rights and Privacy Act of 1974.
- B. A disciplinary hold may be placed on a student's University records by the Chief Conduct Officer, (or their designee(s)), while disciplinary proceedings are pending or if sanctions are not completed by the deadline.
- C. Permanent notation of disciplinary action shall be made on the transcript whenever a student is ~~dismissed or expelled~~, except in cases where a student has successfully petitioned for clemency and has completed their degree. Transcript notations of disciplinary action will also be made if a suspension is implemented; when the suspension has been completed, the notation will be removed.
- D. At no time will the Office of Student Conduct/Community Standards provide any information that divulges to the public the name, address, or other identifying personal information of anyone involved in the disciplinary process.

XIII. CLEMENCY FOR EXPULSION

- A. Rutgers University has established standards of conduct for students and imposes sanctions for violations of these standards in order to sustain the personal, educational, and social development of its students. The University expels students when the student's behavior is so egregious that the University concludes that their continued affiliation with the University is antithetical to the safety or interests of the University community.
- B. The University recognizes that, following a long separation from the University, people may change. Consequently, it is appropriate that the University consider granting clemency to expelled former students in circumstances where they are able to provide significant evidence of rehabilitation and a renewed commitment to the standards of conduct and scholarship expected of Rutgers students. For the purposes of this document, a petition for clemency is a procedure whereby the expelled individual requests the opportunity to complete their degree, and asks the University to consider new circumstances and facts that might alter the original sanction.

Individuals who have been expelled from the University may seek clemency under the following circumstances and conditions:

1. The individual must wait a minimum of five calendar years after the original expulsion before initiating a request for clemency. If the individual has taken classes elsewhere in the intervening period, those credits will not transfer towards the Rutgers degree.
2. The request for clemency must be made in writing to the Senior Student Affairs Officer on the campus from which the student was expelled, hereafter referred to as the Clemency Officer. The written request should include appropriate documentation concerning the individual's status during the intervening years since the expulsion, any additional mitigating circumstances with appropriate

documentation, and any additional information about character or change of behavior that may be appropriate. This documentation may include records pertaining to mental health status, employment, criminal, or probation records, educational records, social service records, and letters of recommendation.

——NOTE: A victim impact statement will be allowable if relevant. The Clemency Officer should arrange for its inclusion in the assembled documents.

C. Procedures

13. Upon receipt of the request for clemency, the Clemency Officer may consult with whomever they wish and may empower an advisory panel to advise them. The Clemency Officer or advisory panel will review the request for clemency and may conduct a personal interview with the individual and/or conduct other forms of inquiry as needed.
42. The Clemency Officer will make a recommendation to the President of the University on clemency including specific conditions, if any, for admission/readmission.
53. The final decision (with any special conditions) will be made by the President and transmitted to the Clemency Officer on the campus from which the individual was expelled.
64. The decision of the President is final.
75. If clemency is granted, the individual will be readmitted to the University and to the school, program, or successor unit from which they were expelled (assuming they are academically qualified for reenrollment). If the individual wants to attend a different academic unit within the University, they will be subject to the same requirements and approval processes as any current student. They will remain on Probation, noted on the transcript, until the degree is completed, at which time ~~the notation~~ will be removed, as will the notation regarding the original expulsion. The individual must meet whatever graduation requirements are in place at the time of readmission. The President may impose additional conditions on the individual's readmission.
86. A record of the expulsion will remain in the student's disciplinary records maintained by the Office of Student Conduct, and is not subject to expunction.

XIII.V. STUDENT CONDUCT PROCESS VOLUNTEERS

Rutgers University will recruit and train individuals to serve as Campus Advisors, University Hearing Board members, University Hearing Presiding Officers, and Campus Appeals Committee members.

XIV. REVISIONS TO THE CODE OF STUDENT CONDUCT

A standing system-wide committee is responsible for reviewing this Code and suggesting appropriate amendments or modifications. The committee shall consist of a minimum of two students and two representatives from Rutgers University–Camden, Rutgers University–Newark, and Rutgers University–New Brunswick.

It will be the responsibility of the Senior Student Affairs Officer at Rutgers University–New Brunswick to inform the University Senate, the President of the University, and the Board of Governors of any substantive changes in the student disciplinary process recommended by the committee. Substantive changes to the Code of Student Conduct must be approved by the Board of Governors; minor changes may be approved by the President.

Draft



PROPOSED RESOLUTION
APPROVING REVISIONS TO UNIVERSITY POLICY 10.3.12:
STUDENT POLICY PROHIBITING SEXUAL HARASSMENT, SEXUAL VIOLENCE,
RELATIONSHIP VIOLENCE, STALKING, AND RELATED MISCONDUCT

WHEREAS, Rutgers, The State University of New Jersey, is committed to fostering a universitywide environment that is safe and secure, and free from sexual and gender-based discrimination and harassment, sexual violence, dating and domestic violence, stalking, and other related misconduct; and

WHEREAS, on October 14, 2015, the Board of Governors approved University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct—a universitywide policy applicable to students prohibiting such acts and setting forth a consistent set of guidelines that describe and direct how to report, investigate, and resolve complaints alleging sexual and gender-based discrimination and harassment, sexual violence, dating and domestic violence, stalking, and other related misconduct; and

WHEREAS, it is now necessary to revise University Policy 10.3.12 to update the resources available to victims, complainants, and respondents to ensure information within the policy is current and accurate; and

WHEREAS, the relevant Student Affairs officials at Rutgers University–New Brunswick, Rutgers University–Newark, Rutgers University–Camden, and Rutgers Biomedical Health Sciences; the Office of the Senior Vice President and General Counsel; University Ethics and Compliance; and Senior Vice President for Academic Affairs Barbara A. Lee have reviewed and approved the revisions to University Policy 10.3.12, as shown in the attached with additions underlined and deletions in strike-out; and

WHEREAS, on December 2, 2019, the Committee on Academic and Student Affairs of the Board of Governors reviewed and endorsed the revisions to University Policy 10.3.12 and recommended its approval by the Board of Governors.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Committee on Academic and Student Affairs, the Board of Governors of Rutgers, The State University of New Jersey, approves the attached revisions to University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct, effective immediately.

Attachment: Proposed Revisions to University Policy 10.3.12: Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct

Board of Governors
Rutgers, The State University
of New Jersey
December 17, 2019



UNIVERSITY POLICY

Policy Name:	Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct				
Section #:	10.3.12	Section Title:	Academic: Student Services & Other Student-Related Policies and Programs	Formerly Book:	N/A
Approval Authority:	Board of Governors		Adopted:	10/14/2015	Reviewed: 40/14/2015 12/17/2019
Responsible Executive:	Senior Vice President for Academic Affairs		Revised:	12/17/2019	
Responsible Office:	Academic Affairs		Contact:	Office of Enterprise Risk Management, Ethics and Compliance 973-972-8093 800-215-9664 http://erm.rutgers.edu/departments/compliance_hotline.html	

1. Policy Statement

Rutgers, The State University of New Jersey, is committed to fostering an environment that is safe and secure and free from sexual and gender-based discrimination and harassment, sexual violence, dating and domestic violence, stalking and other related misconduct. The University recognizes its responsibility to increase awareness of such misconduct, prevent its occurrence, support victims, deal fairly and firmly with offenders, and diligently investigate reports of misconduct. In addressing these issues, all members of the University must come together to respect and care for one another in a manner consistent with our deeply held academic and community values. This Policy sets forth how the University defines and addresses sexual and gender-based harassment, sexual violence, stalking and relationship violence and related misconduct involving University students.

2. Reason for Policy

The University is required to comply with Title IX of the Higher Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities. Similarly, the Violence Against Women Reauthorization Act of 2013 (VAWA) requires prompt, fair and impartial investigation and resolution of allegations of sexual assault, stalking, dating violence, and domestic violence. This Policy is intended to foster a safe and non-discriminatory educational environment and comply with Title IX, VAWA and other applicable laws.

3. Who Should Read This Policy

All members of the Rutgers University Community.

4. Resources

[University Policy 10.2.11:- Code of Student Conduct](#)

[University Policy 60.1.12:- Policy Prohibiting Discrimination and Harassment](#)

~~University Policy 60.1.13: Policy Prohibiting Workplace Violence Policy~~
~~RBHS Students Rights, Responsibilities and Disciplinary Procedures~~
New Jersey Campus Sexual Assault Victim's Bill of Rights, N.J.S.A. 18A:61E-1 et seq.
~~United States Department of Education, Office for Civil Rights~~ <http://www.ed.gov/ocr>
~~The United States Department of Justice, Office on Violence Against Women,~~ <http://ovw.usdoj.gov>

Additional on-campus and off-campus resources are listed at the end of this Policy.

5. Definitions

See Sections II and III of this Policy for definitions of conduct prohibited by this Policy and other important concepts and definitions.

6. The Policy

INTRODUCTION

This Policy applies to student conduct and prohibits a broad range of behaviors focused on sex and/or gender that may or may not be sexual in nature. Sexual harassment, sexual violence, sexual exploitation, gender-based harassment, stalking, and relationship violence (including dating and domestic violence) are all forms of misconduct that are prohibited by this Policy and will not be tolerated by the University.

This Policy sets forth how the University defines and addresses sexual and gender-based harassment, sexual violence, stalking and relationship violence and related misconduct involving University students. The Policy first sets forth the scope and jurisdiction of the Policy. It then defines key concepts, including the full range of prohibited conduct. Next, it describes reporting options, and explains whether and to what extent interactions with various resources are confidential. The Policy then discusses the University's response procedures, including services and measures that may be available in particular cases to support and assist students and informal resolution options. The response procedures further describe the investigation, determination, sanctioning and appeal processes for matters in which students are accused of prohibited conduct, as well as the affected students' rights in connection with the process. The last section is a comprehensive listing of Resources available to students affected by sexual and gender-based harassment, sexual violence, sexual exploitation, stalking and relationship violence.

The University is committed to the principles of academic freedom and believes that vigorous discussion and debate, as well as free inquiry and free expression, are an integral part of the University community.¹ Nothing in the Policy shall be construed to abridge academic freedom and inquiry, principles of free speech, or the University's educational mission.

¹University Policy 60.5.1: Academic Freedom (includes Statement on Professional Ethics Policy, at <http://policies.rutgers.edu/6051-currentpdf>)

TABLE OF CONTENTS

- I. Scope of the Policy
 - A. Complaint Parties
 - B. Complaints Involving More Than One Rutgers Institution
 - C. Complaints Against Faculty, Staff, and Third Parties
- II. Prohibited Misconduct
 - A. Sexual Harassment
 - B. Gender-based Harassment
 - C. Sexual Intimidation
 - D. Sexual Exploitation
 - E. Sexual Assault and Non-Consensual Sexual Contact
 - F. Relationship Violence
 - G. Stalking
 - H. Retaliation
- III. Other Important Concepts and Definitions
 - A. Hostile Environment
 - B. Consent
 - 1. Age
 - 2. Coercion and Force
- IV. Reporting Prohibited Conduct
 - A. Title IX Coordinators
 - B. Law Enforcement
 - C. Confidential Resources
 - D. Faculty, Staff, and Other Non-Confidential University Employees
 - E. Requests Not to Disclose the Complainant's Identity
 - F. Time for Reporting
 - G. Reports from Third Parties or Anonymous Reports
 - H. Related Alcohol and Drug Violations
 - I. Unknown/Non-University Offenders
 - J. Public Awareness Events
- V. Student Rights
 - A. Rights of the Complainant and Respondent
 - B. Privacy
 - C. Advisors
 - D. Pending Discipline and Declining to Participate
 - E. Conflicts of Interest
- VI. University Procedures for Responding to Reports of Prohibited Conduct
 - A. Time Frames
 - B. Preliminary Inquiry
 - C. Interim Remedial Measures
 - D. Informal Resolution
 - E. Investigation
 - F. Conduct Charges
 - G. Hearing, Determination, and Outcome
 - H. Appeals
- VII. Sanctions and Other Remedial Measures
 - A. How Sanctions are Determined
 - B. Types of Sanctions
 - C. Inactive Sanctions
 - D. Other Sanctions
 - E. Ongoing Accommodations for Complainant
 - F. Additional Responses
- VIII. Reporting of Crime and Disciplinary Statistics
- IX. Records Disclosure
- X. Amendments

I. SCOPE OF THE POLICY

This Policy governs sexual harassment, sexual assault, sexual exploitation, gender-based harassment, stalking, relationship violence, and related misconduct (“prohibited conduct”) committed by a current Rutgers University student² that either:

- occurs on any University campus or in connection with University programs or activities; or
- creates a hostile environment for University students; or
- involves a Complainant who is a current University student.

The Policy applies regardless of a person's gender, gender identity, gender expression, sexual orientation, age, race, nationality, class status, ability, religion, or other protected status.

A. Complaint Parties

Throughout this Policy “Complainant” refers to the person making the allegation(s) of prohibited conduct and “Respondent” refers to the person alleged to have committed the prohibited conduct. When the Complainant is someone other than the victim of the alleged conduct, the victim also will be deemed the complainant for purposes of the rights and options available under this Policy.

B. Complaints Involving More Than One Rutgers Institution

Rutgers, The State University of New Jersey, is a public research university with three higher education institutions – Rutgers University–New Brunswick, Rutgers University–Newark, and Rutgers University–Camden – and an academic health care division, Rutgers Biomedical and Health Sciences (RBHS), which collaborates university-wide and is aligned with Rutgers University–New Brunswick.

When an alleged violation involves more than one (1) Rutgers University institution, the complaint shall be handled by the institution with disciplinary authority over the Respondent. The institution responsible for the investigation may request the involvement or cooperation of any other affected institution and should advise appropriate officials of the affected institution of the progress and results of the investigation.

C. Complaints Against Faculty, Staff, and Third Parties

If the Respondent is a faculty or staff member, third party who does business with the University, or is otherwise affiliated with the University, but not a University student, please refer to the Rutgers University Policy 60.1.12: Prohibiting Discrimination and Harassment, 60.1.12, and Discrimination and Harassment Complaint Process for Complaints against University Employees and Individuals Who Do Business with the University,³ or contact the University's Office of Employment Equity. Students are entitled to appropriate support from the University and to be treated with respect, dignity, and sensitivity in connection with all incidents of conduct prohibited by this Policy including where the Respondent is a faculty member, staff member, or other party affiliated or doing business with the University. In all cases, the University shall strive to ensure that students receive all the rights and protections set forth in this Policy, to the extent applicable.

² “Student” is any person for whom the University maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations, and who has not yet been awarded his or her degree from the University, and includes undergraduate, graduate, professional, and non-matriculated students at the University. Current students also include those students who are on a leave of absence from the University and those students currently taking classes who have yet to receive a degree or certificate from the University at the time of the alleged Policy violation.

³ Available at <http://uhr.rutgers.edu/sites/default/files/userfiles/DiscriminationHarassmentComplaintProcess.pdf>

D. Designation of University Offices and Employees

Throughout this Policy, the University office(s) and/or employee(s) who will typically perform certain roles or duties are identified. However, the University may designate other University offices or employees to perform any roles or duties described in this Policy where necessary to effectuate this Policy.

II. PROHIBITED CONDUCT

This Policy prohibits the following conduct, as well as attempts to commit and aiding or inciting others to commit these acts. Please note that these definitions are behavioral definitions, not legal or criminal definitions. Definitions of criminal violations can be found in the University's annual Safety Matters Report, which is available at <http://rupd.rutgers.edu/aboutsafe.php>.

A. **Sexual Harassment.** Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communication of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education, educational or campus life activities; or
- submission to or rejection of such conduct by an individual is used as the basis for academic or student life decisions affecting that individual; or
- such conduct has the effect of unreasonably interfering with an individual's education or academic performance or creating an intimidating, hostile, demeaning, or offensive campus, work, or living environment.

Sexual harassment may be committed by anyone regardless of gender identity and may occur between members of the same or different sex.

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

C. **Sexual Intimidation.** Sexual intimidation refers to threatening behavior of a sexual nature directed at another person or group that reasonably leads the target(s) to fear for their physical well-being or to engage in sexual conduct for self-protection, such as threatening to sexually assault another person or engaging in indecent exposure.

D. **Sexual Exploitation.** Sexual exploitation refers to non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. Examples of sexual exploitation include, but are not limited to:

- observing another individual's nudity or sexual activity or allowing another to observe nudity or sexual activity without the knowledge and consent of all participants;
- non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all participants;
- exposing one's genitals in non-consensual circumstances; or

- inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Depending on the circumstances of a particular case, sexual exploitation may also violate the provision of the Code of Student Conduct, ~~prohibiting Invasion of Privacy~~.

E. **Sexual Assault or Non-Consensual Sexual Contact.** Sexual assault or non-consensual sexual contact refers to any one or more of the following acts:

- Touching of an unwilling or non-consenting person's intimate parts (such as genitalia, groin, breast, buttocks, or mouth under or over a person's clothes).
- Touching an unwilling person or non-consenting person with one's own intimate parts.
- Forcing an unwilling person to touch another's intimate parts.
- Penetrating an unwilling person orally, anally, or vaginally with any object or body part. This includes, but is not limited to, penetration of a bodily opening without consent, through the use of coercion, or through exploitation of another's inability to give consent.
- Penetrating an unwilling person orally, anally, or vaginally with any object or body part by use of force, threat, and/or intimidation.

F. **Relationship Violence.** Relationship violence refers to any act of physical, sexual, and/or psychological harm against an individual by a current or former intimate or romantic partner, or by a person with whom the victim shares a child in common. Intimate or romantic partners may be dating, cohabitating, married, separate or divorced, and may be of the same or different sex. Dating violence and domestic violence are both considered "relationship violence" under this Policy.

G. **Stalking.** Stalking refers to any course of conduct directed at a specific person that would cause a reasonable person to be fearful of serious harm or danger to themselves or to individuals close to them. Examples of stalking include non-consensual communication and physical contact; following or pursuing the other person; waiting or showing up at locations visited by the other person; spying on a person; trespassing; vandalism; gathering of information about a person from others; or manipulating and controlling behaviors such as threats to harm oneself or threats to harm someone close to the victim.

H. **Retaliation.** Retaliation refers to any act of intimidation against individuals who, in good faith, assert their rights to bring a complaint under this Policy, including individuals who file a third-person report, or participate in an investigation, or protest the alleged conduct or retaliation. Retaliation can take many forms, including sustained abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a Respondent or Complainant, can be responsible for retaliation. Retaliation is considered a separate offense from the original complaint, and will be considered independently from the merits of the underlying complaint.

Depending on the nature of the allegations, additional charges under the Code of Student Conduct may also apply. The Title IX Coordinator and the person responsible for addressing student conduct at a particular Rutgers Institution will determine whether those additional charges will be dealt with under this Policy, or under the Code of Student Conduct. The Code of Student Conduct is available at <https://policies.rutgers.edu/10211-currentpdf>.
~~<http://studentconduct.rutgers.edu/university-code-of-student-conduct>~~.

III. OTHER IMPORTANT CONCEPTS AND DEFINITIONS

A. Hostile Environment

A “hostile environment” exists when unwelcome conduct of a sexual or gender-based nature has the purpose or effect of unreasonably interfering with an individual’s academic or work performance or creating an intimidating, hostile, or offensive environment for that individual’s employment, education, living environment, or participation in a university activity.

A person does not have to be the direct target of harassment to complain about it. Harassing behavior toward others may be so offensive, demeaning, or disruptive as to constitute a hostile work or academic environment, even if the harassment is not specifically directed at the observer or individual lodging the complaint. Alleged harassment will be evaluated according to the objective standard of a reasonable person. A single, isolated incident of sexual or gender-based harassment may, based on the facts and circumstances, create a hostile environment.

B. Consent

Any non-consensual sexual activity is prohibited by this Policy. Consensual sexual activity requires clear and unambiguous communication and mutual agreement for the act in which the participants are involved. Consent will be assessed objectively from the standpoint of a reasonable person.

In understanding the meaning of consent, the following principles apply:

- A sexual interaction is considered consensual when individuals willingly and knowingly engage in the interaction.
- Someone who is incapacitated cannot consent. A person is incapacitated when the person cannot make a rational, reasonable decision because the person lacks the ability to understand his or her decision. A person can become incapacitated as a result of, among other things, disability, physical or mental impairment, involuntary physical constraint, sleep, unconsciousness, or consumption of alcohol or other drugs.
 - According to New Jersey law, an individual who is physically or mentally impaired may not be able to give consent to sexual activity. Physical or mental impairment may include: visual, speech or hearing impairment, cognitive impairment, being unconscious or asleep, or being under the influence of alcohol or other substance(s) to the point of being unable to make a decision.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or previous consent for sexual activity is not consent to sexual activity on a different occasion. (For example, consent to certain acts at one point in an evening does not mean consent to the same acts later in the same evening.)
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Silence or the absence of resistance is not the same as consent.
- Consent can be withdrawn at any time.
- The use of alcohol or drugs does not justify or excuse behavior that violates this Policy and never makes someone at fault for being the victim of a violation of this Policy.

1. Age

In New Jersey, a person must be 16 years of age to legally consent to sexual activity. A person cannot give consent to sexual activity with someone who has "the duty to care" for them unless they are over the age of 18. Individuals that fall into "the duty to care" category would include parents or guardians, and those in any type of formal supervisory role. If individuals are between the ages of 13 and 15, they can legally consent to sexual activity with a partner who is not more than 4 years older.

2. Coercion and Force

Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, or coercion. Sexual activity accompanied by coercion or force is not consensual.

- Coercion refers to unreasonable pressure for sexual activity. When someone makes it clear that he or she does not want to engage in sexual activity or does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive. The use of coercion can involve the use of pressure, manipulation, substances, and/or force. Ignoring objections of another person is a form of coercion.
- Force refers to the use of physical violence and/or imposing on someone physically to engage in sexual contact or intercourse. Force can also include threats, intimidation (implied threats), or coercion used to overcome resistance.

IV. REPORTING PROHIBITED CONDUCT

The University strongly encourages students, faculty, and staff to report all conduct prohibited by this Policy directly to a University official, to a Title IX Coordinator, or to the Rutgers University Police Department (RUPD) as promptly as possible so that the University can investigate and respond effectively. Reports may be made in person, in writing, via telephone, via electronic mail, or online: Rutgers–New Brunswick Incident Reporting Form, <http://studentconduct.rutgers.edu/sex-discrimination-harassment-and-assault-and-title-ix-procedures>; Rutgers University–Newark Incident Reporting Form, <http://health.newark.rutgers.edu/sexual-assault-interpersonal-violence-services/sexual-assault>; Rutgers Student Affairs Camden Dean of Students: Reporting, <http://deanofstudents.camden.rutgers.edu/reporting-sexual-harassment-and-physical-sexual-misconduct-title-ix-procedures>; RBHS Department of Family Medicine, <http://nims.rutgers.edu/departments/family-medicine/shs/SexualAssault.cfm>. Contact information is listed in the Resources section of this Policy.

Any student may meet with a Title IX Coordinator, RUPD, or any confidential resource to ask questions about the process before deciding to make a report.

A. Title IX Coordinators

The University has several Title IX Coordinators, whose offices are located throughout the University, as well as a Title IX Compliance Officer who serves as the Central Title IX Coordinator for the University. The Title IX Coordinators serve as the central points of contact for all University students affected by conduct prohibited by this Policy and oversee the administration of this Policy in a neutral and equitable manner. The Title IX Coordinators are also responsible for overseeing the University's response to all reports and complaints of conduct prohibited by this Policy, and identifying and addressing any patterns or systemic problems revealed by such reports and complaints.⁴

⁴ All duties and responsibilities assigned to the Title IX Coordinators by this Policy may be fulfilled by the Title IX Coordinators or their designees (e.g., Deputy Title IX Coordinators).

Contact information for all Title IX Coordinators can be found in the Resource section of this Policy.

B. Law Enforcement

Students may choose to report crimes of sexual violence to RUPD, and/or the state or local police department or the county prosecutor's office where the incident(s) occurred. RUPD officers are trained to assist victims of sexual assault, dating violence, and domestic violence.

RUPD personnel are familiar with state and local law enforcement processes and can explain what happens when sexual violence is reported to law enforcement. RUPD personnel can also accompany any student requesting support to the local police department or prosecutor's office, though they cannot serve as a substitute for legal advice on these matters.

While RUPD may work cooperatively with state or local law enforcement authorities, the criminal justice system is independent of the University's internal disciplinary procedures. Law enforcement authorities, including RUPD, do not determine whether a violation of this Policy has occurred.

Additional information on the RUPD intake process can be found in The Rutgers' Annual Security and Fire Safety Report "Safety Matters.", which is available at <http://rupd.rutgers.edu/aboutsafe.php>.

C. Confidential Resources

Rutgers University—Camden, Rutgers University—New Brunswick, Rutgers University—Newark and RBHS each have several "confidential" resources available, including advocates, counselors, clergy, and healthcare providers. These are people that, in general, are not obligated to share any personally identifying information about a report of prohibited conduct (such as the Complainant, victim, or Respondent's name) with the Title IX Coordinator, law enforcement, or any other University administrator. A report to a confidential source will not trigger an investigation or disciplinary action under this Policy. Confidential resources can offer the following assistance:

- Provide information about how to file a complaint with the University or law enforcement;
- Direct the student to other forms of protection and support, such as victim advocacy, accommodations, and/or health or counselling services;
- Arrange for medical care and accompany students, or arrange for someone to accompany students, to seek such care; and
- Provide students with immediate and long-term help.

Appendix A and Appendix B contains a complete list of the confidential resources on each campus. **Students may use these confidential resources whether or not they make a report to a Title IX Coordinator or participate in University disciplinary proceedings or the criminal process.**

D. Faculty, Staff, and Other Non-Confidential University Employees

The University recognizes that students may be most comfortable disclosing sexual violence and other prohibited conduct to a University employee they know well, such as a faculty member, coach, or resident advisor. These "non-confidential" employees will protect and respect students' privacy to the greatest extent possible and share information only on a need-to-know basis; however, they cannot serve as a confidential resource for students. **Any**

University employee (other than the confidential resources identified in Appendix A and Appendix B) who receives a report about conduct prohibited by this policy is required to inform the appropriate Title IX Coordinator about the incident.⁵ This means that these individuals are required to report to the Title IX Coordinator all relevant details, including the name of the individual who made the report, the alleged victim (if different), and the alleged Respondent, any witnesses, and other relevant facts. This does not mean that the University will automatically initiate a formal investigation of the incident(s). Rather, the Title IX Coordinator will work with the alleged victim to assess any request for confidentiality or anonymity, and to determine how to respond to the report in a way that will stop and prevent recurrence of the alleged misconduct and provide remediation to the victim.

E. Requests Not to Disclose the Complainant's Identity in Connection with a Report to the University

The appropriate Title IX Coordinator is responsible for assessing requests by Complainants and/or victims not to disclose their identity to anyone else, including the person who allegedly committed the prohibited conduct. While such a request may limit the University's ability to investigate and respond to the report, the Title IX Coordinator, in consultation with the RUPD, victim advocates, and other relevant University administrators (as appropriate), will consider the request in light of the University's commitment to provide a safe and non-discriminatory environment for all students and will honor the request whenever possible. Similarly, a Complainant and/or victim may request that the Title IX Coordinator not commence an investigation at all. In either case, the Title IX Coordinator will promptly notify the individual making the request whether the University will be able to honor it.

Factors to be considered in determining whether a request to maintain an individual's identity as confidential and/or that the complaint not be investigated may include but are not limited to:

- Whether there is an increased risk that the Respondent will commit additional acts prohibited by this Policy, including acts of sexual violence, such as:
 - Whether there have been other similar complaints about the same Respondent;
 - Whether the Respondent has a history of arrests or records from a prior institution indicating a history of violence;
 - Whether the Respondent has threatened future sexual violence, or other prohibited acts (including non-sexual violence) against the individual or others;
 - Whether the alleged sexual misconduct was committed by multiple individuals;
 - Whether circumstances suggest there is an increased risk of future acts of sexual violence or other prohibited conduct under similar circumstances (e.g., whether the report reveals a pattern of perpetration, such as via the illicit use of drugs or alcohol, at a given location or by a particular group);
- Whether the alleged prohibited conduct was perpetrated with a weapon;

⁵ Under the law, certain employees designated "Responsible Employees" are required to report all potential incidents of sexual misconduct. Responsible employees include those who have the authority to take action to redress sexual misconduct, those given the duty of reporting incidents of sexual misconduct to the Title IX Coordinator, or anyone a student would reasonably believe to have that duty. This Policy requires that all faculty and staff not designated as a Confidential Resource relay such reports to the Title IX Coordinator.

- Whether the alleged victim is a minor; and
- Whether the University possesses other means to obtain relevant evidence (e.g., security cameras, information known to University personnel, or physical evidence).

If none of these factors is present, the University will endeavor to honor the student's request not to reveal the student's identity.

Whether or not the University is able to grant a request to keep the Complainant's and/or the victim's identity confidential, University personnel will reveal information about investigations and disciplinary proceedings pursuant to this Policy only to those who need to know in order to carry out their duties and responsibilities. This means that the Title IX Coordinator may disclose the identity of the Complainant/ and/or the victim to, for example, the investigators assigned to the case, potential witnesses, and University administrators involved in the disciplinary process and/or any requests for interim measures or accommodations.

F. Time for Reporting

The University does not limit the time for submitting a report of conduct prohibited by this Policy. However, the University's ability to investigate and respond effectively may be reduced with the passage of time.

G. Reports from Third Parties and Anonymous Reports

In cases where an incident is reported to the Title IX Coordinator or the RUPD by someone other than the alleged victim (by a faculty member, resident advisor, friend, or roommate, for example), the Title IX Coordinator will promptly notify the alleged victim that a report has been received. This Policy will apply in the same manner as if the victim had made the initial report and that individual will be considered the eComplainant for purposes of this Policy, even though the initial report did not originate with that individual. The Title IX Coordinator will make every effort to meet with the alleged victim to discuss available options and on-campus and off-campus resources. Reports from an anonymous source otherwise will be treated in the same manner as a report from the alleged victim. As always, the victim/ and/or the Complainant is not required to participate in any resulting investigation or disciplinary process and the Title IX Coordinator will assess any requests to keep the identity of the Complainant/ and/or the victim confidential, or not to commence an investigation.

H. Related Alcohol and Drug Violations

Sometimes students may be reluctant to report instances of sexual misconduct because they fear being charged with University alcohol or drug policy violations. The University encourages students to report all instances of conduct prohibited by this Policy and will take into consideration the importance of reporting such conduct in addressing violations of the University's alcohol and drug policies. This means that, whenever possible, the University will not respond punitively to alcohol or drug violations associated with prohibited conduct reported under this Policy.

I. Unknown/Non-University Offenders

The University will investigate reports of incidents affecting University students that are committed by individuals who are not members of the University community or whose identity is not known to the extent it is able. The University will take appropriate actions designed to protect affected students and others in the University community, and to remediate the impact of the incident for the Complainant/ and/or the victim.

J. Public Awareness Events

The University supports public awareness events such as SCREAM Theater events, "Take Back the Night" events, candlelight vigils, protests, survivor speak outs, and other forums. These activities help inform the need for ~~campus-wide~~universitywide education and prevention efforts. The disclosure at such events of incidents of prohibited conduct is not considered a report to the University under this Policy.

V. STUDENT RIGHTS

A. Rights of the Complainant and Respondent

The University is committed to providing accessible, prompt, thorough, and fair methods of investigation and resolution of incidents reported under this Policy to all University students. To this end, both the Complainant and Respondent are entitled to the following rights throughout the investigation and hearing processes set forth in this Policy, subject to the terms of this Policy.⁶

1. To be treated with dignity by all persons involved in the investigation and disciplinary process.
2. To a prompt and thorough investigation of the allegations.
3. To a fair hearing.
4. To equal access to information, evidence and University resources, including information pertaining to counseling services.
5. To information about this Policy.
6. To participate or to decline to participate in the investigation or hearing process.
7. To have an advisor of their choosing present at all meetings and hearings.
8. To written notice of all meetings and hearings, including the time and place. Proper written notification shall be defined as delivery of mail to a student's local or permanent address, as reported by the student to the University Registrar, or an e-mail message sent to the email account established as his or her official e-mail. Students shall be held responsible for the contents of mail sent to reported addresses and e-mail messages sent to their established e-mail accounts. Students have the responsibility for providing the University with current addresses, e-mail addresses, and phone numbers.
9. To present information and/or witnesses on their behalf during the investigation and hearing process. The relevancy of witnesses shall be determined by the Title IX Coordinator or their designee during the investigation phase, and by the Hearing Officer during the hearing phase.
10. To choose not to present information against themselves. Students do not have to speak at any meeting, conference, or hearing and no negative inference will be made should a student choose not to speak.
11. To hear and respond to all information presented against them.
12. To one (1) written copy of the investigation report stating the allegations, information gathered from all parties and witnesses, and the Title IX Coordinator's determination as to

⁶ These rights are comparable to those set forth in the University Code of Student Conduct, though they have been modified to apply to the investigation and hearing processes described in this Policy.

whether the information gathered could constitute a violation of this Policy.

13. To adequate time to review the investigation report and any evidence that will be presented to the Hearing Officer.
14. To notice of the charges (including what prohibited conduct is at issue) that will be presented to the Hearing Officer and reasonable notice of the date and time of the hearing.
15. To have any unrelated past behavior excluded from the investigation and disciplinary process, as determined by the Title IX Coordinator or Hearing Officer.
16. To submit written materials to the Hearing Officer relevant to the sanction decision, which may include a written impact statement by the Complainant and a statement of mitigating factors by the Respondent.
17. To be free from intimidation, harassment, bullying, or any other form of retaliation throughout the investigation and disciplinary process.
18. To written notification of the results of the hearing or other case resolution, including any sanctions imposed.
19. To be informed of their right to appeal and of the process for doing so.
20. To written notification of the outcome of any appeal.
21. To privacy throughout the investigation and disciplinary process with respect to campus and other media, and from all other uninvolved parties.
22. To an opportunity to challenge the investigator(s), Title IX Coordinator, Hearing Officer, Appeals Officer, or any other staff or administrator involved in the investigation, hearing, or appeal process for a possible conflict of interest.
23. To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.
24. To have reasonable steps taken to prevent any unnecessary or unwanted contact with the other party(ies) during the investigation and hearing process.

Additionally, the Complainant has the right to report the incident to law enforcement at any time.

The University also adheres to the New Jersey Campus Sexual Assault Victim's Bill of Rights which is reproduced in this Policy as Appendix BC.

B. Privacy

The University will reveal information about its investigations and adjudication of conduct prohibited by this Policy only to those who need to know the information in order to carry out their duties and responsibilities. Students with questions about who may receive such information should contact the Title IX Coordinator.

All students and University personnel participating in an investigation, proceeding, or hearing are expected to maintain the privacy of the process. This does not prohibit either a Complainant or Respondent from obtaining the assistance of family members, counselors, therapists, clergy, doctors, attorneys, or similar resources.

C. Advisors

The Complainant and Respondent, respectively, may be accompanied to any meeting or hearing under this Policy by an advisor of their choice. An advisor may be a friend, family member, lawyer, or other individual of the student's choosing.

Advisors may support the student and provide advice about the investigation and disciplinary process. During meetings and hearings, the advisor may talk quietly with the student or pass notes in a non-disruptive manner. The advisor may not intervene in a meeting or hearing or address the investigator or Hearing Officer, including by questioning witnesses or making objections. Failure to comply with these mandates may result in the advisor being removed from, or prohibited from attending, any investigatory meetings and/or the hearing.

It is the responsibility of the student to make sure their advisor is present at meetings and hearings. Advisor availability shall not be sufficient grounds for postponing meetings or hearings.

Complainants and Respondents are free to consult with or retain an attorney of their choice and may elect to designate their attorney as their advisor. However, like all advisors, the attorney may not intervene or disrupt the proceedings. The University will obtain a signed release from students prior to discussing any information about a report or complaint with their advisor.

D. Pending Discipline and Declining to Participate

A student will not be permitted to graduate or receive academic credit (or certification, if applicable) for a program in which they are enrolled while a disciplinary matter is pending under this Policy; the student's graduation, credit, or certification will be withheld until the matter is resolved.

A Complainant and/or Respondent may decline to participate in the investigative or disciplinary process. The University may continue the process without the Complainant's and/or Respondent's participation.

E. Conflicts of Interest

The University requires any individual participating in the investigation, hearing process, sanctioning, or appeal determinations to disclose to the Title IX Coordinator any potential or actual conflict of interest. If a Complainant or Respondent believes that any individual involved in the process has a conflict of interest, he or she may make a request to the Title IX Coordinator that the individual not participate. A Complainant or Respondent who believes that any person involved in the investigation or hearing process has a conflict of interest must submit this request in writing to the Title IX Coordinator within three (3) days after notification of that person's involvement in the process. Any request must include a description of the conflict. If the Title IX Coordinator determines that a conflict of interest may exist, the University will take steps to address the conflict in order to ensure an impartial process.

VI. UNIVERSITY PROCEDURES FOR RESPONDING TO REPORTS OF PROHIBITED CONDUCT

The Title IX Coordinators are responsible for overseeing the University's response to all reports and complaints of conduct prohibited by this Policy.

A. Time Frames

The University will seek to resolve every report under this Policy within sixty (60) calendar days of an initial report, not counting any appeal.⁷ The University recognizes that each case has its own unique circumstances, and time frames for each stage of the process may vary depending on the details of a case and at certain times of the academic year (for example, during breaks,

⁷ References to days in this Policy refer to calendar days.

study periods, or final exams). The University may extend any time frame for good cause, with a written explanation to the Complainant and Respondent.

The University's process for responding to, investigating, and adjudicating reports under this Policy will continue during any law enforcement proceeding or civil proceeding. The investigation may need to be temporarily delayed while the police are gathering evidence, but the investigation will be resumed once the police department has completed its evidence-gathering and generally will not wait for the conclusion of any related criminal proceeding.

B. Preliminary Inquiry

Following receipt of notice of a potential violation of this Policy, the Title IX Coordinator will immediately gather as much information as possible to determine the appropriate means for addressing the report. Options for addressing reports include, but are not limited to: (1) investigating the report, as described in Section VI.E, below; (2) attempting to resolve the report through an informal process, as described in Section VI.D below; or (3) determining that the facts of the report, even if true, would not constitute a violation of this Policy.

In all situations where the facts of the report, if true, would constitute a violation of this Policy, the Title IX Coordinator will contact the alleged victim within 48 hours of the initial report to inform them of their options for making a report (if they did not make the initial report), obtaining remedial measures and other support, and describing their rights and options under this Policy.

If the Title IX Coordinator determines not to investigate or attempt an informal resolution, either at the Complainant's request or, because the facts of the report, even if true, would not constitute a violation of this Policy, or for some other appropriate reason, the Title IX Coordinator will notify the Complainant in writing, including the reason for not investigating. If the Complainant requests, the Title IX Coordinator will also notify the Respondent in writing.

If a report proceeds to an informal resolution or an investigation, or if the Complainant requests interim remedial measures that might affect the Respondent (such as a "no contact" order, moving the Respondent's University housing or changing an academic schedule), the Title IX Coordinator will provide the Respondent with written notice that a report has been filed. The notice will include a description of the allegations and the Respondent's rights and options under this Policy.

The Complainant and Respondent will be given the opportunity to meet separately with the Title IX Coordinator or their designee to review this Policy.

C. Interim Remedial Measures

In all cases, the University will take appropriate steps designed to mitigate the effects of the alleged prohibited conduct, prevent its recurrence, and make accommodations for the students involved. Such interim measures may include, but are not limited to, academic, residential, and work accommodations; increased monitoring, supervision, or security at locations or in connection with activities where the alleged incident occurred; training and educational materials for the campus community; and/or protective measures (including, but not limited to, an interim suspension of the Respondent as set forth in Section VII(A) of the Code of Student Conduct). Under appropriate circumstances, available academic, residential, and work-related accommodations may include:

- Moving a student's campus residence;
- Adjusting a student's work schedule for University employment;
- Changing a student's academic schedule;
- Changing a student's transportation arrangements;
- Allowing a student to withdraw from or retake a class without penalty;

- Providing access to tutoring or other academic support; and/or
- Issuing a "no contact" order.

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

Following a report of an incident, the Complainant will be provided written notice of the interim measures and accommodations that may be available. The Respondent will be provided such notice if and when it is determined that an investigation or informal resolution will proceed. The Title IX Coordinator will evaluate any request for interim measures or accommodations in light of the circumstances and information available at the time. The Title IX Coordinator will seek to minimize unreasonable burdens on either party; however, every reasonable effort will be made to allow the Complainant to continue in their academic, University housing, and/or University employment arrangements. The Title IX Coordinator will also assist students seeking accommodations for a disability in connection with the process of reporting or responding to conduct prohibited by this Policy, by working with the appropriate disability services office.

The University will provide information about interim measures and accommodations only to those who need to know in order to make them effective.

Failure to comply with interim measures or accommodations is a violation of University policy and may lead to additional disciplinary action.

Outside of the University, a Complainant may also be entitled to obtain remedies under applicable law, such as a restraining order. The University can assist in contacting law enforcement or legal service organizations to learn about these remedies.

D. Informal Resolution

The Title IX Coordinator may seek to resolve certain cases through an informal process involving both the Complainant and Respondent. (For example, a Complainant and Respondent may agree with the Title IX Coordinator that education and training for the Respondent are an appropriate and sufficient response in a particular case, or that a No Contact order between the parties provides remediation for the Complainant). However, the University will not use mediation to resolve cases involving allegations of sexual assault.

Informal resolution can take place during the preliminary investigation, the formal investigation, or after its conclusion. If, based on the information known about the incident, the Title IX Coordinator believes such a resolution is possible, the Title IX Coordinator will contact the Complainant. If the Complainant agrees, the Title IX Coordinator will then contact the Respondent. If both Complainant and Respondent are satisfied with the proposed resolution and the Title IX Coordinator believes the resolution satisfies the University's obligation to provide a safe and non-discriminatory environment for all students, the resolution will be implemented, the disciplinary process will be concluded, the matter will be closed, and both parties will be provided with written notice of the resolution. If these efforts are unsuccessful, the investigation and/or disciplinary process will continue. Before starting these discussions, the Title IX Coordinator will notify the Complainant and Respondent in writing that each has the right to end the informal process at any time.

E. Investigation

For all reports that proceed to investigation, the Title IX Coordinator will designate a specially trained investigator (or team of investigators) to interview and gather relevant evidence from the Complainant, Respondent, and any witnesses. The investigator will also work with the RUPD and other campus offices to gather pertinent documentary materials (if any) and other relevant information. The investigator will follow the protocols set forth below:

Preserving Evidence. The investigator will direct the Complainant, Respondent, witnesses, and other interested individuals to preserve any relevant evidence, including but not limited to, photographs, videos, audio recordings, text messages, and social media posts.

Character Witnesses. The investigator will not interview witnesses whose sole purpose is to provide character information.

Romantic or Sexual History in Sexual Assault Cases. The investigator will not consider information concerning the romantic or sexual history of either the Complainant or the Respondent, except information received from either the Complainant or Respondent regarding their shared sexual history. If either offers such information, the other will have the right to respond.

Prior Conduct Violations. The investigator will not consider the Respondent's prior conduct violations.

The investigator will take handwritten or typed notes of all interviews and based on those notes will prepare written statements for each interviewee. The Complainant, Respondent, and witnesses will have the opportunity to review their own statement and provide the investigator with corrections or revisions prior to the conclusion of the investigation.

The Title IX Coordinator will communicate with the investigators regularly throughout the investigation to ensure that the investigation is thorough, impartial, and fair. The Title IX Coordinator will also ensure that both the Complainant and Respondent are updated throughout the investigative process, including with timely notice of meetings where either or both the Complainant and the Respondent may be present.

The investigator will complete the investigation within thirty (30) days of the initial report. At the conclusion of the investigation, the investigator will prepare a report for the Title IX Coordinator detailing the relevant content gathered from the interviews and any supporting documentation. The report will include the investigator's assessment of individual credibility. The investigator(s) will provide the report to the Title IX Coordinator no later than five (5) days after completing the investigation.

F. Conduct Charges

The Title IX Coordinator will review the investigation report and determine whether the information gathered supports charging the Respondent with having violated this Policy by engaging in prohibited conduct. The Title IX Coordinator will notify the Complainant and Respondent of this determination, including which acts of prohibited conduct the Respondent is charged with having committed.

The Title IX Coordinator or their designee will meet separately with both parties to review the investigation report and Title IX Coordinator's determination. The Respondent and Complainant will each receive one copy of the report. The names and other identifying information of other students will be redacted from the report in accordance with the Family Educational Rights and Privacy Act (FERPA), except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination.

If the Title IX Coordinator determines that the Respondent will be charged with violating this Policy, the Title IX Coordinator will forward the investigation report and notice of charges to the Student Affairs Officer responsible for student conduct at the relevant Rutgers Institution

(Camden, Newark, New Brunswick, or RBHS). That individual, in consultation with the Title IX Coordinator, will make a recommendation as to the appropriate sanctions. In such cases, both the Complainant and the Respondent will be notified in writing of the recommended sanctions.

The Respondent must respond to the charges within three (3) days of notice of the charges and recommended sanctions in one of the following ways: 1) Responsible; 2) Not Responsible; or 3) No Response. If the Respondent accepts responsibility, the recommended sanction will be implemented and, the Respondent and/or Complainant may appeal the sanction (but not the finding of the violation itself). If the Respondent denies responsibility, or chooses not to respond, the University will convene a hearing before a specially trained Hearing Officer. The Title IX Coordinator will provide simultaneous written notice to both parties of whether the Respondent accepts responsibility, including any sanctions⁸, if applicable.

G. Hearing, Determination, and Outcome

The Title IX Coordinator will provide simultaneous written notice to the Complainant and the Respondent of the date and time of the hearing and name of the Hearing Officer, no less than seven (7) days prior to the hearing.

The Complainant and Respondent have the right to review any information that will be used during the disciplinary proceedings. The names and other identifying information of other students will be redacted from the materials in accordance with FERPA.

Hearing Officer

The Hearing Officer determines whether the Respondent is responsible or not responsible for a violating this Policy. If the Respondent is determined to be responsible, the Hearing Officer will decide the appropriate sanction(s) to impose.

Written Submissions

Both the Complainant and Respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the Hearing Officer. The Complainant and Respondent will have the opportunity to review any written submissions by the other. The Hearing Officer may set reasonable parameters for these written submissions. The Complainant will be permitted to provide input into what steps he or she believes are needed to remedy the effects of the alleged sexual misconduct by submitting an Impact Statement, whereas the Respondent will be permitted to submit a written statement of mitigating factors relevant to potential sanctions. The Hearing Officer will review the investigation report, notice of charges, written submissions, Impact Statement, and other relevant information or evidence provided by the investigator, the Complainant and/or Respondent.

Hearing Procedures

The hearing is a closed proceeding, meaning that no one other than the Hearing Officer, the Complainant and Respondent, their respective advisors, witnesses (when called), and necessary University personnel may be present in the hearing room or rooms during the proceeding. The Title IX Coordinator will work with other University personnel so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

⁸ Depending on the nature of the prohibited conduct at issue, and the sanction imposed, federal law may limit the information on the sanction that may be provided to the Complainant.

- Presentation of the investigation report by the investigator, followed by questions to the investigator by the Hearing Officer.
- Complainant statement, followed by questions to the Complainant by the Hearing Officer.
- Respondent statement, followed by questions to the Respondent by the Hearing Officer.
- Witness testimony and questioning by the Hearing Officer.
- Closing statement by Complainant.
- Closing statement by Respondent.

The Hearing Officer may set reasonable time limits for any part of the hearing. The Complainant and Respondent each will have the opportunity to present witnesses and other information consistent with the Policy. The Hearing Officer may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the Complainant and Respondent are not able to be physically present for the hearing, arrangements will be made for participation via alternate means. Either the Complainant or Respondent may opt not to participate in the hearing, in which case the Hearing Officer may still hear from the other.

Additional hearing rules include:

- **Testimony via Closed-Circuit Television or Other Means.** Only the person testifying (and that person's campus advisor and/or support person, if applicable) is in the hearing room with the Hearing Officer during his or her testimony. The Complainant and Respondent each is able to view and hear testimony from a separate, private room via closed-circuit television, or other technological enhancement. **The Complainant and Respondent will not be required to be present in the same room together at any time during the course of the hearing.**
- **Questioning.** Only the Hearing Officer may ask questions of the Complainant and Respondent and any witnesses. The Complainant and Respondent may not question each other directly. Both the Complainant and Respondent will have the opportunity to suggest questions of the other and of witnesses by submitting suggested questions to the Hearing Officer in writing. The Hearing Officer may revise or not ask any or all submitted questions. Similarly, neither party's campus advisor nor support person may question witnesses (including the other party) during the hearing.
- **Information Regarding Romantic or Sexual History.** The Hearing Officer will not consider the romantic or sexual history of either the Complainant or Respondent in cases involving allegations of sexual misconduct, except for testimony offered by one or the other about the Complainant's and Respondent's shared sexual history that the Hearing Officer deems relevant. If such information is offered by the Complainant or Respondent, the other has the right to respond. The existence of a prior consensual dating or sexual relationship between the Complainant and Respondent by itself does not support an inference of consent to alleged sexual misconduct.
- **Prior Conduct Violations.** The Hearing Officer will not consider the Respondent's prior conduct violations, unless:
 - The Respondent was previously found to be responsible; and
 - The previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the Respondent.

- **Hearing Recording.** The University will make and keep an audio or video recording of the hearing for the use of the Hearing Officer, and for purposes of appeal.
- **Cell Phones and Recording Devices.** Cell phones and recording devices may not be used in the hearing room(s) unless approved by the Hearing Officer in advance and must be turned off before the hearing convenes.

Determinations and Standard of Proof

The Hearing Officer will use "preponderance of the evidence" as the standard of evidence to determine whether a violation of the Code of Student Conduct occurred. Preponderance of the evidence means that the Hearing Officer must be convinced based on the information considered that the Respondent was more likely than not to have engaged in the conduct at issue in order to find the Respondent responsible for violating this Policy.

The Hearing Officer generally will render a written decision within two (2) days after the conclusion of a hearing. The decision will include an explanation of the basis for the decision. If the Respondent is found responsible, the Hearing Officer will determine the appropriate sanction(s) as set forth below, which will be included in the written decision with an explanation of the rationale for imposing the particular sanction. The Hearing Officer's finding of "responsible" or "not responsible," along with the rationale for the outcome, as well as notice of the sanctions imposed and the rationale for the sanction(s), will be provided in writing simultaneously to the Complainant and the Respondent. This notice will include an explanation of the University's appeals process.

Note that pursuant to federal law, if the Hearing Officer does not find that the Respondent committed an act of forcible sexual violence, the Complainant may only be advised of sanctions imposed against the Respondent that directly relate to the Complainant.

H. Appeals

Both the Respondent and Complainant are afforded one (1) appeal of the final decision of the Hearing Officer, including the sanction imposed. If the Respondent accepted responsibility for the charges under Section VI(F), above, either party may appeal the sanction imposed, but not the finding of responsibility.

Appeals are decided by the appropriate Senior Student Affairs officer ("Appeals Officer") of the appealing party's school and/or division, or such person's designee. If both the Complainant and Respondent appeal, the appeals will be considered concurrently.

Consistent with the Code of Student Conduct, the four grounds for appeal⁹ are:

1. **Unsupported Conclusion:** The decision made by the Hearing Officer is not supported by the facts of the case.
2. **Procedural Error:** The hearing was conducted unfairly and not in conformance with prescribed procedures. The error committed must be determined to have substantially impacted the fairness of the disciplinary process.
3. **New Information:** There is new information available that was not available at the time of the hearing and that is sufficient to alter the original decision.
4. **Disproportionate Sanction:** The sanction imposed against the Respondent was not appropriate for the offense committed.

⁹ Note that if the Respondent has accepted responsibility under Section VI(F) of this Policy, the only ground for appeal by either party is "Disproportionate Sanction" as only the sanction imposed is subject to appeal.

Disagreement with the finding or sanctions is not, by itself, ground for appeals. The fact that any criminal charges based on the same conduct were dismissed, reduced, or resolved in favor of the Respondent does not require, and will not necessarily result in, a change in the disciplinary decisions and/or sanctions.

The appealing student must submit the appeal in writing to the Appeals Officer within five (5) days after receiving the Hearing Officer's written decision. Failure to submit a written appeal within this five (5) day period forfeits the right to appeal under this Policy, regardless of the outcome of the other party's appeal (if submitted). If either the Complainant or Respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing student may submit a written response within five (5) days after notice of an appeal.

The Appeals Officer may solicit written clarification on any issue raised on appeal from the Hearing Officer assigned to the case, the Title IX Coordinator, the investigator, the Complainant, or the Respondent. In preparation of an appeal, the Respondent and Complainant may have access to the recording of the disciplinary hearing. Appeals are decided upon the record of the original proceeding and any written information submitted by any of the parties. The Appeals Officer shall not substitute his or her judgment for the decision of the original Hearing Officer or attempt to rehear the case.

Following the Appeals Officer's review of all information, he or she will:

1. Affirm the finding and sanction originally determined; or
2. Affirm the finding and modify the sanction; or
3. Remand the case for a new hearing.

Sanctions should only be modified if they are found to be clearly disproportionate to the gravity of the violation and/or precedent for similar offenses. Cases should only be recommended for remand for a new hearing if the Hearing Officer's conclusion is unsupported, specified procedural errors were so substantial they effectively denied the Respondent or Complainant a fair hearing, or new information merits a new hearing.

The imposition of sanctions may be deferred during the appellate process and the status of the student shall not change until the Appeals Officer issues a final decision, except that a hold may be placed on the student's transcript and no degree will be awarded to the Respondent pending completion of the appeals process. Interim actions may also be taken or continued while the case is going through the appeals process to protect the Complainant.

The Appeals Officer will notify the Complainant and Respondent simultaneously of the final decision on appeal in writing. Appeals decisions will be rendered within ten (10) days after the receipt of the written appeal. All appeals decisions are final and not subject to further review. Once the appeals process is completed, it shall be the responsibility of the Director of Student Conduct or Chancellor's designee (where the Respondent is enrolled at RBHS, Newark and Camden) to oversee the implementation of imposed sanctions.

VII. SANCTIONS AND OTHER REMEDIAL MEASURES

A. How Sanctions Are Determined

The Hearing Officer will impose sanctions that are:

1. Fair and appropriate given the facts of the particular case;
2. Consistent with the University's handling of similar cases;
3. Adequate to protect the safety of the campus community; and
4. Reflective of the seriousness of sexual misconduct.

The Hearing Officer will consider the recommended sanction and will consult the University Title IX Coordinator to obtain information about sanctions imposed in similar cases. However, the Hearing Officer will determine the appropriate sanctions to impose.

The Hearing Officer will consider relevant factors, including, if applicable: (1) the nature of the prohibited conduct at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.); (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the Respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the Complainant; (5) the Respondent's prior disciplinary history; (6) the safety of the University community; (7) the Respondent's conduct during the disciplinary process; and (8) precedent established by previous sanctions.

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B. Types of Sanctions

Sanctions imposed under this Policy will be comprised of an “inactive sanction” and, where appropriate, “active sanctions,” as defined in the Code of Student Conduct. An inactive sanction is an official University sanction: Warning, Reprimand, Disciplinary Probation, Restrictive Probation, Disciplinary Suspension, Expulsion, or Dismissal. An “active sanction” is designed to remedy the effects of the misconduct and/or prevent its recurrence and may or may not be imposed as part of the sanction. A list of active sanctions (with definitions) is available in the Rutgers University Sanction Guide, which is available at <https://slwordpress.rutgers.edu/studentconduct/wp-content/uploads/sites/46/2014/12/SanctionGuide.pdf>.

C. Definitions of “Inactive Sanctions” as Set Forth in the Student Code of Conduct

1. Warning: A Warning is notice, orally or in writing, that continuation or repetition of conduct shall be cause for additional disciplinary action.
2. Reprimand: A Reprimand formally indicates to a student that his or her behavior is unacceptable and that continuing that behavior shall warrant additional, more serious consequences.
3. Disciplinary Probation: A student who is placed on Disciplinary Probation is notified that he or she is not in good standing with the University. Violations of the terms of Disciplinary Probation, or any other violation of this Policy or the Code of Student Conduct during the period of probation, shall be viewed as both a violation of this Policy and/or the Code of Student Conduct and a violation of a student’s probation and shall typically result in suspension.
4. Restrictive Probation: Restrictive Probation is a notice to a student that his or her actions are of such a serious nature that removal from the University for a period of time is recommended. The University shall refrain from suspending the student as long as the student meets all sanction requirements. Any additional incidents in which the student is found in violation of this Policy or the Code of Student Conduct shall result in immediate removal from the University for a period of time and the possibility of additional sanctions. While a student is serving a Restrictive Probation, he or she may not hold elected office and may not represent the University in any official capacity, including intercollegiate athletics, major extracurricular activities, or student exchange programs. At the end of the deferred suspension period, all lost privileges and eligibility shall be restored.
5. Suspension: Suspension involves a certain period of time in which a student may not participate in any academic or other activities at the University. There are two types of suspension: term and conditional. A term suspension stipulates the period of suspension, after which the student may return to the University community as a student (if the student meets the academic requirements of the program of study). A conditional suspension requires that the student meet certain requirements before he or she can return to the University community. The conditional suspension shall continue until the Director of Student Conduct determines that the conditions have been satisfied. While on suspension, a student shall not be permitted to earn credits at any other institution for the purpose of transferring those credits and making progress towards a Rutgers degree. Notice of the suspension shall appear on the student’s academic transcript for the term of the suspension.
6. Expulsion: Permanent termination of student status, and ~~exclusion~~ expulsion from University premises, privileges, and activities. This action shall permanently be recorded on the student’s academic transcript.

7. **Dismissal:** Permanent termination of RBHS student status and ~~exclusion~~expulsion from RBHS premises, privileges, and activities. This action shall be permanently recorded on the RBHS student's academic transcript.

D. Other Sanctions

The following sanctions also may be imposed in a matter under this Policy, in addition to (but not in lieu of) the inactive sanction:

1. Changing the Respondent's academic schedule.
2. Revocation of honors or awards.
3. Restricting access to University facilities or activities (including student activities and campus organizations).
4. Issuing a "no contact" order to the Respondent or requiring that such an order remain in place.
5. Moving the Respondent's residence.
6. Dismissal or restriction from University employment.
7. Removal from student housing.
8. Revocation of degree.
9. Campus ban.

Any sanction beyond those listed here or in the Rutgers University Sanction Guide must be approved by the Title IX Coordinator. ~~All sanctions and the sanctioning process shall conform to the Rutgers University Sanction Guide, which is available at <https://slwordpress.rutgers.edu/studentconduct/wp-content/uploads/sites/46/2014/12/SanctionGuide.pdf>.~~

In addition to any sanction, the University may also recommend counseling or other support services for the Respondent.

E. Ongoing Accommodations for Complainant

Whatever the outcome of the hearing process, a Complainant may request ongoing or additional accommodations and the Title IX Coordinator, in consultation with appropriate University officials, will determine whether such measures are appropriate. Potential ongoing accommodations include, but are not limited to:

1. Providing an escort for the Complainant.
2. Moving the Complainant's residence.
3. Changing the Complainant's academic schedule.
4. Adjusting the Complainant's work schedule.
5. Allowing the Complainant to withdraw from or retake a class without penalty.
6. Providing access to tutoring or other academic support, such as extra time to complete or re-take a class.

F. Additional Responses

The University may also determine that additional measures are appropriate to respond to the effects of the incident on the University community. Additional responses for the benefit of the University community may include:

1. Increased monitoring, supervision, or security at locations or activities where the misconduct occurred.
2. Additional training and educational materials for students and employees.
3. Revision of the University's policies relating to sexual misconduct.
4. Climate surveys regarding sexual misconduct.

VIII. REPORTING OF CRIME AND DISCIPLINARY STATISTICS

A federal law called the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires the University to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute prohibited conduct under this Policy. As described in the chart in the Resources listing (Appendix A), some employees who receive reports of prohibited conduct under this policy (including some who are otherwise considered "confidential") are required by the Clery Act to notify the University Public Safety about such incidents for statistical reporting purposes. These notifications may include the classification and location of the reported crime but do not identify the students involved. The Clery Act also requires the University to issue a "timely warning" when it receives a report of certain crimes that pose a serious or continuing threat. Such reports do not contain information identifying individual students. The University Annual Security Report is available at <http://rupd.rutgers.edu/aboutsafe.php>.

IX. RECORDS DISCLOSURE

Disciplinary proceedings conducted by the University are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the University without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances. For example, Title IX requires that the University tell the Complainant whether or not it found that sexual violence occurred, any individual remedies offered or provided to the Complainant or any sanctions imposed on the Respondent that directly relate to the Complainant, and other steps the school has taken to eliminate the hostile environment caused by the Respondent's actions, and to prevent recurrence. FERPA specifically allows schools to disclose to alleged victims of violence, including sexual violence, the final results of any University disciplinary proceeding involving the offense. Further, any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

Additional information about FERPA can be found at <http://compliance.rutgers.edu/ferpa>.

X. AMENDMENTS

The University may amend the Policy from time to time. Nothing in the Policy shall affect the inherent authority of Rutgers to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the University community.

ON-CAMPUS RESOURCES

ON-CAMPUS RESOURCES

UNIVERSITY ADVOCACY AND CRISIS COUNSELING (“Confidential”¹⁰)

New Brunswick Resources

- ~~Office for Violence Prevention and Victim Assistance (“VPVA”) (Confidential)~~
Phone: (848) 932-1181
(24 hours/day, 7 days/week)
<http://vpva.rutgers.edu/>

~~The Office of Violence Prevention and Victim Assistance offers counseling and advocacy services, educational programming, and training, consultation and policy development services to all members of the University community. Our programs and services are designed to promote ways of coping with the effects of interpersonal violence and to prevent such violence from occurring.~~

Crisis Intervention

~~If you need immediate assistance, we are available 24 hours a day, 7 days a week. A trained, confidential advocate is available to speak with you over the phone to provide you with support and information about the various options available to you.~~

~~If you are reporting an incident of domestic violence or sexual violence to law enforcement or having a forensic exam completed, an advocate can be available to meet you at that location to provide support and information.~~

~~To speak with an advocate now, please contact (848) 932-1181. Crisis intervention services are free and confidential to all members of the Rutgers University Community.~~

Advocacy

~~We can assist you with accessing any support from the university community that you may need as a result of being a victim of a crime. Advocacy includes, but is not limited to:~~

- ~~• Going with you to health services, a hospital or rape crisis center~~
- ~~• Helping you navigate the legal system for a restraining order or other request~~
 - ~~• Contacting faculty or other staff members on your behalf~~
- ~~• Facilitating interactions with other university departments, such as Residence Life, Academic Affairs, etc.~~
- ~~• Advocacy services are free and confidential to members of the Rutgers community~~
 - ~~• To request our services, please call 848-932-1181~~

Counseling

- ~~• Individual counseling—come in and meet with one of our professional staff members to talk about what you have experienced~~

- ~~• Group counseling—contact our office for more information~~

- ~~• All counseling is available to victims, as well as friends and family. Counseling is free and confidential to members of the Rutgers community~~

- ~~• To make an appointment, call 848-932-1181~~

- ~~• For Psychological Emergencies:~~

~~During Regular Business Hours (8:30 a.m. — 5:00 p.m.):~~

~~Counseling, Alcohol and Other Drug Assistance Program & Psychiatric Services (CAPS)~~

~~Phone: (848) 932-7884~~

~~<http://rhscaps.rutgers.edu/>~~

~~After 5:00 p.m. and on Weekends:~~

~~Call the 24-hour emergency hotline at 732-235-5700 which is professionally staffed by the local community mental health center.~~

- ~~• Health Centers:~~

~~Health Center Main Phone Line: (848) 932-7402~~

¹⁰ For more information on what it means to be a “confidential” resource, see the Confidentiality section of this Policy.

Website: www.health.rutgers.edu

* ~~_____~~ Hurtado Health Center (College Avenue Campus)
~~_____~~ 11 Bishop Place, New Brunswick, NJ 08901

* ~~_____~~ Busch-Livingston Health Center (Busch-Livingston Campuses)
~~_____~~ 110 Hospital Road, Piscataway, NJ 08854

* ~~_____~~ Willets Health Center (Cook-Douglass Campuses)
~~_____~~ 11 Suydam Street, New Brunswick, NJ 08903

If any of these Centers are closed, call the RHS Advice Nurse Line: 1-800-890-5882

Newark Resources

- ~~_____~~ Sexual Assault and Interpersonal Violence Services (Confidential)
~~_____~~ 249 University Ave., Blumenthal Hall, Room 104, Newark, NJ 07102
~~_____~~ Ph: (973) 353-5231 (HELP)
~~_____~~ Website: <http://health.newark.rutgers.edu/>

The Rutgers University Newark Health Services provides support to Rutgers students, faculty and staff who are victims of sexual assault and interpersonal/intimate partner violence.

~~_____~~ Regular Business Hours: Monday-Friday 8:30AM – 4:30PM

~~_____~~ Sexual Assault Hotline: 973-353-4357 (HELP)

~~_____~~ Sexual Assault Program Coordinator, Marie Attis-Springs: 973-353-1279

~~_____~~ After work hours or anytime 24/7

~~_____~~ Newark Campus Police (On-Campus): 973-353-5581

~~_____~~ 24-hr Health Nurse Line: 866-221-9674

~~_____~~ SAVE of Essex County Hotline: 877-733-2273 (CARE)

~~_____~~ Hospital Emergency Rooms:

~~_____~~ University Hospital: 973-972-5123

~~_____~~ Beth Israel Medical Center: 973-926-7240

~~_____~~ Mountainside: 973-429-6000

~~_____~~ Saint Barnabas: 973-322-5180

~~_____~~ Emergency: Call 911

- ~~_____~~ Victim Advocates (Confidential)

~~_____~~ Marie Attis-Springs

~~_____~~ Coordinator of Sexual Assault Program, Health Promotion Specialist

~~_____~~ 249 University Avenue

~~_____~~ Blumenthal Hall, Room 104

~~_____~~ Newark, NJ 07102

~~_____~~ Phone: 973-353-1279

~~_____~~ Email: Caribe@rutgers.edu

~~_____~~ Nikita Correa

~~_____~~ Coordinator of Student Wellness and Student Development

~~_____~~ 350 ML King Blvd.

~~_____~~ Paul Robeson Campus Center, Room 352

~~_____~~ Newark, NJ 07102

~~_____~~ Phone: 973-353-5300

~~_____~~ Email: Nikita.Correa@rutgers.edu

● ~~Health Services & Health Promotion Division~~

~~249 University Ave., Blumenthal Hall, Room 104, Newark, NJ 07102~~

~~Regular Business Hours: Monday-Friday, 8:30AM—4:30PM~~

~~Walk-in Hours: Monday-Friday, 12:00PM—1:30PM~~

~~Phone: 973-353-5231~~

~~Fax: 973-353-1390~~

~~Website: <http://health.newark.rutgers.edu/>~~

~~Rutgers University Newark Health Service, accredited by Accreditation Association for Ambulatory Health Care, supports the mission of the University, which includes: student education, retention, academic success, leadership, and healthy personal growth and development.~~

~~The Rutgers University Health Services is composed of compassionate Board-certified health professionals who value innovation, quality, and efficiency and aim to meet the evolving needs of a diverse community.~~

~~Our mission is to serve the needs of the students as an integral part of the network of student support services, with special attention to health care and health education. We provide access to comprehensive preventative health programs, care for accidents and illness, and linkages to specialty services on a twenty-four hour basis. We utilize a holistic approach, which recognizes the connections between healthy minds and healthy bodies in all our interactions. We work closely with mental health and drug and alcohol services on this campus.~~

● ~~Counseling Center~~

~~249 University Ave, Blumenthal Hall, Room 101, Newark, NJ 07102~~

~~Ph: (973) 353-5805~~

~~Website: <http://counseling.newark.rutgers.edu/>~~

~~We provide psychological and psychiatric services, along with a comprehensive alcohol and other drug assistance program. For victims of trauma and assault, we offer a range of supportive services including individual & group therapy. We also offer individual & group substance abuse counseling, psychiatric evaluations and medication monitoring. As needed, we are able to provide crisis intervention and assistance with community resources and referrals.~~

~~For Psychological Emergencies:~~

~~Regular Business Hours: Monday-Friday, 8:30AM—4:30PM~~

~~Counseling Center: (973) 353-5805~~

~~After Regular Business Hours:~~

~~University Hospital Crisis Line: (973) 623-2323~~

~~Suicide Prevention Lifeline: (800) 273-TALK~~

Camden Resources

● ~~Student Health Services~~

~~326 Penn Street, Campus Center—2nd Floor, Camden, New Jersey 08102~~

~~Phone: (856) 225-6005~~

● ~~Medical, Psychological, Alcohol/Drug/Nicotine Assistance, and Health Promotion Services~~

~~Website: <http://healthservices.camden.rutgers.edu/>~~

Resources for RBHS Students—Newark, New Brunswick/Piscataway, Stratford and Scotch Plains

Student Health Services:

● ~~Rutgers Health Sciences Campus at Newark~~

~~Student Health Services~~

~~Doctor's Office Center, 90 Bergen Street, Suite 1750, Newark~~

~~973-972-8219~~

• ~~New Brunswick/Piscataway Campus~~
~~Student Health Services~~
~~Monument Square, 317 George Street, First Floor, New Brunswick~~
~~732-235-5160~~

• ~~Stratford Campus~~
~~Student Health Services~~
~~University Doctors Pavilion, 42 East Laurel Road, Suite 2100B, Stratford~~
~~856-566-6825~~

~~Rutgers Violence Prevention and Victim Assistance 848-932-1181 <http://vpva.rutgers.edu/>~~

~~Student Wellness Program~~ (counseling, crisis intervention) ~~Services available 24/7:~~

~~EMERGENCIES after 5:00 p.m. & weekends – 1-800-327-3678~~

~~Monday-Friday, 9:00 a.m. to 5:00 p.m.~~

• ~~Newark Campus/Scotch Plains Campuses~~
~~Rutgers University Behavioral HealthCare~~
~~Student Wellness Program~~
~~183 South Orange Avenue, Newark~~
~~973-972-5429~~

• ~~New Brunswick/Piscataway Campus~~
~~Rutgers University Behavioral HealthCare~~
~~Student Wellness Program~~
~~242 Old New Brunswick Road, Piscataway~~
~~732-235-5930~~

• ~~Stratford Campus~~
~~Rutgers University Behavioral HealthCare~~
~~Student Wellness Program~~
~~One Echelon Plaza, Suite 101, 227 Laurel Road, Voorhees~~
~~856-770-5750~~

~~UNIVERSITY TITLE IX COORDINATORS (Non-Confidential)~~

~~*For Complaints Against Students:*~~

~~If you have a complaint against a Rutgers student under this Policy, please contact:~~

~~New Brunswick~~

~~Jackie Moran~~
~~Title IX Coordinator~~
~~Office of Student Affairs~~
~~126 College Avenue, RSC Suite 454~~
~~College Avenue Campus~~
~~Phone: 848-932-8576~~
~~Email: Jackie.moran@rutgers.edu~~

~~Joseph DiMichele~~
~~Deputy Title IX Coordinator~~

Office of Student Conduct
115 College Avenue
College Avenue Campus
Phone: (848) 932-9414
Email: jd1072@echo.rutgers.edu

Gender Equity in Athletics

If you have a complaint about gender equity in Rutgers athletics programs, please contact:

Kathleen Hickey
Title IX Coordinator
Intercollegiate Athletics
83 Rockefeller Road
Livingston Campus
Phone: 848-445-7899
Email: khickey@scarletknights.com

Newark

Clayton Walton, Associate Dean
Title IX Coordinator
Robeson Campus Center — Newark
350 ML King Blvd., Rm 234
Newark, NJ 07102
Phone: (973) 353-5934
Email: cwalton@andromeda.rutgers.edu

Farzana Katideen, Coordinator of Judicial Affairs and Student Development
Deputy Title IX Coordinator for Students
Robeson Campus Center — Newark
350 ML King Blvd., Rm 352
Newark, NJ 07102

Phone: 973-353-2772
Email: farzanak@rutgers.edu

Mark Griffin, Director of Athletics
Deputy Title IX Coordinator for Athletics
Athletics & Recreation — Newark
42 Warren Street
Newark, NJ 0702
Phone: 973-353-1458
Email: markg@rutgers.edu

Camden

Title IX Coordinator
Allison Wisniewski, Associate Dean of Students/Executive Director
326 Penn Street
Camden, NJ 08102
Phone: (856) 225-6422
Email: aemery@camden.rutgers.edu

Deputy Title IX Coordinator for Students
Deborah Scheibler, Assistant Director, Office of Housing and Residence Life
215 N. 3rd Street
Camden, NJ 08102

Phone: (856) 225-6474
Email: sdeborah@camden.rutgers.edu

Title IX Deputy Coordinator for Athletics
Karen Freed, Assistant Director of Athletics and Recreation
301 Linden Street
Camden, NJ 08102
Phone: (856) 225-6200
Email: karen.freed@camden.rutgers.edu

RBHS

Title IX Coordinator
Susan Hamilton, University Registrar
RBHS – Registrar
65 Bergen Street, Rm 72
Newark, NJ 07104
Phone: (973) 972-9794
Email: susan.hamilton@rutgers.edu

For Complaints Against Employees or Others University Wide:

If you have a complaint against a University employee (faculty or staff) or other non-student, please contact:

Lisa Grosskreutz
Title IX Coordinator
Office of Employment Equity
University Human Resources
57 US Highway 1, ASB-II
Cook Campus
848-932-3979
Lisa.grosskreutz@rutgers.edu

Title IX Compliance Officer and Central Title IX Coordinator

Judy Ryan
Enterprise Risk and Institutional Compliance Officer
1 World's Fair Drive, Suite 3200
Somerset, NJ 08873
732-235-5304
Judy.ryan@rutgers.edu

DEAN OF STUDENTS

New Brunswick

Mark Schuster
Senior Dean of Students, New Brunswick Campuses
115 College Avenue
Bishop House, Suite 109
New Brunswick, New Jersey 08901
Phone: (848) 932-2300
Website: www.deanofstudents.rutgers.edu

Dr. Tim Grimm

Dean of Students — College Avenue Campus
115 College Avenue
Bishop House
New Brunswick, New Jersey 08901
Phone: (848) 932-2300
Email: CollegeAveDean@echo.rutgers.edu

Dr. Michelle Jefferson
Dean of Students — Cook/Douglass Campus
Cook Student Center
59 Biel Road
New Brunswick, New Jersey 08901
Phone: (848) 932-3625
Email: CookDean@echo.rutgers.edu or DouglassDean@echo.rutgers.edu

Sandra Castro
Dean of Students — Busch Campus
Busch Student Center
604 Bartholomew Road
Piscataway, New Jersey 08854
Phone: (848) 445-0166
Email: BuschDean@echo.rutgers.edu

Jeffrey Broggi
Dean of Students — Livingston Campus
Lucy Stone Hall, Room — A239
54 Joyce Kilmer Avenue
Piscataway, New Jersey 08854
Phone: (848) 445-4088
Email: LivingstonDean@echo.rutgers.edu

Camden

Thomas DiValerio
Dean of Students, Camden Campus
326 Penn Street Campus Center
Third Floor
Camden, New Jersey 08102
Phone: (856) 225-6050
Email: deanofstudents@camden.rutgers.edu
Website: <http://deanofstudents.camden.rutgers.edu>

Newark

Office of the Dean of Faculty of Arts and Sciences
325 Hill Hall
360 Dr. Martin Luther King Jr., Blvd.
Newark, New Jersey 07102
Phone: (973) 353-5213
Website: <http://www.ncas.rutgers.edu/dean>

RUTGERS UNIVERSITY RESIDENCE LIFE

~~Rutgers University Residence Life — New Brunswick/Piscataway~~

~~Phone: (848) 932-4374~~

~~Email: resident@rutgers.edu~~

~~Website: <http://ruoncampus.rutgers.edu/>~~

~~Rutgers University-Newark Residence Life~~

~~Phone: (973) 353-1037~~

~~Website: <http://housing.newark.rutgers.edu/>~~

~~Rutgers University-Camden Housing & Residence Life~~

~~Phone: (856) 225-6471~~

~~Website: <http://housing.camden.rutgers.edu/>~~

~~Rutgers Biomedical & Health Sciences Residence Life~~

~~Phone: (973) 353-1037~~

~~Website: <http://housing.newark.rutgers.edu/>~~

DISABILITY SERVICES

~~Students seeking accommodations for a disability in connection with the process of reporting or responding to an incident of sexual misconduct may contact the relevant office responsible for disability services, as listed below.~~

~~Rutgers Office of Disability Services — New Brunswick~~

~~Phone: (848) 445-6800~~

~~Email: dsoffice@echo.rutgers.edu~~

~~Rutgers-Newark, Office of Disability Services~~

~~Kate Torres — Coordinator of ADA Services
and Academic Support~~

~~Phone: (973) 353-5300~~

~~Email: kate.torres@rutgers.edu~~

~~Rutgers-Camden, Office of Disability Services~~

~~Tim Pure — Coordinator of Disability Services~~

~~Phone: (856) 225-6442~~

~~Email: tpure@camden.rutgers.edu~~

~~Camden Law School~~

~~Angela Baker — Associate Dean~~

~~Phone: (856) 225-6414~~

~~E-mail: angbaker@camden.rutgers.edu~~

~~Newark Law School~~

~~Phone: (973) 353-5674~~

~~Email: arothman@kinoy.rutgers.edu~~

OTHER UNIVERSITYWIDE RESOURCES

Rutgers University Office of Student Legal Services (“Confidential”)

115 College Avenue
Bishop House
New Brunswick, New Jersey 08901
Phone: (848) 932-4LAW (4529)
Website: www.rusls.rutgers.edu

Rutgers University Chaplains (“Confidential”)

List of Registered Chaplains can be found at the following website:
<http://getinvolved.rutgers.edu/organizations/religious-life>

For Camden Chaplains: <http://deanofstudents.camden.rutgers.edu/interfaith-council>

Rutgers Office of the Ombudsperson for the Students (“Non-Confidential”)

Sybil James, Esq.
19 College Avenue
Van Nest Hall, Room 101
New Brunswick, New Jersey 08901
Phone: (848) 932-1452
Fax: (732) 932-1680
Email: ombuds@rutgers.edu
Website: <http://ombuds.rutgers.edu>

UNIVERSITY PUBLIC SAFETY DEPARTMENTS (“Non-Confidential”)

Rutgers University Police Department
<http://rupd.rutgers.edu/> Phone: (732) 932-7211

Executive Director of Public Safety/Chief of University Police
<http://publicsafety.rutgers.edu>
Phone: (848) 932-4946

Deputy Chief of University Police/Clery Coordinator
<http://rupd.rutgers.edu/professionalstandards.php>
Phone: (848) 932-4930

EMERGENCY NUMBER: Obtain an outside line, then dial 9-1-1.

Obtain an outside line, then dial 9-1-1.

OFF-CAMPUS RESOURCES

Hospitals located near Rutgers University Campuses

New Brunswick

Robert Wood Johnson University Hospital
4 Robert Wood Johnson Plaza
New Brunswick, New Jersey 08901
Phone: (732) 828-3000
Website: www.rwjuh.edu

Saint Peter's University Hospital
254 Easton Avenue
New Brunswick, New Jersey 08901
Phone: (732) 745-8600
Website: www.saintpetershcs.com

Newark

St. Michael's Medical Center
111 Central Avenue
Newark, New Jersey 07102
Phone: (973) 877-5000
Website: www.smmcnj.org

University Hospital
150 Bergen Street
Newark, New Jersey 07103
Phone: (973) 972-4300
Website: www.uhnj.org

Clara Maass Medical Center
1 Clara Maass Drive
Belleville, New Jersey 07109
Phone: (973) 450-2000
Website: <http://www.barnabashealth.org/Clara-Maass-Medical-Center.aspx>

Camden

Cooper University Health Care
1 Cooper Plaza
Camden, New Jersey 08103
Phone: (856) 342-2000
Website: www.cooperhealth.org

Off-Campus Advocacy, Counseling, and Health Services

Middlesex County Center for Empowerment (Rape crisis center for Middlesex County)
Phone: (732) 321-1189
29 Oakwood Avenue, Edison, New Jersey 08837
Website: <http://www.co.middlesex.nj.us/Government/Departments/PSH/Pages/Center-for-Empowerment.aspx>

SAVE of Essex County

Family Service League
Phone: 1 (877) 733-2273
60 South Fullerton Avenue, Montclair, New Jersey 07042
Website: <http://www.familyserviceleague.org/save>

Camden County Women's Center
311 Market Street, Camden, New Jersey 08102
Phone: (856) 963-5668
24 Hour Crisis Hotline: (856) 227-1234
<http://www.camdencountywomenscenter.org>

State-wide Sexual Assault Toll Free Hotline
(800) 601-7200 — or on-line at <http://www.njcasa.org/>

Sexual Violence Programs in NJ, by county <http://njcasa.org/find-help/>

State of New Jersey
Department of Families & Children
Domestic Violence Services
24-Hour Hotline: 1-800-572-SAFE (7233)

New Jersey Coalition Against Sexual Assault Hotline: 1-800-601-7200

RAINN: www.rainn.org

Off-Campus Law Enforcement

New Brunswick/Piscataway

New Brunswick Police Department
Emergency (Dial): 911
25 Kirkpatrick St., New Brunswick, NJ 08901
Phone: (732) 745-5200

Piscataway Police Department
Emergency (Dial): 911
455 Hoes Lane, Piscataway, NJ 08854
Phone: (732) 562-2300

Newark

Newark Police Department
Emergency (Dial): 911
480 Clinton Avenue, Newark, NJ 07108
Phone: (973) 733-6000

Camden

Camden County Police Department
Emergency (Dial): 911
800 Federal Street, Camden, NJ 08103
Phone: (856) 757-7440

New Jersey State Police

P.O. Box 7068
West Trenton, NJ 08628
Phone: (609) 882-2000

County Prosecutor's Offices **New Brunswick/Piscataway**

Office of the Middlesex County Prosecutor
Public Safety Building
25 Kirkpatrick Street, 3rd Floor
New Brunswick, New Jersey 08901
Phone: (732) 745-3300
Email: prosecutor@co.middlesex.nj.us
Website: <http://www.co.middlesex.nj.us/Government/Departments/PSH/Prosecutor/>

Newark
Essex County Prosecutor's Office
50 W. Market Street, #3
Newark, New Jersey 07102
Phone: (973) 621-4700
Website: www.njecpo.org

Camden
Office of the Camden County Prosecutor
25 North 5th Street
Camden, New Jersey 08102
Phone: (856) 225-8400
Email: ccpotips@ccprosecutor.org
Website: www.camdencountypros.org

Additional Government Resources

The government resources listed here may provide additional assistance for students wishing to file an external complaint of gender-based misconduct or students with inquiries regarding the application of Title IX and its implementing regulations:

<http://www.notalone.gov>

U.S. Department of Education, Office for Civil Rights
<http://www.ed.gov/ocr>

U.S. Department of Education
Office for Civil Rights
New York Office
U.S. Department of Education – 32 Old Slip, 26th Floor, New York, NY 10005-2500
Telephone: (646) 428-3800 • Email: OCR.NewYork@ed.gov

U.S. Department of Justice, Office on Violence Against Women
<http://www.ovw.usdoj.gov>

U.S. Department of Justice
Office on Violence Against Women
145 N. Street, NE, Suite 10W.121, Washington, D.C. 20530
Phone: (202) 307-6026

APPENDIX A

CONFIDENTIALITY PROTECTIONS & REPORTING OBLIGATIONS

As a reminder, confidential resources will not share information except to the extent listed in the “Reporting Obligations” section below. Non-confidential resources are also required to respect and protect students’ privacy to the greatest extent possible. They will disclose identifying information to others only on a need to know basis. For more information, see the Confidentiality section of this Policy.

University Chaplains (or Ordained Clergy)	Confidential	None, unless acting in a role described below.
Counseling and Psychological Services	Confidential	<p>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</p> <p>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</p>
VPVA	Confidential	<p>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</p> <p>If the incident is a crime or near the campus, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</p> <p>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</p>
University Ombuds Office	Not Confidential	<p>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</p> <p>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</p> <p>If there is a reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</p>
Physicians and Other Health Professionals (Student Health Services)	Confidential	<p>These resources will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</p> <p>If the incident is a crime, this resource will report it without any identifying information to the appropriate Campus Public Safety office for inclusion in the daily crime log and</p>

		<p>annual statistical report and for issuance of any required timely warning (Clery Act).</p> <p>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report as required by law.</p>
Physicians and Other Health Professionals	Confidential	<p>If there is reasonable cause to suspect that a minor has been sexually abused, these resources will notify the RUPD who will cause notification to the Division of Child Placement and Permanency in accordance with N.J.S.A. 9:6-8.10.</p>
Title IX Coordinators	Not Confidential	<p>Unless a Complainant requests otherwise and the request is granted, this resource will supervise the investigation and response to reported incidents under this Policy (Title IX).</p> <p>If the incident is a crime, this resource will report it without any identifying information to the University Police Department for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</p> <p>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>
Rutgers University Police Department	Not Confidential	<p>The University Police Department will report to the applicable Title IX Coordinator all information received about incidents under this Policy so the University can investigate and respond (Title IX).</p> <p>If this incident is a crime, the RUPD will include it in a crime log and annual crime statistics without identifying the alleged victim (Clery Act).</p> <p>If the incident is a crime and poses a serious or continuing threat, the RUPD will issue an emergency notification or timely warning (Clery Act).</p> <p>If there is a reasonable cause to suspect that a minor has been sexually abused, the RUPD will cause notification to the Division of Child Placement and Permanency in accordance with N.J.S.A. 9:6-8.10.</p> <p>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>
Other University Personnel (including administrators, faculty & staff)	Not Confidential	<p>Will report to the Title IX Coordinator all information received about incidents under this Policy so the University can investigate and respond (Title IX).</p> <p>If the incident is a crime, a "campus security authority" will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report</p>

		<p>and for issuance of any required timely warning (Clery Act).</p> <p>If there is a reasonable cause to suspect that a minor has been sexually abused, the RUPD will be notified.</p> <p>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>
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Appendix A

On-Campus Resources for Complainants

New Brunswick

<u>Personnel</u>	<u>Resource Type</u>	<u>Reporting Obligation</u>
<p><u>Office for Violence Prevention and Victim Assistance (VPVA)</u></p> <p><u>3 Bartlett Street</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-1181</u> <u>(24 hours/day, 7 days/week)</u> <u>http://vpva.rutgers.edu</u></p>	<p><u>Confidential Resource</u> <u>providing crisis</u> <u>intervention, counseling</u> <u>and advocacy 24/7</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime or near the campus, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Rutgers Student Health - Counseling, Alcohol & Other Drug Assistance Program and Psychiatric Services (CAPS)</u></p> <p><u>Main Center</u> <u>17 Senior Street</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u></p>	<p><u>Confidential Resource</u> <u>providing counseling</u> <u>services through CAPS.</u> <u>Services include crisis</u> <u>intervention, individual</u> <u>therapy, workshops, alcohol</u> <u>and other drug assistance</u> <u>programs, and psychiatric</u> <u>care.</u></p>	<p><u>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</u></p> <p><u>If there is reasonable cause to believe a minor has been sexually abused, this resource</u></p>

Phone: (848) 932-7884 http://health.rutgers.edu/medical-counseling-services/counseling/		<u>will notify the RUPD.</u>
<u>Rutgers Student Health Services – Physicians and other Health Professionals</u> Student Health Services Office Hurtado Health Center <u>College Avenue Campus</u> <u>11 Bishop Place</u> College Avenue Campus New Brunswick, NJ 08901 Phone: (848) 932-7402 health@rutgers.edu	<u>Confidential Resource</u> <u>providing comprehensive clinical care, including medical, pharmacy, and mental health counseling services.</u>	<u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX)</u> <u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act)</u> <u>If a patient’s clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report as required by law.</u> <u>If there is reasonable cause to suspect that a minor has been sexually abused, the RUPD will notify the Division of Child Placement and Permanency in accordance with N.J.S.A. 9:6-8.10.</u>
<u>University Chaplains (or Ordained Clergy)</u> A list of Registered Chaplains can be found here: http://getinvolved.rutgers.edu/organizations/religious-life http://ruoffcampus.rutgers.edu/rutgers-university-multi-faith-council/	<u>Confidential Resource</u>	<u>None, unless acting in a role other than that of Chaplain or Clergy.</u>
<u>Residence Life</u> New Brunswick/Piscataway Phone: (848) 932-4371 Email: resident@rutgers.edu http://ruoncampus.rutgers.edu	<u>Non-Confidential Resource</u>	<u>This resource will report to the Title IX Coordinator all information received about incidents under this Policy so the University can respond and investigate (Title IX).</u> <u>If the incident is a crime, this</u>

		<p><u>resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Student Legal Services</u></p> <p><u>115 College Avenue</u> <u>Bishop House</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-4529</u> <u>www.rusls.rutgers.edu</u></p>	<p><u>Confidential Resource</u></p> <p><u>providing eligible Rutgers students with professional legal advice and assistance at no cost by attorneys licensed to practice in the state of New Jersey.</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime or near the campus, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Title IX Coordinator</u></p> <p><u>Office of Student Affairs Compliance and Title IX</u> <u>115 College Avenue2 Richardson Street</u></p> <p><u>College Avenue Campus</u> <u>Phone: (848) 932-8576</u> <u>http://compliance.rutgers.edu/title-ix/reporting/</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>For information related to the Title IX complaint process or to file a complaint against a Rutgers student for sexual harassment, sex discrimination, or sexual assault.</u></p>	<p><u>Unless a Complainant requests otherwise and the request is granted, this resource will supervise the investigation to reported incidents under this Policy (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>This resource will share information with University</u></p>

		<p>personnel who need to know it in order to carry out University policies and procedures.</p>
<p><u>Rutgers University Police Department (RUPD)</u></p> <p><u>New Brunswick Division</u> <u>55 Commercial Avenue</u> <u>New Brunswick, NJ 08901</u> <u>Phone: 9-1-1 (for emergencies)</u> <u>Phone: (732) 932-7211</u> <u>http://rupd.rutgers.edu/rupd.php</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>RUPD provides emergency services and responds to reports of sexual violence and other crimes. RUPD also provides security escorts.</u></p>	<p><u>The University Police Department will report to the applicable Title IX Coordinator all information received about incidents under this Policy, so the University can investigate and respond (Title IX).</u></p> <p><u>If the incident is a crime, the RUPD will include it in a crime log and annual crime statistics without identifying the alleged victim (Clery Act).</u></p> <p><u>If the incident is a crime and poses a serious or continuing threat, the RUPD will issue an emergency notification or timely warning (Clery Act)</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, the RUPD will notify the Division of Child Placement and Permanency in accordance with N.J.S.A. 9:6-8, 10.</u></p> <p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>
<p><u>Rutgers University–New Brunswick Ombuds Office</u></p> <p><u>Davidson Hall</u> <u>Room 101</u> <u>Busch Campus</u> <u>Piscataway,</u> <u>115 College Avenue</u> <u>Bishop House</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-1452</u> <u>Email: Ombuds@rutgers.edu</u> <u>https://www.ombuds.rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>The Office for the Ombudsperson for Students offers students at Rutgers University–New Brunswick and RBHS who feel they have exhausted all other possible remedies, alternative methods to resolve their issues.</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p>

		<p>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</p>
<p><u>Dean of Students</u></p> <p><u>Office of the Dean of Students</u> <u>88 College Avenue</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-2300</u> <u>Email:</u> <u>deanofstudents@echo.rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>The Dean of Students Office provides solutions, services and support to help students navigate Rutgers University. The Office services as a student support network by providing advocacy, problem resolution, and critical incident intervention for those times when additional assistance is needed.</u></p>	<p><u>This resource will report to the Title IX Coordinator all information received about incidents under this Policy so the University can respond and investigate (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Title IX Coordinator for Complaints Against University Employees or Third Parties</u></p> <p><u>Office of Employment Equity</u> <u>University Human Resources</u> <u>57 US Highway 1, ASB II</u> <u>Cook Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-3979</u> <u>Email: Lisa.grosskreutz@rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>supporting the University's commitment to preventing discrimination and advancing equal opportunity.</u></p>	<p><u>Unless a Complainant requests otherwise and the request is granted, this resource will supervise the investigation to reported incidents under this Policy (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>
<p><u>Title IX Coordinator for Athletics</u></p> <p><u>Senior Associate Athletics Director for Olympic Sports</u> <u>Senior Associate Athletic</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>addressing issues relating to gender equity in Rutgers athletics programs.</u></p>	<p><u>This resource will report to the Title IX Coordinator all information received about incidents under this Policy so</u></p>

<p><u>Director/Senior Woman Administrator</u> <u>Intercollegiate Athletics</u> <u>83 Rockafeller Road</u> <u>Livingston Campus</u> <u>Piscataway, NJ 08854</u> <u>Phone: (732) 445-7899</u> <u>Email: khickey@scarletknights.com</u></p>		<p><u>the University can respond and investigate (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Institutional Compliance Officer –Title IX and University-wide Title IX Coordinator</u></p> <p><u>University Ethics and Compliance</u> <u>335 George Street</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (732) 235-5304</u> <u>https://uec.rutgers.edu/programs/title-ix/</u></p>	<p><u>Non-Confidential Resource</u> <u>providing students and other members of the Rutgers Community with information about university policies and procedures for addressing sexual harassment, sexual violence, stalking, and relationship misconduct.</u></p>	<p><u>Unless a Complainant requests otherwise and the request is granted, this resource will supervise the investigation to reported incidents under this Policy (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>

Newark

<p><u>Office for Violence Prevention and Victim Assistance (VPVA)</u></p> <p><u>249 University Avenue</u> <u>Blumenthal Hall, Room 203</u> <u>Newark, NJ 07102</u> <u>Phone: (973) 353-1918</u> <u>(24 hours/day, 7 days/week)</u> <u>Run.vpva@rutgers.edu</u> <u>http://vpva.rutgers.edu</u></p>	<p><u>Confidential Resource</u> <u>providing crisis</u> <u>intervention, counseling,</u> <u>and advocacy 24/7.</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime or near the campus, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Student Health Services</u></p> <p><u>249 University Avenue</u> <u>Blumenthal Hall, Room 104</u> <u>Newark, NJ 07102</u> <u>Phone: (973) 353-5231</u> <u>http://health.newark.rutgers.edu</u> <u>Sexual Assault Hotline: (973) 353-4357 (HELP)</u> <u>Business Hours: M-F 8:30 a.m. to 4:30 p.m.</u> <u>24 Hour Nurse Line: (866) 221-9764</u></p>	<p><u>Confidential Resource</u> <u>Providing support to Rutgers students, faculty, and staff who are victims of sexual assault and interpersonal/intimate partner violence.</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime or near the campus, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p>
<p><u>Counseling Center</u></p> <p><u>249 University Avenue</u> <u>Blumenthal Hall, Room 101</u> <u>Newark, NJ 07102</u> <u>Phone: (973) 353-5805</u> <u>Website:</u> <u>http://counseling.newark.rutgers.edu/</u></p> <p><u>For Psychological Emergencies during</u></p>	<p><u>Confidential Resource</u> <u>for victims of sexual assault and interpersonal/intimate partner violence.</u></p> <p><u>Provides psychological and psychiatric services, along with a comprehensive alcohol and other drug assistance. For victims of trauma or assault, a range</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to</u></p>

<p><u>regular business hours: (973) 353-5805</u></p> <p><u>After regular business hours:</u> <u>University Hospital Crisis Line, (973)623-2323</u> <u>Suicide Prevention Lifeline, (800) 273-TALK</u></p>	<p><u>of supportive services is offered, including individual and group therapy. Also offers individual and group substance abuse counseling, psychiatric evaluations and medication monitoring. As needed, provides crisis intervention and assistance with community resources and referrals.</u></p>	<p><u>the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, the RUPD will notify the Division of Child Placement and Permanency in accordance with N.J.S.A. 9:6-8, 10.</u></p>
<p><u>Title IX Coordinator</u></p> <p><u>Director of Title IX and ADA</u> <u>Title IX Coordinator</u> <u>Rutgers University—Newark</u> <u>Paul Robeson Campus Center</u> <u>350 Dr. Martin Luther King Jr. Blvd., Room 316 A</u> <u>Newark, NJ 07102</u> <u>Phone: (973) 353-1906</u> <u>Scott.strother@rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u> <u>For information related to the Title IX complaint process or to file a complaint against a Rutgers student for sexual harassment, sex discrimination or sexual assault</u></p>	<p><u>Unless a Complainant requests otherwise and the request is granted, this resource will supervise the investigation to reported incidents under this Policy (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>
<p><u>Dean of Students</u></p> <p><u>Rutgers University—Newark</u> <u>Paul Robeson Campus Center, Suite 352</u> <u>350 Dr. Martin Luther King Jr. Blvd</u> <u>Newark, NJ 07102</u> <u>Phone: (973) 353-5300</u> <u>careteam@rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u> <u>The Dean of Students Office provides solutions, services, and support to help students navigate Rutgers University. The Office serves as a student support network by providing advocacy, problem resolution and critical incident intervention for those times when additional assistance is needed.</u></p>	<p><u>This resource will report to the Title IX Coordinator all information received about incidents under this Policy so the University can respond and investigate (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been</u></p>

		<u>sexually abused, this resource will notify the RUPD.</u>
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Camden

<p><u>Office for Violence Prevention and Victim Assistance (VPVA)</u></p> <p><u>326 Penn Street</u> <u>Camden Campus Center</u> <u>Camden, NJ 08102</u> <u>Phone: (856) 225-2326</u> <u>(24 hours/day, 7 days/week)</u> <u>http://vpva.rutgers.edu</u></p>	<p><u>Confidential Resource</u> <u>providing crisis</u> <u>intervention, counseling</u> <u>and advocacy 24/7</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime or near the campus, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Student Health Services</u></p> <p><u>326 Penn Street</u> <u>Camden Campus Center, 2nd Floor</u> <u>Camden, NJ 08102</u> <u>Phone: (856) 225-6005</u></p>	<p><u>Confidential Resource</u> <u>providing support to Rutgers students, faculty and staff who are victims of sexual assault and interpersonal/intimate partner violence.</u></p>	<p><u>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</u></p> <p><u>If there is reasonable cause to believe a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Medical, Psychological, Alcohol/Drug/Nicotine Assistance, and Health Promotion Services</u></p> <p><u>http://healthservices.camden.rutgers.edu/</u></p>	<p><u>Confidential Resource</u> <u>for victims of sexual assault and interpersonal/intimate partner violence.</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to</u></p>

		<p>the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act)</p> <p>±</p> <p>If there is reasonable cause to suspect that a minor has been sexually abused, the RUPD will notify the Division of Child Placement and Permanency in accordance with N.J.S.A. 9:6-8, 10.</p>
<p><u>Title IX Coordinator</u></p> <p><u>Rutgers University–Camden–Campus</u> <u>326 Penn Street</u> <u>Campus Center – 3rd Floor</u> <u>Camden, NJ 08102</u></p> <p><u>https://respect.camden.rutgers.edu/</u></p> <p><u>Phone: (856)- 225-6422</u></p>	<p><u>Non-Confidential Resource</u> <u>For information related to the Title IX complaint process or to file a complaint against a Rutgers student for sexual harassment, sex discrimination, or sexual assault.</u></p>	<p><u>Unless a Complainant requests otherwise and the request is granted, this resource will supervise the investigation to reported incidents under this Policy (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>

RBHS (Newark, New Brunswick/Piscataway, and Blackwood)

<p><u>Office for Violence Prevention and Victim Assistance (VPVA)</u></p> <p><u>65 Bergen Street, Suite 1441</u> <u>Newark, NJ 07101</u> <u>Phone: (973) 972-4636</u> <u>https://oasa.rbhs.rutgers.edu/vpva</u></p>	<p><u>Confidential Resource</u> <u>providing crisis intervention, counseling, and advocacy.</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime or near the campus, this resource</u></p>
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		<p><u>will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Student Health Services</u></p> <p><u>Rutgers Health Sciences Campus at Newark</u> <u>Doctor's Office Center</u> <u>90 Bergen Street, Suite 1750</u> <u>Newark, NJ</u> <u>Phone: (973) 972-8219</u></p> <p><u>New Brunswick/Piscataway Campus</u> <u>Monument Square</u> <u>317 George Street, First Floor</u> <u>New Brunswick, NJ</u> <u>Phone: (732) 235-5160</u></p> <p><u>Stratford Campus</u> <u>University Doctor's Pavilion</u> <u>42 East Laurel Road, Suite 2100B</u> <u>Stratford, NJ</u> <u>Phone: (856) 566-6825</u></p>	<p><u>Confidential Resource</u> <u>providing support to Rutgers students, faculty, and staff who are victims of sexual assault and interpersonal/intimate partner violence.</u></p>	<p><u>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</u></p> <p><u>If there is reasonable cause to believe a minor has been sexually abused, this resource will notify the RUPD.</u></p>
<p><u>Student Wellness Program</u></p> <p><u>For Emergencies (after 5:00 p.m. and weekends): (800) 327-3678</u></p> <p><u>Newark Campus</u> <u>183 South Orange Avenue</u> <u>Newark, NJ</u> <u>Phone: (973) 972-5429</u></p> <p><u>New Brunswick/Piscataway Campus</u> <u>242 Old New Brunswick Road</u> <u>Piscataway, NJ</u> <u>Phone: (732) 235-5930</u></p> <p><u>Blackwood Campus</u></p>	<p><u>Confidential Resource</u> <u>for victims of sexual assault and interpersonal/intimate partner violence.</u></p>	<p><u>This resource will report incidents without any identifying information to the Title IX Coordinator to enable the University to understand the existence and extent of the problem (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning (Clery Act).</u></p> <p><u>If there is reasonable cause to</u></p>

<p><u>One Echelon Plaza, Suite 101</u> <u>227 Laurel Road,</u> <u>Voorhees, NJ</u> <u>Phone: (856) 770-5750</u></p>		<p><u>suspect that a minor has been sexually abused, the RUPD will notify the Division of Child Placement and Permanency in accordance with N.J.S.A. 9:6-8, 10.</u></p>
<p><u>Title IX Coordinator</u></p> <p><u>65 Bergen Street, Suite 1441</u> <u>Newark, NJ 07101</u></p> <p><u>Phone: (973) 972-9794</u></p> <p><u>Email: Susan.hamilton@rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u> <u>For information related to the Title IX complaint process or to file a complaint against a Rutgers student for sexual harassment, sex discrimination, or sexual assault</u></p>	<p><u>Unless a Complainant requests otherwise and the request is granted, this resource will supervise the investigation to reported incidents under this Policy (Title IX).</u></p> <p><u>If the incident is a crime, this resource will report it without any identifying information to the RUPD for inclusion in the daily crime log, and annual statistical report, and for issuance of any required timely warning (Clery Act).</u></p> <p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>

Off-Campus Resources

<u>Hospitals</u>	<p><u>Robert Wood Johnson University Hospital</u> <u>1 Robert Wood Johnson Plaza</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (732) 828-3000</u> <u>www.rwjuh.edu</u></p> <p><u>St. Peter's University Hospital</u> <u>254 Easton Avenue</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (732) 745-8600</u> <u>www.saintpetershcs.com</u></p> <p><u>University Hospital</u> <u>150 Bergen Street</u> <u>Newark, NJ 07103</u> <u>Phone: (973) 972-4300</u> <u>www.uhnj.org</u></p> <p><u>Beth Israel Medical Center</u> <u>201 Lyons Avenue at Osborne Terrace</u> <u>Newark, NJ 07112</u> <u>Phone: (973) 926-7000</u> <u>https://www.rwjbh.org/newark-beth-israel-medical-center/contact-us/</u></p> <p><u>Hackensack Meridian Meridian Health Mountainside Medical Center</u> <u>One Bay Avenue</u> <u>Montclair, NJ 07042</u> <u>Phone: (973) 429-6000</u> <u>https://mountainsidehosp.com/</u></p>
<u>Advocacy, Counseling, and Health Services</u>	<p><u>njcoalition against sexual assault (njcasa), State-wide Sexual Assault Toll Free Hotline</u> <u>Phone: (800) 601-7200</u> <u>http://www.njcasa.org</u></p> <p><u>Sexual Violence Programs in New Jersey by county:</u> <u>http://njcasa.org/find-help/</u></p> <p><u>State of New Jersey Department of Families and Children</u> <u>Domestic Violence Services</u> <u>24 hour hotline: (800) 572-SAFE (7233)</u></p> <p><u>Middlesex County Center for Empowerment (Rape Crisis Center for Middlesex County)</u> <u>29 Oakwood Avenue</u></p>

	<p><u>Edison, NJ 08837</u> <u>Phone: (732) 321-1189</u> http://www.co.middlesex.nj.us/Government/Departments/PSH/Pages/Center-for-Empowerment.aspx</p> <p><u>Services Empowering Rights of Victims (SERV) of Camden County</u> <u>Sexual Violence Services</u> <u>Phone: (866) 295-7378</u> www.Centerffs.org/serv/sexual-violence-services</p> <p><u>SAVE of Essex County Hotline: (877) 733-2273</u></p> <p><u>RAINN National Sexual Assault Hotline</u> <u>Phone: (800) 656-HOPE</u> www.rainn.org</p>
<u>Law Enforcement</u>	<p><u>New Brunswick Police Department</u> <u>Emergency: 9-1-1</u> <u>25 Kirkpatrick Street</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (732) 745-5200</u></p> <p><u>Piscataway Police Department</u> <u>Emergency: 9-1-1</u> <u>455 Hoes Lane</u> <u>Piscataway, NJ 08854</u> <u>Phone: (732) 562—2300</u></p> <p><u>Newark Police Department</u> <u>Emergency: 9-1-1</u> <u>311 Washington Street</u> <u>Newark, NJ</u> <u>Phone: (973) 733-6000</u></p> <p><u>Camden Police Department</u> <u>Emergency: 9-1-1</u> <u>800 Federal Street</u> <u>Camden, NJ</u> <u>Phone: (856) 757-7400</u></p>
<u>Government Resources</u>	<p>https://youth.gov/federal-links/notalonegov-together-against-sexual-assault</p> <p><u>United States Department of Education</u> <u>Office for Civil Rights</u> <u>New York Office</u> <u>32 Old Slip, 26th Floor</u> <u>New York, NY 10005</u> <u>Phone: (646) 428-3800</u></p>

	<p><u>Email: OCR.NewYork@ed.gov</u></p> <p><u>United States Department of Justice Office on Violence Against Women</u> <u>145 N Street, Suite 10 W 121</u> <u>Washington, DC 20530</u> <u>Phone: (202) 307-6026</u> <u>https://www.justice.gov/ovw</u></p>
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Appendix B

On-Campus Resources for Respondents

New Brunswick

<u>Personnel</u>	<u>Resource Type</u>	<u>Reporting Obligation</u>
<p><u>Rutgers Student Health - Counseling, Alcohol & Other Drug Assistance Program and Psychiatric Services (CAPS)</u></p> <p>Main Center 17 Senior Street College Avenue Campus New Brunswick, NJ 08901 Phone: (848) 932-7884 http://health.rutgers.edu/medical-counseling-services/counseling/</p>	<p><u>Confidential Resource</u> providing counseling services through CAPS. Services include crisis intervention, individual therapy, workshops, alcohol and other drug assistance programs, and psychiatric care.</p>	<p>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</p>
<p><u>Rutgers Student Health Services – Physicians and other Health Professionals</u></p> <p>Student Health Services Office Hurtado Health Center College Avenue Campus 11 Bishop Place New Brunswick, NJ 08901 Phone: (848) 932-7402 Email: health@rutgers.edu</p>	<p><u>Confidential Resource</u> providing comprehensive clinical care, including medical, pharmacy, and mental health counseling services.</p>	<p>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report as required by law.</p>
<p><u>University Chaplains (or Ordained Clergy)</u></p> <p>A list of Registered Chaplains can be found here: http://getinvolved.rutgers.edu/organizations/religious-life http://ruoffcampus.rutgers.edu/rutgers-university-multi-faith-council/</p>	<p><u>Confidential Resource</u></p>	<p>None, unless acting in a role other than that of Chaplain or Clergy.</p>
<p><u>Residence Life</u></p> <p>New Brunswick/Piscataway Phone: (848) 932-4371 Email: resident@rutgers.edu http://ruoncampus.rutgers.edu</p>	<p><u>Non-Confidential Resource</u> Providing services and support to help students navigate Rutgers University.</p>	<p>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>

<p><u>Student Legal Services</u></p> <p><u>115 College Avenue</u> <u>Bishop House</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>53 Avenue E</u> <u>Tillett Hall, Room 247</u> <u>Livingston Campus</u> <u>Piscataway, NJ 08854</u> <u>Phone: (848) 932-4529</u> <u>www.rusls.rutgers.edu</u></p>	<p><u>Confidential Resource</u></p> <p><u>providing eligible Rutgers</u> <u>students with professional</u> <u>legal advice and assistance</u> <u>at no cost by attorneys</u> <u>licensed to practice in the</u> <u>state of New Jersey.</u></p>	<p><u>This resource will report</u> <u>incidents without any</u> <u>identifying information to the</u> <u>Title IX Coordinator to enable</u> <u>the University to understand</u> <u>the existence and extent of the</u> <u>problem (Title IX).</u></p> <p><u>If the incident is a crime or</u> <u>near the campus, this resource</u> <u>will report it without any</u> <u>identifying information to the</u> <u>RUPD for inclusion in the daily</u> <u>crime log, annual statistical</u> <u>report, and for issuance of any</u> <u>required timely warning (Clery</u> <u>Act).</u></p> <p><u>If there is reasonable cause to</u> <u>suspect that a minor has been</u> <u>sexually abused, this resource</u> <u>will notify the RUPD.</u></p>
<p><u>Title IX Coordinator</u></p> <p><u>Office of Student Affairs Compliance and</u> <u>Title IX</u> <u>115 College Avenue-2 Richardson Street</u></p> <p><u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-8576</u> <u>http://compliance.rutgers.edu/title-</u> <u>ix/reporting/</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>For information related to</u> <u>the Title IX complaint</u> <u>process or to file a</u> <u>complaint against a Rutgers</u> <u>student for sexual</u> <u>harassment, sex</u> <u>discrimination, sexual</u> <u>assault, or retaliation.</u></p>	<p><u>This resource will share</u> <u>information with University</u> <u>personnel who need to know it</u> <u>in order to carry out University</u> <u>policies and procedures.</u></p>
<p><u>Rutgers University Police Department</u> <u>(RUPD)</u></p> <p><u>New Brunswick Division</u> <u>55 Commercial Avenue Paul Robeson</u> <u>Boulevard</u> <u>New Brunswick, NJ 08901</u> <u>Phone: 9-1-1 (for emergencies)</u> <u>Phone: (732) 932-7211</u> <u>http://rupd.rutgers.edu/rupd.php</u></p>	<p><u>Non-Confidential</u></p> <p><u>RUPD provides emergency</u> <u>services and security</u> <u>escorts.</u></p>	<p><u>This resource will share</u> <u>information with University</u> <u>personnel who need to know it</u> <u>in order to carry out University</u> <u>policies and procedures.</u></p>
<p><u>Rutgers University–New Brunswick –& RBHS</u> <u>Ombuds Office</u></p> <p><u>Davidson Hall</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>The Office for the</u> <u>Ombudsperson for Students</u> <u>at Rutgers University–New</u></p>	

<p><u>Room 101</u> <u>Busch Campus</u> <u>Piscataway, NJ</u> <u>115 College Avenue</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-1452</u> <u>Email: Ombuds@rutgers.edu</u> <u>https://ombuds.rutgers.edu</u></p>	<p><u>Brunswick and RBHS offers students who feel they have exhausted all other possible remedies, alternative methods to resolve their issues.</u></p>	
<p><u>Dean of Students</u></p> <p><u>Office of the Dean of Students</u> <u>88 College Avenue</u> <u>College Avenue Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-2300</u> <u>Email: deanofstudents@echo.rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>The Dean of Students Office provides solutions, services and support to help students navigate Rutgers University. The Office services as a student support network by providing advocacy, problem resolution, and critical incident intervention for those times when additional assistance is needed.</u></p>	
<p><u>Title IX Coordinator for Complaints Against University Employees or Third Parties</u></p> <p><u>Office of Employment Equity</u> <u>University Human Resources</u> <u>57 US Highway 1, ASB II</u> <u>Cook Campus</u> <u>New Brunswick, NJ 08901</u> <u>Phone: (848) 932-3979-3980</u> <u>Email: Lisa.grosskreutz@rutgers.edu</u></p>	<p><u>Non-Confidential Resource</u></p> <p><u>supporting the University's commitment to preventing discrimination and advancing equal opportunity.</u></p>	<p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>

Newark

<p><u>Counseling Center</u></p> <p>249 University Avenue Blumenthal Hall, Room 101 Newark, NJ 07102 Phone: (973) 353-5805 <u>Website:</u> http://counseling.newark.rutgers.edu/</p> <p><u>For Psychological Emergencies during regular business hours: (973) 353-5805</u></p> <p><u>After regular business hours:</u> <u>University Hospital Crisis Line, -(973)623-2323</u> <u>Suicide Prevention Lifeline, (800) 273-TALK</u></p>	<p><u>Confidential Resource.</u> <u>Provides psychological and psychiatric services, along with a comprehensive alcohol and other drug assistance. For victims of trauma, a range of supportive services is offered, including individual and group therapy. Also offers individual and group substance abuse counseling, psychiatric evaluations, and medication monitoring. As needed, provides crisis intervention and assistance with community resources and referrals.</u></p>	<p><u>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report as required by law.</u></p>
<p><u>Title IX Coordinator</u></p> <p><u>Director of Title IX and ADA</u> <u>Title IX Coordinator</u> <u>Rutgers University – Newark</u> <u>Paul Robeson Campus Center</u> <u>350 Dr. Martin Luther King Jr. Blvd.</u> <u>Room 316 AB</u> <u>Newark, NJ 07102</u> <u>Phone:- (973) 353-1906</u> <u>Email:- scott.strother@rutgers.edu</u></p>	<p><u>Non-Confidential resource.</u> <u>For information related to the Title IX complaint process or to file a complaint against a Rutgers student for sexual harassment, sex discrimination, sexual assault, or retaliation.</u></p>	<p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>

Camden

<p><u>Student Health Services</u></p> <p>326 Penn Street Camden Campus Center, 2nd Floor Camden, NJ 08102 Phone: (856) 225-6005</p>	<p><u>Confidential Resource</u> <u>providing support to Rutgers students, faculty, and staff.</u></p>	<p><u>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</u></p>
<p><u>Medical, Psychological, Alcohol/Drug/Nicotine Assistance, and</u></p>	<p><u>Confidential Resource</u> <u>providing support to</u></p>	<p><u>If a patient's clinical state</u></p>

<u>Health Promotion Services</u> http://healthservices.camden.rutgers.edu/ https://wellnesscenter.camden.rutgers.edu/	<u>Rutgers students, faculty, and staff.</u>	<u>poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</u>
<u>Title IX Coordinator</u> Associate Dean of Students/Executive Director & Title IX Coordinator 326 Penn Street Camden, NJ 08102 Phone: (856) 225-6422 Email: aemery@rutgers.camden.edu	<u>Non-Confidential resource.</u> <u>For information related to the Title IX complaint process or to file a complaint against a Rutgers student for sexual harassment, sex discrimination, sexual assault, or retaliation.</u>	<u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u>
<u>Chaplains</u> https://inclusion.camden.rutgers.edu/meet-chaplains	<u>Confidential Resource</u> <u>Providing support to Rutgers students, faculty, and staff.</u>	<u>None, unless acting in a role other than that of Chaplain or Clergy.</u>

RBHS (Newark, New Brunswick/Piscataway, and Blackwood)

<u>Student Health Services</u> <u>Rutgers Health Sciences Campus at Newark</u> <u>Doctor's Office Center</u> <u>90 Bergen Street, Suite 1750</u> <u>Newark, NJ 07103</u> <u>Phone: (973) 972-8219</u> <u>New Brunswick/Piscataway Campus</u> <u>Monument Square</u> <u>317 George Street, First Floor</u> <u>New Brunswick, NJ</u> <u>Phone: (732) 235-5160</u> <u>Stratford Campus</u> <u>University Doctor's Pavilion</u> <u>42 East Laurel Road, Suite 2100B</u> <u>Stratford, NJ</u> <u>Phone: (856) 566-6825</u>	<u>Confidential Resource</u> <u>providing support to Rutgers students, faculty, and staff.</u>	<u>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource will report as required by law.</u>
<u>Student Wellness Program</u> <u>For Emergencies (after 5:00 p.m. and weekends): Phone:(800) 327-3678</u>	<u>Confidential Resource</u> <u>providing support to Rutgers students, faculty, and staff.</u>	<u>If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this</u>

<p><u>Newark Campus/Scotch Plains Campuses</u> <u>183 South Orange Avenue</u> <u>Newark, NJ</u> <u>Phone: (973) 972-5429</u></p> <p><u>New Brunswick/Piscataway Campus</u> <u>242 Old New Brunswick Road</u> <u>Piscataway, NJ</u> <u>Phone: (732) 235-5930</u></p> <p><u>Stratford Campus</u> <u>One Echelon Plaza, Suite 101</u> <u>227 Laurel Road,</u> <u>Voorhees, NJ</u> <u>Phone: (856) 770-5750</u></p>		<p><u>resource will report as required by law.</u></p>
<p><u>Title IX Coordinator</u></p> <p><u>Assistant Vice Chancellor for Academic & Student Affairs & Title IX Coordinator</u> <u>65 Bergen Street, Suite 1441</u> <u>Newark, NJ 07101</u> <u>Phone: (973) 972-5374</u> <u>Email: susan.hamilton@rutgers.edu</u></p>	<p><u>Non-Confidential resource.</u> <u>For information related to the Title IX complaint process or to file a complaint against a Rutgers student for sexual harassment, sex discrimination, sexual assault, and retaliation.</u></p>	<p><u>This resource will share information with University personnel who need to know it in order to carry out University policies and procedures.</u></p>

APPENDIX BC

New Jersey Campus Sexual Assault Victim's Bill of Rights

Introduction

A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the university community in achieving these ends.

The boundaries of personal freedom are limited by applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault, and nonconsensual sexual contact, respect for the individual and human dignity are of paramount importance.

The State of New Jersey and Rutgers recognize that the impact of violence on victims and the surrounding community can be severe and long lasting. Thus, this Bill of Rights has been established to articulate requirements for policies, procedures, and services designed to ensure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

Bill of Rights N.J.S.A. 18A:61E-1 et seq.

The following rights shall be accorded to victims of sexual assaults that occur:

- On the campus of any public or independent institution of higher education in the State of New Jersey; and
- Where the victim or alleged perpetrator is a student at that institution; and/or
- When the victim is a student involved in an off-campus sexual assault.

Human Dignity Rights:

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

Rights to Resources On and Off Campus:

- To be notified of existing campus and community-based medical, counseling, mental health, and student services for victims of sexual assault whether or not the crime is formally reported to campus or civil authorities.
- To have access to campus counseling under the same terms and conditions as apply to other students in their institution seeking such counseling.

- To be informed of and assisted in exercising
 - any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus, and/or pregnancy.
 - any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.

Campus Judicial Rights:

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

Legal Rights:

- To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported.
- To receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities
- To receive full, prompt, and victim-sensitive cooperation of campus personnel with regard to obtaining, securing, and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.

Campus Intervention Rights:

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

Statutory Mandates:

- Each campus must guarantee that this Bill of Rights is implemented. It is the obligation of the individual campus governing board to examine resources dedicated to services required and to make appropriate requests to increase or reallocate resources where necessary to ensure implementation.
- Each campus shall make every reasonable effort to ensure that every student at that institution receives a copy of this document.
- Nothing in this act or in any "Campus Assault Victim's Bill of Rights" developed in accordance with the provisions of this act shall be construed to preclude or in any way restrict any public or independent institution of higher education in the state from reporting any suspected crime or offense to the appropriate law enforcement authorities.



PROPOSED RESOLUTION
ACCEPTING AND CERTIFYING THE FINANCIAL REPORT ON RUTGERS'
ALLOCATION AND TRANSFER OF RESOURCES ACROSS CAMPUSES
FOR THE PERIOD JULY 1, 2018 TO JUNE 30, 2019

WHEREAS, pursuant to Section 25 of the New Jersey Medical and Health Sciences Education Restructuring Act, P.L. 2012, c. 45, the Board of Governors of Rutgers, The State University of New Jersey, is required to establish an annual certified public reporting process of the finances of Rutgers in order to measure the flow of resources across the campuses of the University; and

WHEREAS, the Executive Vice President for Finance and Administration and University Treasurer prepared a financial report identifying the allocation and transfer of resources across campuses for the fiscal year ending June 30, 2019 (the "Report"), a copy of which is attached hereto; and

WHEREAS, the Report was presented to the Committee on Finance and Facilities on December 2, 2019, and the Committee discussed the Report and conclusions therein; and

WHEREAS, the Committee recommended that the Board of Governors of Rutgers, The State University of New Jersey, formally accept and make public the report.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Committee on Finance and Facilities, the Board of Governors of Rutgers, The State University of New Jersey, hereby accepts the Report on Rutgers' Allocation and Transfer of Resources Across Campuses for the period from July 1, 2018 to June 30, 2019; and

BE IT FURTHER RESOLVED that the Board of Governors hereby certifies that the Report shall be made publicly available on the Rutgers website and shall be shared with the New Jersey Office of the State Auditor.

Attachment: Report on Rutgers' Allocation and Transfer of Resources Across Campuses for the Period July 1, 2018 to June 30, 2019.

Board of Governors
Rutgers, The State University
of New Jersey
December 17, 2018



RUTGERS

Financial Report on
The Allocation and Transfer of Resources Across Campuses
For the Period July 1, 2018 to June 30, 2019

**TOTAL RUTGERS****as of June 2019***Dollars in thousands*

	FY19 Budget	FY19 Actual	Fav/(Unfav) \$ Variance	Fav/(Unfav) % Variance
Revenue (Sources of Funds)				
Student Tuition and Fees	1,283,282	1,303,665	20,383	1.59%
Federal and State Student Aid	212,139	224,979	12,840	6.05%
Federal Appropriation	6,857	7,061	204	2.98%
NJ State Appropriations	433,971	435,790	1,819	0.42%
State Paid Fringe*	444,742	443,841	(901)	(0.20%)
Grants and Contracts	473,833	470,818	(3,015)	(0.64%)
Facilities and Administrative Recoveries	108,647	111,024	2,376	2.19%
Gift and Contribution Revenue	34,286	50,408	16,122	47.02%
Endowment and Investment Income	63,756	53,734	(10,022)	(15.72%)
Healthcare Revenue	570,956	563,545	(7,410)	(1.30%)
Affiliated and Housestaff	291,714	310,173	18,459	6.33%
Other Sources Revenue	107,464	141,524	34,060	31.69%
Auxiliary Revenue	310,606	308,805	(1,802)	(0.58%)
Total Revenue	4,342,255	4,425,368	83,114	1.91%
Expense (Uses of Funds) by Natural Class				
Salaries and Wages	2,140,251	2,144,602	(4,351)	(0.20%)
Fringe Benefits*	712,833	661,259	51,573	7.24%
Total Compensation	2,853,084	2,805,861	47,222	1.66%
Supplies and Other	245,290	252,841	(7,552)	(3.08%)
Scholarships and Fellowships	400,098	416,859	(16,761)	(4.19%)
Travel	44,415	49,280	(4,865)	(10.95%)
Plant Operation and Maintenance	122,629	140,609	(17,980)	(14.66%)
Debt Service - Principal and Interest	170,341	170,655	(314)	(0.18%)
Other Operating Expense	220,405	225,972	(5,566)	(2.53%)
Professional Services	273,587	313,665	(40,078)	(14.65%)
Provision for Initiatives and Contingencies	36,504	-	36,504	100.00%
Total Expense	4,366,354	4,375,743	(9,389)	(0.22%)
Cost Pools	-	-	-	-
Transfers	-	-	-	-
Surplus/(Deficit) Operations	(24,099)	49,626	73,725	(305.92%)
Plant Fund & Non Operating Transfers**	(25,022)	(38,937)	(13,915)	55.61%
Use of Prior Year Net Assets***	49,121	-	(49,121)	(100.00%)
Change in Fund Balance	-	10,689	10,689	-

Notes

*State Paid Fringe revenue and Fringe Benefits expenses are adjusted to state appropriation value

**Operating funds budgeted for deferred maintenance and other projects

***Prior year funds set aside for one-time strategic initiatives

**NEW BRUNSWICK****as of June 2019***Dollars in thousands*

	FY19 Budget	FY19 Actual	Fav/(Unfav) \$ Variance	Fav/(Unfav) % Variance
Revenue (Sources of Funds)				
Student Tuition and Fees	681,868	678,509	(3,359)	(0.49%)
Federal and State Student Aid	-	4,330	4,330	-
Federal Appropriation	6,857	7,061	204	2.98%
NJ State Appropriations	203,013	203,781	767	0.38%
State Paid Fringe*	126,561	130,354	3,793	3.00%
Grants and Contracts	198,101	190,460	(7,641)	(3.86%)
Facilities and Administrative Recoveries	50,366	54,069	3,703	7.35%
Gift and Contribution Revenue	20,501	26,430	5,929	28.92%
Endowment and Investment Income	23,204	17,267	(5,938)	(25.59%)
Healthcare Revenue	-	489	489	-
Affiliated and Housestaff	-	-	-	-
Other Sources Revenue	71,384	82,822	11,439	16.02%
Auxiliary Revenue	264,610	264,551	(59)	(0.02%)
Total Revenue	1,646,465	1,660,122	13,658	0.83%
Expense (Uses of Funds) by Natural Class				
Salaries and Wages	653,719	666,414	(12,695)	(1.94%)
Fringe Benefits*	218,850	209,471	9,379	4.29%
Total Compensation	872,569	875,885	(3,315)	(0.38%)
Supplies and Other	91,149	87,148	4,002	4.39%
Scholarships and Fellowships	81,418	79,999	1,419	1.74%
Travel	25,705	29,442	(3,737)	(14.54%)
Plant Operation and Maintenance	61,114	67,308	(6,195)	(10.14%)
Debt Service - Principal and Interest	39,336	39,018	318	0.81%
Other Operating Expense	79,513	74,163	5,350	6.73%
Professional Services	102,027	105,503	(3,475)	(3.41%)
Provision for Initiatives and Contingencies	32,274	-	32,274	100.00%
Total Expense	1,385,106	1,358,466	26,640	1.92%
Transfers	22,189	23,293	1,104	4.97%
Cost Pools	(282,043)	(282,043)	0	(0.00%)
Surplus/(Deficit) Operations	1,505	42,906	41,401	2750.30%
Plant Fund & Non Operating Transfers**	(34,525)	(27,926)	6,599	(19.11%)
Use of Prior Year Net Assets***	33,020	-	(33,020)	(100.00%)
Change in Fund Balance	-	14,980	14,980	-

Notes

*State Paid Fringe revenue and Fringe Benefits expenses are adjusted to state appropriation value

**Operating funds budgeted for deferred maintenance and other projects

***Prior year funds set aside for one-time strategic initiatives

**NEWARK****as of June 2019***Dollars in thousands*

	FY19 Budget	FY19 Actual	Fav/(Unfav) \$ Variance	Fav/(Unfav) % Variance
Revenue (Sources of Funds)				
Student Tuition and Fees	265,970	277,544	11,574	4.35%
Federal and State Student Aid	-	1,120	1,120	-
Federal Appropriation	-	-	-	-
NJ State Appropriations	30,630	31,880	1,250	4.08%
State Paid Fringe*	39,957	41,520	1,563	3.91%
Grants and Contracts	20,358	21,388	1,031	5.06%
Facilities and Administrative Recoveries	4,411	4,780	369	8.37%
Gift and Contribution Revenue	2,839	3,952	1,113	39.21%
Endowment and Investment Income	3,484	2,889	(595)	(17.08%)
Healthcare Revenue	-	-	-	-
Affiliated and Housestaff	-	-	-	-
Other Sources Revenue	5,740	9,120	3,380	58.89%
Auxiliary Revenue	21,998	21,667	(331)	(1.50%)
Total Revenue	395,388	415,861	20,473	5.18%
Expense (Uses of Funds) by Natural Class				
Salaries and Wages	164,191	172,851	(8,660)	(5.27%)
Fringe Benefits*	53,379	51,264	2,115	3.96%
Total Compensation	217,570	224,115	(6,545)	(3.01%)
Supplies and Other	14,254	15,027	(773)	(5.42%)
Scholarships and Fellowships	27,292	31,931	(4,639)	(17.00%)
Travel	3,523	4,353	(830)	(23.56%)
Plant Operation and Maintenance	5,136	6,005	(870)	(16.93%)
Debt Service - Principal and Interest	10,072	10,519	(447)	(4.44%)
Other Operating Expense	16,394	13,413	2,981	18.19%
Professional Services	18,239	24,091	(5,852)	(32.09%)
Provision for Initiatives and Contingencies	5,477	-	5,477	100.00%
Total Expense	317,957	329,454	(11,496)	(3.62%)
Transfers	4,242	4,284	42	0.99%
Cost Pools	(84,498)	(84,498)	-	0.00%
Surplus/(Deficit) Operations	(2,826)	6,193	9,019	(319.11%)
Plant Fund & Non Operating Transfers**	(2,619)	(2,496)	122	(4.67%)
Use of Prior Year Net Assets***	5,445	-	(5,445)	(100.00%)
Change in Fund Balance	-	3,696	3,696	-

Notes

*State Paid Fringe revenue and Fringe Benefits expenses are adjusted to state appropriation value

**Operating funds budgeted for deferred maintenance and other projects

***Prior year funds set aside for one-time strategic initiatives

**CAMDEN****as of June 2019***Dollars in thousands*

	FY19 Budget	FY19 Actual	Fav/(Unfav) \$ Variance	Fav/(Unfav) % Variance
Revenue (Sources of Funds)				
Student Tuition and Fees	113,688	110,800	(2,888)	(2.54%)
Federal and State Student Aid	448	515	67	14.92%
Federal Appropriation	-	-	-	-
NJ State Appropriations	16,671	16,671	-	0.00%
State Paid Fringe*	18,689	19,737	1,048	5.61%
Grants and Contracts	12,885	12,892	7	0.05%
Facilities and Administrative Recoveries	673	451	(222)	(33.00%)
Gift and Contribution Revenue	585	1,052	467	79.84%
Endowment and Investment Income	1,094	717	(376)	(34.39%)
Healthcare Revenue	15	37	22	146.43%
Affiliated and Housestaff	-	-	-	-
Other Sources Revenue	3,005	3,850	846	28.14%
Auxiliary Revenue	11,307	12,166	859	7.60%
Total Revenue	179,059	178,888	(171)	(0.10%)
Expense (Uses of Funds) by Natural Class				
Salaries and Wages	89,264	88,172	1,092	1.22%
Fringe Benefits*	28,487	27,306	1,180	4.14%
Total Compensation	117,751	115,478	2,273	1.93%
Supplies and Other	5,661	6,300	(639)	(11.29%)
Scholarships and Fellowships	16,154	23,556	(7,402)	(45.82%)
Travel	2,574	2,736	(162)	(6.30%)
Plant Operation and Maintenance	3,083	4,003	(921)	(29.88%)
Debt Service - Principal and Interest	2,517	2,517	-	0.00%
Other Operating Expense	15,153	10,002	5,151	34.00%
Professional Services	8,486	12,500	(4,013)	(47.29%)
Provision for Initiatives and Contingencies	(23,588)	-	(23,588)	100.00%
Total Expense	147,790	177,092	(29,302)	(19.83%)
Transfers	6,658	4,100	(2,558)	(38.42%)
Cost Pools	(37,299)	(37,299)	-	0.00%
Surplus/(Deficit) Operations	628	(31,404)	(32,032)	(5102.00%)
Plant Fund & Non Operating Transfers**	(628)	(509)	118	(18.87%)
Use of Prior Year Net Assets***	-	-	-	-
Change in Fund Balance	-	(31,913)	(31,913)	-

Notes

*State Paid Fringe revenue and Fringe Benefits expenses are adjusted to state appropriation value

**Operating funds budgeted for deferred maintenance and other projects

***Prior year funds set aside for one-time strategic initiatives

**RBHS****as of June 2019***Dollars in thousands*

	FY19 Budget	FY19 Actual	Fav/(Unfav) \$ Variance	Fav/(Unfav) % Variance
Revenue (Sources of Funds)				
Student Tuition and Fees	181,971	183,411	1,440	0.79%
Federal and State Student Aid	-	1,072	1,072	-
Federal Appropriation	-	-	-	-
NJ State Appropriations	183,656	183,458	(198)	(0.11%)
State Paid Fringe*	173,860	167,369	(6,491)	(3.73%)
Grants and Contracts	237,827	240,783	2,957	1.24%
Facilities and Administrative Recoveries	51,700	49,798	(1,902)	(3.68%)
Gift and Contribution Revenue	9,920	16,022	6,102	61.51%
Endowment and Investment Income	10,863	5,676	(5,187)	(47.75%)
Healthcare Revenue	570,941	563,021	(7,920)	(1.39%)
Affiliated and Housestaff	286,041	295,999	9,958	3.48%
Other Sources Revenue	12,787	16,929	4,141	32.39%
Auxiliary Revenue	12,692	10,421	(2,271)	(17.89%)
Total Revenue	1,732,258	1,733,960	1,701	0.10%
Expense (Uses of Funds) by Natural Class				
Salaries and Wages	926,679	897,823	28,856	3.11%
Fringe Benefits*	300,610	272,216	28,394	9.45%
Total Compensation	1,227,289	1,170,039	57,250	4.66%
Supplies and Other	100,200	107,052	(6,852)	(6.84%)
Scholarships and Fellowships	25,140	25,667	(527)	(2.10%)
Travel	8,802	10,284	(1,482)	(16.84%)
Plant Operation and Maintenance	6,884	8,164	(1,280)	(18.60%)
Debt Service - Principal and Interest	7,595	7,595	-	0.00%
Other Operating Expense	58,896	50,839	8,058	13.68%
Professional Services	92,336	121,155	(28,819)	(31.21%)
Provision for Initiatives and Contingencies	(3,356)	-	(3,356)	100.00%
Total Expense	1,523,786	1,500,794	22,992	1.51%
Transfers	(1,183)	2,904	4,087	(345.60%)
Cost Pools	(220,040)	(220,040)	-	0.00%
Surplus/(Deficit) Operations	(12,750)	16,030	28,780	(225.73%)
Plant Fund & Non Operating Transfers**	12,750	7,209	(5,541)	(43.46%)
Use of Prior Year Net Assets***	-	-	-	-
Change in Fund Balance	-	23,239	23,239	-

Notes

*State Paid Fringe revenue and Fringe Benefits expenses are adjusted to state appropriation value

**Operating funds budgeted for deferred maintenance and other projects

***Prior year funds set aside for one-time strategic initiatives

**CENTRAL****as of June 2019***Dollars in thousands*

	FY19 Budget	FY19 Actual	Fav/(Unfav) \$ Variance	Fav/(Unfav) % Variance
Revenue (Sources of Funds)				
Student Tuition and Fees	39,784	53,401	13,617	34.23%
Federal and State Student Aid	211,691	217,943	6,252	2.95%
Federal Appropriation	-	-	-	-
NJ State Appropriations	-	-	-	-
State Paid Fringe*	85,674	84,860	(814)	(0.95%)
Grants and Contracts	4,663	5,294	632	13.55%
Facilities and Administrative Recoveries	1,498	1,926	428	28.55%
Gift and Contribution Revenue	442	2,952	2,511	568.71%
Endowment and Investment Income	25,111	27,185	2,074	8.26%
Healthcare Revenue	-	(2)	(2)	-
Affiliated and Housestaff	5,673	14,174	8,501	149.86%
Other Sources Revenue	14,549	28,804	14,254	97.97%
Auxiliary Revenue	-	-	-	-
Total Revenue	389,085	436,538	47,453	12.20%
Expense (Uses of Funds) by Natural Class				
Salaries and Wages	306,398	319,343	(12,945)	(4.22%)
Fringe Benefits*	111,507	101,002	10,504	9.42%
Total Compensation	417,905	420,345	(2,440)	(0.58%)
Supplies and Other	34,026	37,314	(3,289)	(9.66%)
Scholarships and Fellowships	250,095	255,707	(5,612)	(2.24%)
Travel	3,811	2,465	1,347	35.33%
Plant Operation and Maintenance	46,414	55,128	(8,714)	(18.78%)
Debt Service - Principal and Interest	110,821	111,005	(185)	(0.17%)
Other Operating Expense	50,449	77,556	(27,106)	(53.73%)
Professional Services	52,499	50,417	2,081	3.96%
Provision for Initiatives and Contingencies	15,040	-	15,040	100.00%
Total Expense	981,059	1,009,937	(28,878)	(2.94%)
Transfers	(30,383)	(34,581)	(4,198)	13.82%
Cost Pools	623,881	623,881	-	0.00%
Surplus/(Deficit) Operations	1,524	15,900	14,376	943.32%
Plant Fund & Non Operating Transfers**	(1,524)	(15,214)	(13,690)	898.27%
Use of Prior Year Net Assets***	-	-	-	-
Change in Fund Balance	-	687	687	-

Notes

*State Paid Fringe revenue and Fringe Benefits expenses are adjusted to state appropriation value

**Operating funds budgeted for deferred maintenance and other projects

***Prior year funds set aside for one-time strategic initiatives

Rutgers, The State University of New Jersey
Office of the University Controller
Reconciliation of Rutgers Allocation of Resources Report to Unaudited Financial Statements 2019 (updated 10-25-19)
(in thousands)

Financial Statement Increase in Net Position	\$	126,408
Excluded Fund Activity:		
Plant, Loan, True Endowment, Internal Bank, GASB Adjustments		(165,976)
Excluded Non Operating Activity:		
Net Increase/Decrease in Fair Value of Investments		(57,007)
RWJ Barnabas Contributions		(100,000)
Non Operating Revenues		(99,219)
Non Operating Expenses		306,483
Total Rutgers Allocation of Resources Report	\$	<u>10,689</u>
		(10,689)