

**ROWAN COLLEGE AT BURLINGTON COUNTY
BOARD POLICY**

Title: Sexual Violence Elimination on Campus

Date Adopted: May 20, 2014

Effective Date: May 20, 2014

Purpose:

The college is committed to creating and maintaining an environment that is free from domestic violence, dating violence, sexual assault and/or stalking. Accordingly, and as required by law, the college adopts as Board Policy Sexual Violence Elimination on Campus promulgated by the reauthorization of the Violence Against Women Act (VAWA).

Policy:

Definitions

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

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

"Sexual assault" shall include both forcible and non-forcible acts of sexual assault. This includes any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Additionally, non-forcible sexual offenses include incest and statutory rape.

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

Reporting Incidents

Employees and/or students should report incidents of domestic violence, dating violence, sexual assault and/or stalking, occurring either on or off campus, to a Campus Security Authority. These individuals include any official with significant responsibility for student and campus activities such as, but not limited to, members of Public Safety, Student Activities, Student Success, faculty or staff advisors to student organizations, and coaches. The college strongly advocates that victims report incidents in a timely manner. Additionally, the college recommends that a victim of domestic violence, dating violence, sexual assault and/or stalking, occurring either on or off campus, report the crime to the law enforcement agency for the applicable municipality. The college can facilitate notification on your behalf. However, filing a report will not necessarily obligate a victim to prosecute the crime and victims have the option not to notify and seek assistance from law enforcement and campus authorities, if they so choose. The college will take measures to safeguard the confidentiality of those reporting incidents of domestic violence, dating violence, sexual assault, and/or stalking.

Proceedings

College officials who conduct disciplinary proceeding for cases involving domestic violence, dating violence, sexual assault and/or stalking will be trained on how to investigate and conduct hearings in a manner that protects the safety of victims and promotes accountability.

The accused and accuser are entitled to the same opportunities to be accompanied by an advisor, counsel or other representative at his/her own expense pursuant to the Student Code of Conduct.

The accused and accuser shall be notified simultaneously in writing of the outcome of the proceeding as well as any applicable appeal procedures, any change to the result before the decision becomes final, and when the result becomes final.

Sanctions Against Violator

The college will not tolerate acts of domestic violence, dating violence, sexual assault and/or stalking by any member of the college community including, but not limited to, staff and students. Any individual charged with a violation of domestic violence, dating violence, sexual assault and/or stalking are subject to prosecution under applicable New Jersey criminal statutes.

Following investigation, college employees charged with such conduct are subject to prosecution and are also subject to disciplinary action under applicable policies, procedures and/or collective bargaining provisions, Sanctions that the college may impose on an employee following a final determination of responsibility include, but are not limited, to counseling, written warning,

suspension and final warning and/or termination of employment. Students charged with such conduct are subject to prosecution and are also subject to disciplinary action under the college's Code of Student Conduct. Sanctions that the college may impose on a student

following a final determination of responsibility include, but are not limited to, warning the student, loss of privileges, restitution, disciplinary probation, suspension or expulsion.

The standard of evidence used in college hearings is a preponderance of the evidence standard.

Confidentiality

The substance and outcome are to remain confidential and will only be shared with the accused, accuser and those directly involved in the investigation. Any violation of the confidentiality of the substance and/or outcome will be subject to disciplinary action under applicable policies, procedures, Student Code of Conduct, and/or collective bargaining provisions.

Additional Information

Employees and/or students who report such incidents will be afforded reasonable accommodations to avoid hostile environments. Accommodations include, but are not limited, to a change in academic, working and/or transportation situations.

Employees and/or students who report such incidents will be provided written information regarding counseling, health, victim advocacy, legal assistance, mental health and other services available both on campus and in the community. This information will include a victim's right to obtain and enforce a restraining order as well as information regarding the preservation of evidence.