

# DOMESTIC/DATING VIOLENCE, STALKING & SEXUAL VIOLENCE POLICY

## 1. STATEMENT OF PURPOSE

William Paterson University is dedicated to providing a campus environment free from violence for all members of the campus community. For this reason, William Paterson University does not tolerate any form of violence including domestic/dating violence, stalking and/or sexual violence. William Paterson University will pursue the perpetrators of such acts to the fullest extent possible and is committed to supporting victims of domestic/dating violence, stalking and/or sexual violence by providing access to appropriate safety and support services.

Domestic/dating violence, stalking and/or sexual violence incidents are occurring at an alarming rate on the nation's college campuses. Such incidents happen to people of all genders, races, ethnicities, religions, ages, abilities, sexual orientations, gender expressions, sexual identities etc. These incidents affect people of all socioeconomic backgrounds and education levels. These incidents can occur between strangers, acquaintances, friends, roommates, family members and intimate partners<sup>1</sup>.

Domestic/dating violence, stalking, and sexual violence are crimes in the State of New Jersey and are subject to criminal prosecution. In addition, William Paterson University has stringent policies related to these issues as described in the next few sections.

## 2. APPLICABILITY OF POLICY

This policy applies to conduct that takes place on the property of William Paterson University or at any function sponsored by William Paterson University. This also includes students living together off-campus. Anyone violating this policy will be subjected to disciplinary action up to and including expulsion from William Paterson University, termination of employment and/or criminal prosecution.

## 3. GENERAL DEFINITIONS & BEHAVIORS

### Domestic/Dating Violence

Domestic/dating violence can be defined as a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other intimate partner. It can be committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. It can also be committed by one roommate<sup>2</sup> over another. Domestic/dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, wound someone, or destroy someone's property.

- **Physical Abuse:** Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc are types of physical abuse. This type of abuse also includes denying a partner/roommate medical care or forcing alcohol and/or drug use upon him or her.
- **Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner (more about this in the Sexual Violence section).

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<sup>1</sup> Intimate partners: In both opposite-sex and same-sex relationships where persons are married, living together, or dating.

<sup>2</sup> Roommate: Persons who share common living areas (i.e. living room, kitchen) and/or persons who share a dorm room.

- **Emotional Abuse:** Undermining an individual's sense of self-worth and/or self-esteem is abusive. This may include, but is not limited to constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.
- **Economic Abuse:** Is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.
- **Psychological Abuse:** Elements of psychological abuse include - but are not limited to - causing fear by intimidation; threatening physical harm to self, partner, children, or partner's family or friends; destruction of pets and property; and forcing isolation from family, friends, or school and/or work.

Under the New Jersey Prevention of Domestic Violence Act of 1991, N.J.S.A. 2C:25-17 et seq., domestic violence means the occurrence of one or more of the following criminal offenses upon a victim: Homicide, Assault, Terroristic threats, Kidnapping, Criminal restraint, False imprisonment, Sexual assault, Criminal sexual contact, Lewdness, Criminal mischief, Burglary, Criminal trespass, Harassment, Stalking. A victim of domestic violence is a person protected by the Act and includes any person:

- who is 18 years of age or older; OR,
- if under 18, is an emancipated minor, and who has been subjected to domestic violence by a spouse, former spouse or any other person who is a present or former household member; OR
- regardless of age, has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant; OR
- regardless of age, has been subjected to domestic violence by a person with whom the victim has had a dating relationship.

The domestic violence offender must be over the age of 18 or emancipated at the time of the offense to be considered an offender under this Act.

## Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for her/his safety or the safety of another person or to suffer other emotional distress. Course of conduct is defined as

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

Stalking includes any behaviors or activities occurring on at least two occasions that collectively instill fear in a victim, and/or threaten her/ his safety, physical health or cause other severe mental suffering or distress.

Such behaviors and activities may include, but are not limited to, the following:

- Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are undesired and place another person in fear;
- Use of online, electronic, or digital technologies, including: Posting of pictures or information in chat rooms or on Web sites; Sending unwanted/unsolicited email or talk requests; Posting private or public messages on Internet sites, social networking sites, and/or school bulletin boards; Installing spyware on a victim's computer; Using Global Positioning Systems (GPS) to monitor a victim;
- Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the victim;
- Surveillance or other types of observation including staring, "peeping";

Updated: July 19, 2018

- Trespassing;
- Vandalism;
- Non-consensual touching;
- Direct verbal or physical threats;
- Gathering information about an individual from friends, family, and/or co-workers;
- Threats to harm self or others;

If a person is repeatedly attempting to communicate with you by any means, in a threatening or harassing manner, you are encouraged to report it to University Police.

### Sexual Violence

Sexual violence takes many forms including attacks such as sexual assault or attempted sexual assault, as well as any unwanted sexual contact or threats. There are three categories of sexual violence: Sexual Assault, Sexual Contact or Lewdness.

- **Sexual assault** occurs when one person penetrates the other by any means, whether vaginally, anally or orally without the consent of the other person.
- **Sexual contact** occurs when one person touches the intimate parts of another person's body, even through clothes, without that person's consent. That impermissible touching can be either for the perpetrator to obtain sexual gratification or to degrade or humiliate the other person or to obtain power and control over the other person.
- **Lewdness** involves the perpetrator exposing his/her intimate parts without a person's consent to obtain sexual gratification or to degrade or humiliate the other person or to obtain power and control over the other person.

### Consent/Incapacitation

- **Consent** in this policy means a clear YES to the specific act in question. Consent is informed, knowing and voluntary. Consent is active, not passive.
- Silence, in and of itself, cannot be interpreted as consent.
- Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
- Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
- Previous relationships or consent cannot imply consent to future sexual acts.
- Consent must be present throughout the sexual activity -- at any time, a participant can communicate that he or she no longer consents to continuing the activity.
- If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- In order to give effective consent, one must be of legal age.
- If you have sexual activity with someone you know to be, or should know to be, mentally or physically incapacitated by alcohol or other drug use, unconsciousness or blackout, you are in violation of this policy.
- **Incapacitation** is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.
- This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from ingesting a "date-rape" drug. Possession, use and/or distribution of any of these substances, including Rohypnol, ketamine, GHB, burundanga, etc. is prohibited, and

administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy.

- A person who is not incapacitated at the beginning of sexual activity, may eventually reach a state of incapacitation as the activity progresses due to alcohol or drug intake prior to or during the activity.

**For the purpose of this policy, the standard that shall be applied is whether or not a reasonable person would have known, based on the facts and circumstances presented, that the other person was incapacitated and therefore, not capable of giving consent.**

**Being under the influence of alcohol or drugs is not a defense or excuse for engaging in sexual misconduct.**

Sexual violence in any form is a devastating crime. Offenders commit sexual violence via force, threats, coercion, manipulation, pressure or tricks. A person is considered to be a sexual offender if he/she forces, threatens, coerces, manipulates, pressurizes or tricks anyone into committing any of the above listed acts on a third person. Whatever the circumstances, no one should be subjected to sexual violence.

#### **4. REPORTING DOMESTIC/DATING VIOLENCE, STALKING & SEXUAL VIOLENCE**

William Paterson University encourages reporting of all incidents of domestic/dating violence, stalking and/or sexual violence to the University Police (973-720-2300) or the Office of Student Conduct and Dispute Resolution (973-720-2742). Whether a student chooses to report or not, they can seek help and discuss their options with the Campus Victim Services Coordinator (973-720-2578).

**A student who is under the influence of alcohol or drugs at the time** of a domestic/dating violence, stalking and/or sexual violence incident **should not be reluctant to seek assistance for that reason.** Use of alcohol or drugs never makes a victim at fault for domestic/dating violence, stalking and/or sexual violence. The Office of the Vice President for Student Development will not pursue disciplinary violations against a student (or against a witness) for his or her improper use of alcohol or drugs (e.g., underage drinking) if the student is making a good faith report of domestic/dating violence, stalking and/or sexual violence.

The decision to report incidents of domestic/dating violence, stalking and/or sexual violence to the police or campus authorities is entirely the victim's choice. Advocates are available, regardless of whether a person wishes to make a formal report, to inform victims of the reporting procedures and offer appropriate referrals, and to provide accompaniment to hospitals, law enforcement or social service providers. Students who are unsure of their rights or whether they want to make a formal complaint or report can contact the Campus Victim Services Coordinator, the Counseling, Health and Wellness Center, or the Passaic County Women's Center for information on available options. William Paterson University offers services to victims even if they choose not to report the incidents. However, without a report, the institution may be limited in its ability take action against the offender.

A student who chooses to file a report can discuss with the University Police or the Office of the Vice President for Student Development whether legal proceedings will be instituted in the local courts. If the victim is exhibiting signs of injury/complaints of pain and/or a weapon was involved during the incident and/or if there was a violation of a restraining order and/or there is an active warrant, a mandatory arrest of the offender is warranted.

Once an incident has been brought to the attention of a campus authority, a report must be made in accordance with the University's obligations under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") and/or Title IX of the Education Amendments of 1972 ("Title IX"). William Paterson University staff will also need to report an incident to University Police if it warrants the undertaking of additional safety and security measures for the protection of the victim and the campus community or other situations in which there is a clear and imminent danger, and when a weapon may be involved.

If you are a victim of domestic/dating violence, stalking and/or sexual violence:

- a. Get to a safe place as soon as possible.
- b. Get medical attention, if needed, as soon as possible: (a) The University's Counseling, Health & Wellness Center provides information and referral for students who need medical attention (973-720-2360); (b) The Passaic County Women's Center has a 24-hour hotline (973-881-1450) and is available to provide information about counseling, advocacy, accompaniment to hospitals, law enforcement, and or social services at the victim's request; (c) The University's Campus Victim Services Coordinator (973-720-2578) is also available to provide information on all options.
- c. Contact University Police by calling 973-720-2300 or 911. The University Police are available at all times and will protect victims' safety and seek to apprehend offenders; they also provide transportation to victims who have been assaulted.
- d. Contact Residence Life Staff (973-720-2714), and/or The Office of the Vice President for Student Development (973-720-2179).
- e. Try to preserve all evidence (voice messages, text messages, letters, emails, phone records, diary of incidents that occurred etc).
- f. A student may also contact a counselor directly by calling the University's Counseling, Health & Wellness Center at 973-720-2257. There is a counselor on call 24 hours a day in the event of an emergency.

If you are a victim of sexual violence, in addition to above:

- g. In order to preserve evidence, do not bathe, shower, douche, change your clothes, eat, drink, smoke, or urinate if possible. If you do change your clothes, put all of the clothes you were wearing throughout the duration of the incident in a paper bag. Plastic bags may alter evidence rendering it unusable.
- h. Get immediate medical attention for possible injuries, sexually transmitted diseases, or pregnancy. A medical exam is also necessary to gather physical evidence.

## 5. PRIVACY & CONFIDENTIALITY

- a. William Paterson University will make every reasonable effort to safeguard the identities of students who seek help and/or report domestic/dating violence, stalking and/or sexual violence. This includes record-keeping that excludes personally-identifiable information about victims. While steps are taken to protect the privacy of victims, the University may need to investigate an incident and take action once an allegation is known, whether or not the student chooses to pursue a complaint.
- b. When seeking private advice and support from the various offices listed herein or from any University employee, victims should be aware that the Counseling, Health and Wellness Center, Campus Victim Services, and the Women's Center are the locations on campus that victims can go where they are assured confidentiality.
- c. Anyone who is aware of an act or acts of violence can anonymously report the incident/s by completing the anonymous reporting form found of the University Police website at <https://secure.wpunj.edu/police/police.cfm>

## 6. SAFETY & SERVICES FOR VICTIMS OF DOMESTIC/DATING VIOLENCE, STALKING & SEXUAL VIOLENCE

- William Paterson University is committed to supporting victims of domestic/dating violence, stalking and/or sexual violence by providing the necessary safety and support services. Acts of retaliation (including coercion, intimidation, threats, or any other action deemed so by administrators) against any student making a complaint will not be tolerated. This will also preclude the malicious use of the Student Code of Conduct solely for the purpose of re-victimization. Student victims are entitled to reasonable accommodations and services regardless of their gender, race, ethnicity, religion, age, ability, sexual orientation, gender expression, sexual identity etc. William Paterson University provides a variety of services on campus and has partnerships with various community based

organizations that provide services for victims. **A one-stop on-campus location for information and assistance is the Campus Victim Services Coordinator (973-720-2578). The Campus Victims Services Coordinator is housed within the WPU Women's Center.** The Women's Center provides a supportive and safe environment, offers information, explains options, and makes contact with other on and off campus services (973-720-2946).

Other available services include:

- **24-Hour Hotlines:** Passaic County Women's Center has a 24-hour hotline (973-881-1450) which provides information about medical assistance and a full range of crisis services to victims. NJ Statewide Domestic Violence Hotline (800-572-7233); New Jersey Coalition Against Sexual Assault Hotline (800-601-7200).
- **University Police:** The university police are available at all times at 973-720-2300 and will protect victims' safety and seek to apprehend offenders. They also provide transportation to victims who have been assaulted. Victims can request to speak with a Domestic Violence Response Team (DVRT) advocate at the university police department. The university police are located on campus and are in the first building on the left when using Entry One (on Pompton Road near the Catholic Ministry Building).
- **Domestic Violence Response Team (DVRT) Program:** This program is State mandated to assist law enforcement in handling cases of domestic violence so that each victim can receive the specialized information and support that they deserve. When a victim of domestic violence seeks the assistance of the University Police (or their local police departments), he/she is offered the services of a DVRT volunteer advocate. In a confidential setting, DVRT volunteer advocates will provide victims of domestic violence with immediate support at the moment of crisis and provide all available information regarding the law, safety options, and available resources. More information about DVRT's can be found at <http://www.nicedv.org/domestic-violence-response-team-what-is-dvrt-location-of-teams-statewide-info/>
- **Sexual Assault Response Team (SART) and Sexual Assault Nurse Examiner (SANE) Programs:** The SART/SANE programs are NJ State mandated and utilize a victim-centered approach to sexual assault cases. The SART/SANE program is available to victims of sexual violence. When a sexual assault victim reports, a SART Team, consisting of a police officer, a victim advocate and a SANE nurse (who is a registered nurse with specialized training) respond to assist the victim. The victim is interviewed by the police officer, afforded counseling, advice and social services by the victim advocate, and forensic evidence is obtained by the SANE nurse in an effective and sensitive manner. These teams are on-call 24-hours a day. More information about SART/SANE can be found at <http://www.passaiccountynj.org/index.aspx?NID=1231>  
**SART/SANE designated hospitals** in Passaic County include:
  1. St Joseph's Regional Medical Center, 703 Main Street, Paterson, NJ 07503. (973) 754-2000
  2. Chilton Memorial Hospital, 97 West Parkway, Pompton Plains, NJ 07444. (973) 831-5000
  3. St. Mary's Hospital, 350 Boulevard, Passaic, NJ 07055. (973) 365-4300Note: All other hospitals are also equipped to treat sexual violence victims in their emergency rooms but access to the specialized SART team is only available at the hospitals listed above. An advocate from a local sexual violence crisis center is afforded to all victims of sexual violence at any hospital throughout the state regardless of their affiliation with SANE/SART program
- **Comprehensive Services:** The Passaic County Women's Center (PCWC), located at 1027 Madison Avenue in Paterson, New Jersey is the lead State designated domestic violence and sexual violence service provider in Passaic County. PCWC has a close relationship with WPU and offers hotline phone response, sheltering for victims of domestic violence and/or sexual violence, individual counseling, group counseling, court preparation, accompaniment to hospitals, court, law enforcement agencies, or social service providers. All services provided by the Passaic County Women's Center are free and confidential. Exceptions to that confidentiality are if a person discloses threats to harm self or others, or if

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there is child abuse involved. The Passaic County Women's Center provides services in English, Spanish and Arabic and can make provisions for more than 140 languages via use of the Language Line.

- **Medical/Psychological Support:** The WPU Counseling, Health & Wellness Center provides information and referral for students who need medical attention at 973-720-2360. A student may also contact a counselor by calling 973-720-2257. There is a counselor on call 24 hours a day in the event of an emergency. Counselors will maintain confidentiality, help explain possible options, and provide information and emotional support.
- **Restraining Order:** In domestic violence situations, a victim may wish to obtain a restraining order against the alleged perpetrator. In emergent situations and when the Superior Court is closed, a temporary restraining order (TRO) can be obtained through the William Paterson University Police Department (973-720-2300), or your local police department. During court hours, a restraining order can be obtained through Passaic County Family Court, 401 Grand St., Paterson (973-247-8488).
- **SAFE WALK/Transportation:** William Paterson University provides an escort service to any person who does not want to walk alone at night. To request this service please call 973-720-7400. Victims in danger may seek Police Escort 973-720-2301. Additional assistance can be requested through the Campus Victim Services Coordinator (973-720-2578)
- **Planned Parenthood** in Paterson (973-345-3883) provides confidential counseling and testing for sexually transmitted diseases, human immunodeficiency virus, and/or pregnancy.
- **Peer Health Advocates:** William Paterson University's Peer Health Advocates (973-720-2382) provide peers with education on healthy lifestyle choices which promote lifelong health awareness and informed decision making skills.
- **Academic Schedule:** Request for change in an academic schedule due to conflicts with a member of the class can be requested from Office of Vice President for Student Development (973-720-2179).
- **On Campus Housing:** Request for alternative housing options can be requested from Office of Residence Life (973-720-2714).
- **Employment Concerns:** Request for change in an on-campus work assignment can be requested from Campus Victim Services Coordinator (973-720-2578).
- **Interim Suspension:** The imposition of an interim suspension on the offender can be requested by contacting the Office of Student Conduct and Dispute Resolution (973-720-2742).
- **Passaic County Prosecutor's Office of Victim Witness Advocacy** provides information, advocacy, emotional support, and referrals to victims and witnesses coping with the trauma and burdens experienced in the aftermath of crime. The office (973-881-4887) strives to minimize the inconvenience to victims and witnesses during the course of criminal prosecution. These goals are achieved through the compassionate delivery of a wide range of direct services. More information can be found at: <http://www.passaiccountynj.org/index.aspx?NID=1221>
- **Legal Services:** For legal assistance, including assistance with immigration & visa concerns, contact Northeast NJ Legal Services (Paterson office: 973-523-2900).
- **Financial Aid Questions:** For financial concerns, contact the Office of Financial Aid (973-720-3945).
- **Title IX Coordinator:** Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 et seq., and its implementing regulations. Title IX mandates the University to designate a Title IX coordinator who oversees all Title IX complaints and meets with students as needed. The Title IX coordinator at William Paterson University is Ugonma Chukwunyere, Office of Employment Equity and Diversity. She can be reached by phone at 973-720-2954 or [Chukwunyereu@wpunj.edu](mailto:Chukwunyereu@wpunj.edu).

## 7. NEW JERSEY CAMPUS SEXUAL ASSAULT/VICTIM'S BILL OF RIGHTS

The State of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established the Campus Sexual Assault/Victim's Bill of Rights to insure

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that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity. **William Paterson University will provide to the victims of domestic/dating violence, stalking and sexual violence the rights afforded under this Bill of Rights.**

### *Campus Sexual Assault/Victim's Bill of Rights (NJSA 18A:61E-2)*

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

- on the campus of any public or independent institution of higher education in the State of New Jersey, and
- where the victim or alleged perpetrator is a student at that institution, and/or
- when the victim is a student involved in an off-campus sexual assault.

### *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 personal 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 concurrently notified of the outcome of the sexual assault disciplinary proceeding against the accused
- To be afforded the right to appeal both the outcome/finding and any sanctions that are applied to the responsible party/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

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- To be notified of the options for, and provided assistance in, changing academic, transportation, working and living situations if such changes are requested and 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.

*In addition to the aforementioned rights, a person who reports domestic/dating violence, stalking and/or sexual violence has the right to the following at William Paterson University:*

- Not having past and irrelevant conduct discussed during any resulting proceedings
- Submitting a written account of the incident
- Having one’s identity protected in compliance with Title IX & FERPA
- Having an opportunity to present an impact statement during the judicial board hearing process
- Requesting immediate on-campus housing relocation, transfer of classes, change in transportation or working situations or other steps to prevent unnecessary or unwanted contact or proximity to an alleged assailant. When possible and reasonably available, requests will be accommodated.

## 8. RESOURCES & SUPPORT FOR AN ACCUSED STUDENT

Students accused of domestic/dating violence, stalking and/or sexual violence:

- Will be treated with fairness and respect. The University will ensure that its investigations and disciplinary proceedings comply with due process requirements.
- May discuss their situations privately with counselors at the WPU Counseling Center (973-720-2257) or with the staff at the Office of Vice President for Student Development (973-720-2179). (Please refer to Section 5. Privacy & Confidentiality)
- May seek academic or housing accommodations and/or alternative transportation or work assignments, when such accommodations are related to problems related to the accusation. See section #6 above for the contact information needed to make the requests.
- May consider seeking the assistance of an advisor or an attorney to assist in preparation of the case and/or accompany him/her to any related meetings or institutional proceedings.

Acts of retaliation (including coercion, intimidation, threats, or any other action deemed so by administrators) against any accused student will not be tolerated.

## 9. DISCIPLINARY PROCESS

Disciplinary sanctions for violations of this domestic/dating violence, stalking and/or sexual violence policy and/or of the Student Code of Conduct will be imposed in accordance with applicable William Paterson University policies, including but not limited to, expulsion or termination of employment. The University’s determination shall be based on the preponderance of evidence in the case.

William Paterson University typically conducts a full investigation within sixty days of receiving a complaint. Additional time may be necessary depending on the complexity of the investigation and the severity and extent of domestic/dating violence, stalking and/or sexual violence. Both parties will be simultaneously provided with written notification of the outcome of the investigation/proceeding and, if applicable, either party may file an appeal within three days. Both parties will be given periodic status updates on the investigation.

The appropriate University disciplinary process is determined by the status of the person accused of engaging in domestic/dating violence, stalking and/or sexual violence.

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If the accused is a student, the complaint is addressed with the procedures for student discipline as set forth in the University's Student Code of Conduct. If the accused is a staff employee or a faculty member, the complaint is addressed in accordance with the Civil Service Act, N.J.S.A. 11A:1-1 et seq., and the regulations promulgated thereunder, N.J.A.C. 4A:2-1.1 et seq., N.J.S.A. 18A:6-18 and/or the relevant collective bargaining agreement.