



Drew University
2024 Annual Fire Safety and Security Report

This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

It covers the 2023 calendar year and statistics for calendar years 2021, 2022, and 2023.

To the Drew Community:

Thank you for reviewing the Annual Fire Safety and Security Report. This report, published annually, contains important information pertaining to the 2023 calendar year.

The safety and security of all in our community are always on our minds. Our Department of Campus Security works diligently to protect our students, staff, faculty, and guests. Yet, it is up to each one of us to foster a secure and supportive environment so that all individuals can feel safe as they learn, work, reside on, and visit our campus.

Policies and procedures described in this report are designed to keep those within the Drew community aware and safe. I ask you to read these and become aware of our steps to address safety on campus. While not fully inclusive, other common University policies are found in [The Student Handbook](#) (Daniel's Dictionary), [University Policy Library](#), or the [Academic Catalog](#).

This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly known as *The Clery Act*) which requires institutions of higher education to produce and distribute an annual report containing information on their campus crime statistics, fire safety statistics, and campus policies and procedures. In accordance with that requirement, Drew University's Department of Campus Security, working with partners across campus and local law enforcement, has prepared this report.

Students, faculty, staff, and applicants for admission or employment may receive a printed copy from the Department of Campus Security upon request. The Annual Fire Safety and Security Report can be read by accessing the following link: [Annual Fire Safety and Security Report/Clery Statistics \(drew.edu\)](#).

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank C. Merckx', written in a cursive style.

Frank C. Merckx, D.M.H.
Vice President for Campus Life

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Introduction

Drew University Overview

Drew University, a Phi Beta Kappa liberal arts university, includes the College of Liberal Arts, the Drew Theological School, and the Caspersen School of Graduate Studies. Drew is located on a wooded campus in Madison, New Jersey, a borough of 16,000 residents located approximately 27 miles from New York City on a central train line. Known as the “University in the Forest,” Drew provides its students with a safe and secure environment to pursue their educational goals.

Vital to providing for a safe environment is the relationship built between the University community and Campus Security. This Report, and Campus Security’s website, provide necessary information on how to keep safe and the many on-campus and off-campus services and resources available to students, faculty, and staff. It is prepared and updated in consultation with other departments within the University, including Campus Life and Student Affairs, the Title IX Coordinator, and Legal Affairs.

Campus Security is responsible for providing an environment that is protective of all members of the Drew community. This responsibility includes crime prevention, fire safety, and educating students about how they can contribute to a safe campus. Every member of the Drew community must share the responsibility for maintaining a safe and secure campus. Campus Security operates 24 hours a day, every day of the year.

Annual Fire Safety and Security Report Overview

The Annual Fire Safety and Security Report (AFSSR) provides information and statistics about campus safety at Drew University. Drew’s AFSSR is required to be made publicly available under federal law. This federal law, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly known as *The Clery Act*), requires higher education institutions to compile and publicly disclose statistics regarding reports of various serious criminal offenses that occur on or adjacent to campus. Drew makes those statistics, as well as campus safety information, information about how to report a crime, and information about Drew’s policies, including its Title IX procedures, publicly available for review by prospective students, students, staff, and faculty in the form of this Annual Fire Safety and Security Report.

Campus crime statistics for the past three years may be found at the end of this Report for those specified offenses that were reported to have occurred on campus, in or on off-campus buildings, or property owned or controlled by the University, and on public property, including thoroughfares, streets, sidewalks, and parking facilities, within or immediately adjacent to and accessible from the campus. The Drew campus consists of 53 buildings on 186 acres of property and is a short distance from downtown Madison Borough. It serves approximately 2,300 graduate and undergraduate students and 500 staff. Drew’s Clery Act statistics are prepared in consultation with local law enforcement and those located in communities where Drew programs are situated and the assistance of Campus Life and Student Affairs.

The Annual Fire Safety and Security Report is maintained by Campus Security, along with a Fire Log and a Crime Log, which is publicly available for review at Campus Security as required by the Campus Security Act. The Drew Daily Crime and Fire Logs are updated to include offenses within two days of the

report of an offense. Both the Annual Fire Safety and Security Report and the Daily Crime and Fire Logs are available for review during business hours at the Drew University Department of Campus Security's office located in the Pepin building.

In addition to disclosing information about how many reports of the specified Clery Act offenses have been reported, key topics addressed in the Report include:

- A description of Drew's emergency response and timely warning and notification process for emergencies and ongoing threats that pose an immediate and ongoing threat to students and employees.
- Definitions of specified criminal offenses under state and federal law.
- Descriptions of Drew's alcohol and drug policies.
- Descriptions of Drew's sexual misconduct policies and procedures.
- Descriptions of prohibited items.
- Summaries of Drew's ongoing sexual harassment, sexual and relationship violence training, and prevention programming.
- Descriptions of a variety of safety-oriented policies, procedures, training, and prevention programming.

About the Campus Security

Campus Security is committed to serving the members of the Drew community and is sensitive to the unique needs of students, as well as their responsibility in supporting a secure living environment. Drew University employs a Director and Assistant Director of Campus Security, with an agreement between the University and Security Solutions Corporation (SSC) to provide security officers to support our campus community. The officers provide 24-hour-a-day service to the Drew community, and responsibilities include enforcement of University regulations, enforcement of state and local laws on the Drew campus, and Drew property, working with our partners in facilities and housing on fire safety, and campus traffic regulations.

As the campus also falls under the law enforcement jurisdiction of the Madison Police Department, Drew's Department of Campus Security works in close cooperation with the Madison Police Department and other local authorities on crime prevention and investigation. Campus Security officers receive ongoing training through SSC. All security officers are registered with the State of New Jersey having completed the Security Officer Registration Act (S.O.R.A.) which is required by the State.

Campus Security administration is located in the Pepin service building, and the office is staffed during business hours from 8:00 AM to 4:00 PM. Campus Security staff can be reached 24 hours a day at (973) 408-3379.

Reporting Crimes and Emergencies

Drew University students, faculty, and staff are urged to report all crimes and emergencies as promptly as possible. When an emergency or imminent threat to a person's safety is involved, or you are the victim of a crime and require police or medical services immediately, please call 9-1-1. If it is not an imminent emergency, and you would like Campus Security staff to assist in responding and reporting, please contact Campus Security at (973) 408-3379. The officers will respond to assist and may request

additional coordination with Madison Police or medical services depending on the situation. If you are a victim of a crime, your priority should be to get to a place of safety and to immediately seek assistance. **For EMERGENCIES call 9-1-1.**

Those who may have experienced sexual assault are urged to call the Morris County Sexual Assault Center Hotline at 973-829-0587.

Drew Campus Security can also accept reports through the Tips line at (973) 408-3356 (internal University calls only).

Reports may also be sent to the Campus Security email at security@drew.edu or through the Drew University LiveSafe [application](#). Victims and witnesses may use the [incident reporting form](#), found on treehouse at <https://drew.edu/home/index2.php> to report crimes on a confidential basis for inclusion in the Annual Security Report. Individuals submitting such reports should include information on the nature of the crime as well as the date, time, and location of when it occurred.

Records of Disciplinary Proceedings

Records of disciplinary proceedings are private to the individual student except in cases of violations of the sexual misconduct policy (expanded upon later in this document) and in cases where there is a victim of a crime of violence (as defined in Section 16 of Title 18, United States Code). In such cases, if the victim provides a written request, the proceedings' results may be released to the victim. In such cases where the victim is deceased, *as a result of the crime*, the next of kin of such victim may provide the written request and receive the results.

Location Definitions: Drew University Property

The federal government defines the locations and geography with respect to which offenses must be reported. Drew lists reports of offenses occurring:

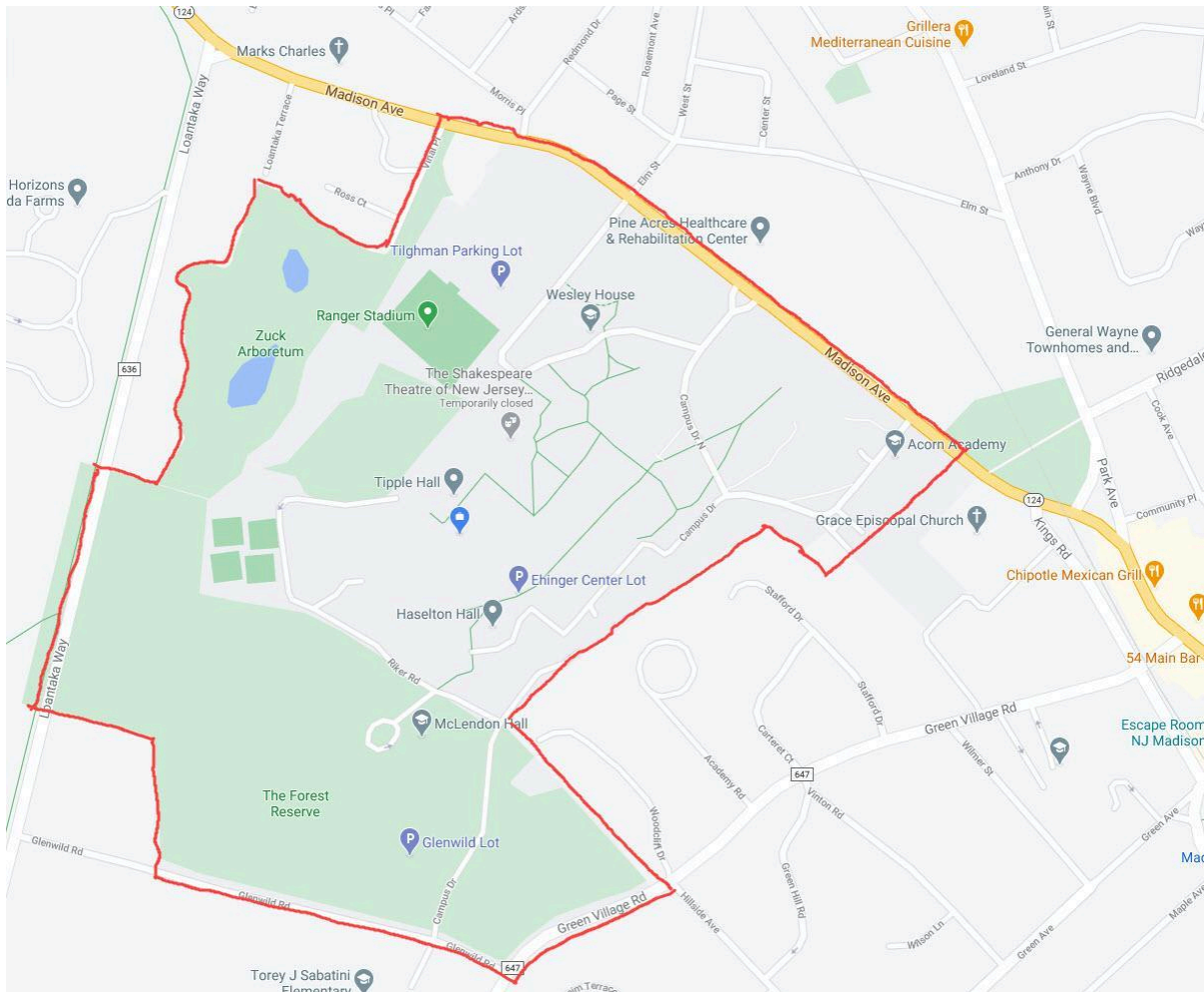
- On campus, including any building or property owned or controlled by Drew and used by Drew in direct support of, or in a manner related to, Drew's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the campus, but is controlled by another person, is frequently used by students, and supports institutional purposes;
- At or on a non-campus building or property, including a building or property owned or controlled by an institution in direct support of, or relation to, Drew's educational purposes, is frequently used by students, and is not in the same reasonably contiguous geographic area as Drew; and
- On public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to or accessible from the campus. Offenses that occur on privately property on or adjacent to the Drew campus are not reported.

Drew University's core campus is defined as within the limits of Madison Avenue on the east, Loantaka Way on the north, Glenwild Road on the west, and Woodcliff Drive on the south. (See attached map or reference www.drew.edu/map/.) It is located entirely within the jurisdiction of Madison, N.J. and Morris County. It covers an area of approximately 186 acres of woodland as well as developed properties, including administrative buildings, academic buildings, service buildings, residential halls, athletic fields,

and parking lots. There are no public properties or public roadways within the campus. The sidewalk areas adjacent to the University property along Madison Avenue, Glenwild Road, and Loantaka Way are the only public properties associated or contiguous to the campus. University-owned non-student faculty/staff residences are located on Woodcliff Drive. In addition, the following locations are within the scope of the required statistical collection: buildings and property that are part of the campus; Drew's non-campus buildings and property; and public property within or immediately adjacent to or accessible from the campus. Clery statistics are compiled for limited public areas adjacent to the campus and all buildings and property contained on the campus. Separate but included statistics are also compiled for residence halls except for non-student housing. Fire statistics and public reports are also maintained for all University properties. At this time, the University does not have any student organizations with off-campus locations and, therefore, does not have a policy concerning the monitoring of such locations with local law enforcement.

Map with Lined Clery Boundaries

Drew campus with Clery boundary drawn.



Emergency Response Notification

Members of the Drew community, as well as visitors and guests, should report emergencies or criminal actions on campus immediately to 9-1-1 and, following reporting to 9-1-1, to Campus Security at (973) 408-3379.

Consistent with federally mandated procedures, Drew will immediately determine the content of any notification and notify the campus community when there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, either on-campus or off-campus. That determination will be made by the Director of Campus Security, or designee, upon verification that a legitimate emergency or dangerous situation exists, including, if possible, confirmation of the scope and nature of the emergency. This judgment will also be made taking into consideration the safety of the campus community and whether notification would compromise efforts to assist a victim, respond to, or otherwise mitigate an emergency.

If the above conditions apply, the Dean of Student Life, or designee, will send an emergency notification. At times, the community members in the immediate area of the dangerous situation (i.e., the building, surrounding area) will receive the notification first. The University may issue subsequent emergency notifications to a wider segment and/or to the entire community to be aware of the situation and what steps they should take.

Drew University uses the LiveSafe platform for emergency information and notifications. The application allows all University community members, as well as visitors and members of the public, to download and sign up for emergency alerts, emergency and security information, and to submit notifications of any suspicious or hazardous situations. The system is monitored 24 hours a day by a Campus Security officer, and in the event of emergency notification, users will be alerted via email, text message, and/or push notification. In addition, a banner may be placed on the Drew website indicating the existence of an emergency notification. To ensure the Drew University community is in the know, regular records of all Drew registered students and employees will be uploaded to the system to ensure that email and text message alerts are distributed. More information and links to the LiveSafe application can be found at <https://drew.edu/campus-security/about-us/drew-live-safe/>.

In the event an incident occurs that may affect the surrounding community, area residents around Madison receive emergency notifications via a communication system controlled by the Madison Police Department. Drew community members may sign up for the notification system from Madison by signing up a <https://www.rosenet.org/AlertCenter.aspx>.

Timely Warning

The Director of Campus Security, or designee, will also issue a timely warning to the University community for Clery Act crimes against persons and property or dangers that occur on-campus or immediately adjacent to the campus or on longer-term University rented property that are reported to campus security authorities or local police agencies and are considered by Drew to represent a serious or ongoing threat to students and employees. The Director of Campus Security will determine if a situation rises to the level of the need for campus notification. Again, Drew's emergency notification system, as

described above, will be utilized for the issuance of these warnings. Issuance of notifications may be delayed if it would compromise efforts to respond to the threat.

Emergency Operations Plan

The Emergency Operations Plan (EOP) has been designed to establish a framework and organizational structure for University administrators in order to plan for and respond to campus emergencies. While the EOP does not cover every conceivable situation, it does supply the basic guidelines necessary to respond to most campus emergencies.

Both minor or large-scale events may pose significant and possibly longstanding challenges to the University, municipality, state, region, country and world. Primary goals, should an emergency occur on campus, are to protect the human, intellectual and physical assets of the University through quick and efficient response, including limiting further impact or harm. The plan will include practices to try to address the emergency, while minimizing disruption to academic delivery and critical campus functions. The University conducts emergency response exercises each year. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. An after-action review is completed after each emergency and table-top or live exercises occur annually.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Drew Campus Security, the Madison Police Department, and Madison Fire and Emergency Medical Services. Typically, these resources will respond and work together to manage the incident. Depending on the nature of the incident, other Drew resources and state, county, local, or federal agencies could also be involved in any response to an incident.

Active Shooter Training

The video used by Drew for Active Shooter Training can be found at:
<https://drew.edu/emergency-information/active-shooter-safety-training/>.

Access to Campus and Facilities

Drew University grants access to its campus primarily to current matriculated students, faculty, staff, their families and invited guests registered through the appropriate processes, and individuals and groups who have rented space through Auxiliary Services. Access to certain facilities, events and/or activities may have further limitations and are outlined in other policies (e.g., the Guest Policy). The University restricts solicitation, sales, fundraising, distribution of literature, proselytizing and any similar activities not directly related to the University's educational mission. The University reserves the right to deny access to its facilities and/or campus to any individual or group and may subject them to appropriate legal action

Buildings and Grounds

The Department of Facilities operates and maintains University facilities and grounds and can be contacted at (973) 408-3510.

Residence Halls

Residence halls are accessed by a key card system or key. During breaks, non-occupied halls are locked. Access to residential halls is restricted to residents and their guests. Non-resident guests must be registered by their hosts.

Residence Life

Residence Life staff is on duty in the University residence halls when students are in residence, and work collaboratively with the Department of Campus Security for coverage throughout the academic year and semester breaks.

Inspections/Health and Safety

In order to maintain a healthy, safe environment in the residence halls, the Office of Residence Life conducts room inspections several times during a semester. Residence Life Policy infractions, including possession of any prohibited items, may result in fines or a referral to the Office of Student Conduct and Community Standards for disciplinary action. Allegations of conduct policy violations, including provisions of the University's Alcohol, Marijuana and Other Drug Policy, may result in the filing of a formal incident report by Residence Life and/or Campus Security staff members and may result in disciplinary action as outlined in the student conduct procedures within Daniel's Dictionary.

Residents should note that the Borough of Madison will conduct periodic fire inspections of both general/public spaces, as well as in individual student rooms. Fines from the Borough are the direct responsibility of the student and are significantly larger than university fines. All prohibited item(s) may be confiscated by the Office of Residence Life or a University Official. The owner of the confiscated item(s) may only pick up the confiscated material at the end of each semester. Failure to retrieve item(s) at the end of the semester may result in the item(s) being donated or discarded.

Prohibited Items/Residence Halls

To protect the health and welfare of the University community, the Department of Residence Life maintains a list of items that are prohibited in the residence halls which can be found in Daniel's Dictionary, the student code of conduct (<https://uknow.drew.edu/confluence/display/Handbook/Residence+Life+and+Housing>). In addition, Residence Life provides a guide for students on what to bring and what not to bring to campus when moving in. Please note that this is not a complete list and may be amended if a product is subject to a safety recall or additional guidance is given by the Madison Borough Fire Department, or other source. Students should consult with their Coordinator of Residential Engagement if they are unsure about an item. Any of these items found can be confiscated and discarded at the discretion of the Coordinator of Residential Engagement.

Safety and Security

Training

Students and new employees are provided information during Orientation regarding the services and resources available through the University departments and policies, as well as through local and county resources. During the academic year, faculty, staff, student organizations, University departments, local law enforcement, and agencies present prevention and awareness sessions on sexual assault, relationship violence, theft, and vandalism, as well as educational sessions on personal safety and residence hall security. Campus Security encourages students and employees to be aware of their responsibility for their own security and the security of others while on campus and to be alert to, and report, criminal offenses or suspicious activity.

Members of the campus community are encouraged to help by becoming aware of crime prevention and security measures. The following suggestions are offered as practical protection measures:

- Never leave personal property (backpacks, purses, wallets, electronics, etc.) unattended in public locations (e.g. offices, dining areas, classrooms, library, etc.).
- Lock your room, apartment, or office door, even if you “just step out for a minute.”
- Do not leave keys, valuables or money in plain view in parked vehicles.
- If you see suspicious persons or activity in or around University buildings, call Campus Security at (973) 408-3379.
- Report any criminal activity as soon as possible. Timely information helps in our investigations.
- Report students of concern to the Dean of Student Life or to a Residence Life or Campus Security staff member. You may complete a Student of Concern Form by accessing it here: https://cm.maxient.com/reportingform.php?DrewUniv&layout_id=1.

Campus Safety Presentations or Seminars

Drew University staff and local law enforcement, the Prosecutor’s Office, the Madison Fire Department, and nonprofit county agencies are available to present topical programs. Periodically throughout the academic year, educational information and training sessions, tabling, presentations and other events are offered to assist the community and its members in interacting with Drew and local resources.

Community Engagement and Patrol

The Drew University Department of Campus Security uses a variety of patrol methods, primarily via auto or foot. With the inherent desire to serve the Drew community to the best of the Department’s abilities, it is the Department’s philosophy that staff in the field should be as approachable as possible. We encourage you to speak with any of our staff as you see them to either engage them when passing or with a specific question or concern.

Relationship with Local Law Enforcement

Drew works closely with local law enforcement, consistent with the requirements of the Family Educational Rights and Privacy Act (FERPA). At present, Drew University does not have a written Memorandum of Understanding with local law enforcement agencies. However, staff communicate regularly, and as needed, with the Madison Police Department and the Morris County Prosecutor’s

Office. Madison Police have law enforcement jurisdiction over the Drew campus and, on occasion, Drew will request their assistance, including in making arrests.

Information About New Jersey's Sex Offenders Registry - Megan's Law

In New Jersey, the Division of State Police administers New Jersey's sex offender registry. Information about New Jersey's Sex Offender laws, known as Megan's Law, and how to obtain information from the State's sex offender registry, including notification regarding Tier II and Tier III sex offenders, can be found at <https://www.njsp.org/sex-offender-registry/index.shtml>.

Megan's Law can be accessed at: <https://www.njsp.org/sex-offender-registry/megans-law.shtml>.

The Campus Sex Crimes Prevention Act and the Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Act track convicted sex offenders and require state law enforcement agencies to provide Drew with a list of registered sex offenders, with an indication that they are either enrolled or an employee at Drew University. When made available to Drew, this list will be maintained and available at the Department of Campus Security. Unlawful use of sex offender information is prohibited under New Jersey state law.

Missing Student Notification Policy

Drew University is required by federal law to disclose its procedures for reporting, investigating, and making emergency notifications in the case of residential students who are suspected of being missing. All reports of missing persons made to Campus Security are followed up with an ongoing investigation, including reporting incidents to, and working with, law enforcement. If Campus Security determines that a student for whom a missing person report has been filed has been missing for more than 24 hours, then the University will:

- Notify the individual identified by the student as the missing person contact. Students can designate an emergency contact person by completing the Emergency Contact Registration form at: <https://docs.google.com/forms/d/e/1FAIpQLSdvUxzGmPiJ-N2CIC0uIuHQIJ-8a1ZbsYkS6vAEa-ndgd0Gcw/viewform>.
- If the student is under 18 years old and not emancipated, the University will notify a parent or guardian, as required by law.
- The University will notify appropriate law enforcement officials even if the student has not registered a contact person.

Concerns over a missing student should be referred immediately to Drew Campus Security.

To assist in the University's response to reports of the missing student, any student living in on-campus student housing has the option to register a confidential contact person to be notified in the case that the student is determined to be missing, and authorized campus officials and law enforcement officers may have access to this information. The University will request of students each year that they provide, on a voluntary basis, contact information if the student would be reported officially missing during his or her tenure at the University. Please complete the Emergency Contact Registration form and identify who you would like to be notified if you are reported missing.

If a Drew student is suspected to be missing, immediately contact Campus Security at ext. 3379 or from any off-campus phone at (973) 408-3379. Any notification to anyone or any office other than Campus Security must be communicated to Campus Security immediately. Students can also contact for follow-up and report, after the initial call is made to Campus Security, the following individuals:

- Michelle Brisson, EdD, Dean of Student Life, 973-408-3460
- Stephanie Pelham, Associate Dean of Student Engagement, 973-408-3961
- Richard Wall, Director of Campus Security, 973-408-3379

Relationship and Sexual Violence

Relationship and sexual violence are distinct criminal acts that are especially damaging to those that are targeted. Drew University is committed to putting an end to sexual assault, dating violence, domestic violence, and stalking as well as all other forms of relationship and sexual violence. The following section details the University's process for reporting and addressing specific acts of relationship and sexual violence covered under the Clery Act and VAWA. These include sexual assault, dating violence, domestic violence, and stalking.

In April 2024, the U.S. Department of Education ("DOE") issued its Final Rule under Title IX (the "2024 regulations") which prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance. The 2024 regulations went into effect on August 1, 2024. However, on July 2, 2024, a federal district court in Kansas enjoined the DOE's enforcement of the 2024 regulations in some specific states, as well as specific schools attended by members, or family members, of three plaintiff organizations: Moms for Liberty, Young America's Foundation, and Female Athletes United. On July 15, 2024, approximately 700 colleges and universities were identified by the Kansas court as being subject to the injunction; Drew University was one of them. Therefore, the University continues to address claims of relationship and sexual misconduct in accordance with the 2020 Title IX regulations). All reported categories in this Report use the Final Rule from 2020. While the Clery Act and VAWA require that all reports of violations of sexual assault, dating violence, domestic violence, and stalking are addressed in specific ways, Title IX put into place specific rules for procedures when these violations occur in specific jurisdictions. The University has implemented a Sexual Miconduct Policy (the "Policy") that addresses *any* allegation of dating violence, domestic violence, sexual assault, or stalking regardless of where that violation occurred. The Policy, found on the following webpage, <https://drew.edu/title-ix-office/>, serves as the official policy and practice.

A Note on Language. Clery and VAWA use the language of "victim" whereas the following policies refer to the "Complainant". For purposes of clarity and not to create confusion with existing policies, "Complainant" is used below and is **inclusive** of the term "victim." The term "Respondent" is used in the policy to identify the "accused" party.

Definition of Consent

The University defines effective consent (hereafter "consent") as being clear, informed, and freely given. It is communicated by mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity by persons of legal age. Consent cannot be effective when it results from the threat of physical force, intimidation, or threat of harm. Those who are incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary), or those who

are unconscious, unaware or otherwise physically helpless or mentally disabled, are unable to provide consent. Effective consent to one form of sexual activity does not necessarily constitute consent to other sexual acts. A previous relationship or previous consent, including a dating relationship or previous sexual involvement, does not necessarily constitute consent to future sexual acts. Consent may be withdrawn by either party at any time by an outward demonstration through words or actions effectively indicating intent to end sexual activity. 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.

Definitions of Relationship and Sexual Violence

The following section provides the definitions of relationship and sexual violence covered in the ASSR. For the purposes of Clery statistics, the Clery definitions are used to compile the statistics presented here.

Clery Relationship and Sexual Violence Definitions

For the purposes of this report and the crime statistics presented herein, the following Clery definitions are used:

Dating Violence

Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act) includes any violence, or threatened act of violence, committed by a person:

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

Domestic Violence

Domestic violence (as defined in the VAWA amendments to the Clery Act) is defined as any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim, as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New Jersey state law or by any other person against an adult or minor victim who is protected from that person's acts under New Jersey state laws.

Sexual Assault

An offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI's UCR program is included in Appendix A of 34 CFR Part 668.

Stalking

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress.

New Jersey Law Relationship and Sexual Violence Definitions

The Violence Against Women Act requires the inclusion of certain state definitions in the Campus Security Report and those definitions be provided in campaigns, orientations, programs, and training for employees and students. Definitions required include consent, dating violence, domestic violence, sexual assault, and stalking.

Dating Violence - New Jersey Definition (N.J.S.A. 18A:37-34)

Under New Jersey law, dating violence could be prosecuted under the domestic violence statutes, as well as under other laws, including harassment. It is also included within the category of offenses defined under recent legislative initiatives designed to address dating violence in K-12 settings as follows: Dating violence" is "[a] pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner." N.J.S.A. 18A:37-34.

Domestic Violence New Jersey Definition (N.J.R.S. § 2C:25-19)

Definitions as used in this act:

- a. "Domestic violence" means the occurrence of one or more of the following acts inflicted upon a person protected under this act by an adult or an emancipated minor: (1) Homicide N.J.S. 2C:11-1 et seq.; (2) Assault N.J.S. 2C:12-1 (3) Terroristic threats N.J.S. 2C:12-3; (4) Kidnapping N.J.S. 2C:13-1; (5) Criminal restraint N.J.S. 2C:13-2; (6) False imprisonment N.J.S. 2C:13-3; (7) Sexual assault N.J.S. 2C:14-2; (8) Criminal sexual contact N.J.S. 2C:14-3; (9) Lewdness N.J.S. 2C:14-4; (10) Criminal mischief N.J.S. 2C:17-3; (11) Burglary N.J.S. 2C:18-2; (12) Criminal trespass N.J.S. 2C:18-3; (13) Harassment N.J.S. 2C:33-4; (14) Stalking P.L.1992, c.209 (C.2C:12-10); (15) Criminal coercion N.J.S.2C:13-5; (16) Robbery N.J.S.2C:15-1; (17) Contempt of a domestic violence order pursuant to subsection b. of N.J.S.2C:29-9 that constitutes a crime or disorderly persons offense; (18) Any other crime involving risk of death or serious bodily injury to a person protected under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.); (19) Cyber-harassment P.L.2013, c.272 (C.2C:33-4.1).

When one or more of these acts is inflicted by an un-emancipated minor upon a person protected under this act, the occurrence shall not constitute "domestic violence," but may be the basis for the filing of a petition or complaint pursuant to the provisions of section 11 of P.L.1982, c.77 (C.2A:4A-30).

- b. "Law enforcement agency" means a department, division, bureau, commission, board or other authority of the State or of any political subdivision thereof which employs law enforcement officers.

- c. "Law enforcement officer" means a person whose public duties include the power to act as an officer for the detection, apprehension, arrest and conviction of offenders against the laws of this State.

d. "Victim of domestic violence" means a person protected under this act and shall include any person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present or former household member. "Victim of domestic violence" also includes any person, regardless of age, who has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant. "Victim of domestic violence" also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.

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

[Sexual Assault New Jersey Definition \(N.J.R.S. 2C:14-2\)](#)

New Jersey law, N.J.R.S.. 2C:14-2, defines sexual assault as follows:

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

- (1) The victim is less than 13 years old;
- (2) The victim is at least 13 but less than 16 years old; and
 - (a) The actor is related to the victim by blood or affinity to the third degree, or
 - (b) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or
 - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
- (3) The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, carjacking, kidnapping, homicide, aggravated assault on the victim or a person other than the victim, burglary, arson, or criminal escape;
- (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;
- (5) The actor is aided or abetted by one or more other persons and the actor commits the act using coercion or without the victim's affirmative and freely-given permission;
- (6) The actor commits the act using coercion or without the victim's affirmative and freely-given permission and severe personal injury is sustained by the victim;
- (7) The victim, at the time of sexual penetration, is one whom the actor knew or should have known was:
 - (a) physically helpless or incapacitated;
 - (b) intellectually or mentally incapacitated; or
 - (c) had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the distinctively sexual nature of the conduct, including, but not limited to, being incapable of providing consent, or incapable of understanding or exercising the right to refuse to engage in the conduct.

Aggravated sexual assault is a crime of the first degree.

Except as otherwise provided in subsection d. of this section, a person convicted under paragraph (1) of this subsection shall be sentenced to a specific term of years which shall be fixed by the court and shall be between 25 years and life imprisonment of which the person shall serve 25 years before being eligible for parole, unless a longer term of parole ineligibility is otherwise provided pursuant to this Title.

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

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

(1) The actor commits the act using coercion or without the victim's affirmative and freely-given permission, but the victim does not sustain severe personal injury;

(2) The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status;

(3) The victim is at least 16 but less than 18 years old and:

(a) The actor is related to the victim by blood or affinity to the third degree; or

(b) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim; or

(c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;

(4) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim;

(5) The victim is a pupil at least 18 but less than 22 years old and has not received a high school diploma and the actor is a teaching staff member or substitute teacher, school bus driver, other school employee, contracted service provider, or volunteer and the actor has supervisory or disciplinary power of any nature or in any capacity over the victim. As used in this paragraph, "teaching staff member" has the meaning set forth in N.J.S.18A:1-1.

Sexual assault is a crime of the second degree.

d. Notwithstanding the provisions of subsection a. of this section, where a defendant is charged with a violation under paragraph (1) of subsection a. of this section, the prosecutor, in consideration of the interests of the victim, may offer a negotiated plea agreement in which the defendant would be sentenced to a specific term of imprisonment of not less than 15 years, during which the defendant shall not be eligible for parole. In such event, the court may accept the negotiated plea agreement and upon such conviction shall impose the term of imprisonment and period of parole ineligibility as provided for in the plea agreement, and may not impose a lesser term of imprisonment or parole or a lesser period of parole ineligibility than that expressly provided in the plea agreement. The Attorney General shall develop guidelines to ensure the uniform exercise of discretion in making determinations regarding a negotiated reduction in the term of imprisonment and period of parole ineligibility set forth in subsection a. of this section.

Consent

New Jersey does not define consent as a separate statute. Under New Jersey law, consent is not specifically defined as an element of the criminal act of rape. It can, however, be asserted as a defense. In this connection, judges instruct juries as follows: As part of (their) defense, the defendant contends that the State has not proven each element of the offense beyond a reasonable doubt because the victim consented to the alleged criminal activity. In considering this contention, you should understand that consent of the victim can be a complete defense to a criminal charge only under certain limited circumstances which I will describe for you. First, you should know that consent in the law has a meaning very similar to its everyday meaning. It is the victim's voluntary and serious agreement or submission to the alleged criminal conduct or the result of that conduct. In order for consent to give rise to a valid defense, it must, of course, be given freely, and it must be legally effective. Consent can never be legally effective in providing a defense to a criminal charge if:

- a. the victim was not legally competent to authorize the conduct charged to constitute the offense; or
- b. the victim was by reason of (their) (choose appropriate factor) youth, mental disease or defect or intoxication either known by the defendant to be unable or was manifestly unable to make a reasonable judgment as to the nature of harmfulness of the conduct charged to constitute an offense; or
- c. the victim's consent was induced by force, duress, or deception of a kind that the law defining the offense seeks to prevent.

In determining whether the consent of the victim was freely and voluntarily given, you are advised that consent may be openly expressed, implied, or apparent from the victim's willing participation in the activity in question. Further, you may consider all that (he/she) said and did at the particular time and place, all of the surrounding circumstances, and whether a normal competent person would freely and seriously consent to the conduct with which the defendant is charged.

Reporting Incidents of Relationship and Sexual Violence

Reporting of all alleged violations of relationship and sexual violence should be directed in the same way, regardless of which path the disciplinary process takes. The determination of which process a complaint falls under is made by the TIX Coordinator, or designee.

Process for Reporting Violations

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator:
Cynthia Garrett

Title IX Coordinator and Lead Investigator
Ehinger Center 147
cgarrett@drew.edu or titleixofficer@drew.edu
(973) 408-3635

Reports may also be submitted online through a private form at https://cm.maxient.com/reportingform.php?DrewUniv&layout_id=2. Reports, no matter how submitted, may be made at any time (including during non-business hours) by using the reporting form, telephone number or electronic mail address at titleixofficer@drew.edu, or by mail to the office address listed for the Title IX Coordinator.

The following additional Officials will provide privacy, but not confidentiality:

- **Deputy Title IX Coordinators:** All individuals are able to obtain resources or report an alleged violation of this policy to the Title IX Coordinator, or any Deputy Coordinator. A list of Deputy Title IX Coordinators can be found on our website at <https://drew.edu/campus-life/title-ix-office/our-staff/>.

The following Officials may provide confidentiality:

- On-Campus Confidential Reporting for Students
 - The McClintock Center for Counseling and Psychological Services, Holloway Annex, (973) 408-3398
 - Health Services, Holloway Annex, (973) 408-3414
 - University Chaplain, Seminary Hall, (973) 408-3718
- On-Campus Confidential Reporting for Employees
 - University Chaplain, Seminary Hall, (973) 408-3718

Students and employees may always report to law enforcement. Drew University strongly encourages persons exposed to sexual or relationship violence to report those offenses to the Madison Police Department at (973) 593-3000 or the Morris County Prosecutor's Office at (973) 625-6200. Drew staff can provide assistance in making such reports or contacts. In most circumstances, excluding domestic violence, which can include dating violence, law enforcement will not pursue criminal charges without a Complainant's consent or cooperation. If you choose to solely report to off-campus law enforcement, law enforcement will not typically notify the Title IX Coordinator.

Students are not required to report to law enforcement and if they decline to do so, it will not have an impact on campus disciplinary proceedings.

Sexual and Relationship Violence Information

In addition to training and awareness programs explained later in this document, Drew University created the Title IX Policy web page, located on the University's website, to provide education, policies and procedures, reporting options, Complainant and Respondent's common rights, interim measures, sanctions, and on-campus and off-campus resources in the contexts of Title IX and VAWA. The web page URL and link is <https://drew.edu/title-ix-office/>. Drew's Title IX Coordinator advertises the web page(s) to students and staff, respectively.

Resources Available - On-Campus and Off-Campus

Drew provides information about resources to all individuals reporting sexual misconduct. The Title IX Coordinator, Deputy Title IX Coordinators, Dean of Student Life, Campus Security, Health Services, Residence Life, and Counseling Center staff provide the same packets of resources about available resources both on campus and off campus. The packets include, but are not limited to, written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid within the University and community. Individuals reporting sexual misconduct are provided information and informed that the Title IX Coordinator, or a Deputy Coordinator, will be following up with them regarding their wishes to proceed and options under the Sexual Misconduct Policy and related procedures.

Non-Investigatory Measures Available Under the Title IX Grievance Policy

Supportive Measures

Supportive measures are non-disciplinary and non-punitive individualized services offered as appropriate, and as reasonably available, regardless of whether a Formal Complaint is filed. Supportive measures are designed to restore or preserve equal access to the University's programs and activities without unreasonably burdening the other party, eliminate the Prohibited Conduct and prevent its recurrence. Supportive measures are non-disciplinary and non-punitive, and a request for reconsideration of an imposed supportive measure should be addressed to the person who imposed the measure. As appropriate, supportive measures may include, but are not be limited to, the following to the extent reasonably available and appropriate:

For Students:

- Counseling;
- Extensions of deadlines or other course-related adjustments;
- Modifications of work or class schedules;
- Restrictions on contact between the Parties ("mutual no contact orders");
- Changes in work or housing locations;
- Leaves of absence;
- Increased security and monitoring of certain areas of the campus; and
- Any other measures that may be arranged by the University (to the extent reasonably available) to ensure the safety and well-being of a student and/or the community.

For Employees:

- Temporary reassignment;
- Increased security and monitoring of certain areas of campus;
- Arranging a meeting to discuss safety planning;
- Assistance in setting up initial appointments via the University's Employee Assistance Program;
- Parking accommodations; and
- Any other measures that may be arranged by the University (to the extent reasonably available) to ensure the safety and well-being of an employee and/or the community.

Decisions regarding supportive measures shall be made by the Title IX Coordinator, or designee, in consultation with relevant University administrators and the Party requesting supportive measures. It is

not necessary to file a Formal Complaint under this Policy, participate in the adjudicative process or file a criminal complaint in order to request supportive measures from the University. Complainants may request supportive measures even in instances where the Complainant has requested to not proceed with a formal or informal process, or the Complainant and Respondent have declined to participate in University disciplinary proceedings or the criminal process.

In addition to seeking supportive measures through Drew's internal processes, victims of relationship violence may be entitled to obtain a protective or restraining order against their alleged abuser. Protective orders can require the abuser to stay away from someone, leave the home, provide emergency family maintenance, and to attend counseling. Drew University Campus Security will work with Madison Police Department to enforce no-trespass orders against individuals.

If individuals are in immediate danger, they are advised to call Drew Campus Security or the police. During the week between 8:30 AM and 3:30 PM, a superior court or municipal court judge can issue restraining orders. After hours, the police can assist individuals in contacting the municipal court judge on call.

Emergency Removal

The University retains the authority to remove a person from the University's program or activity on an emergency basis, where the University (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct justifies a removal.

If the University determines such removal is necessary, the person will be provided notice and an opportunity to challenge the decision immediately following the removal. This challenge should be submitted in writing, via email, and include any information relevant to challenging the initial finding for removal. The challenge will be heard by an individual designated by the Title IX Coordinator at the time of removal, with the relevant expertise.

Administrative Leave

Drew retains the authority to place a non-student employee Respondent on administrative leave during the Formal Grievance Process, consistent with Drew's Employee Handbook.

Advisement

While responding to instances of sexual misconduct, Drew provides resources and options to the Complainant as well as those accused to support them through the process. Drew encourages sexual misconduct to be reported both to law enforcement and internally.

- Reporting an incident of sexual misconduct is important for the safety and protection of anyone who has been assaulted or victimized. Obtaining assistance can also help victims preserve the option of pursuing a legal remedy related to the incident, including criminal prosecution. Reporting an incident can help people regain a sense of personal power and control while protecting others.

- Seeking Support: If an individual feels he or she has been victimized or assaulted, they are encouraged to call a friend or family member. Members of the Drew community are specifically encouraged to contact Drew Campus Security, Health Services, Counseling Services, the Title IX Coordinator, personnel in Campus Life and Student Affairs, or external organizations with expertise in addressing trauma such as the Morris County Sexual Assault Center or JBWS. Contact information is described further below.
- If the identity of the alleged perpetrator of an assault or other sexual misconduct is unknown, the victim should try to remember and record any helpful details that may lead to an identification, including personal identifiers such as scars, tattoos, or other marks, jewelry, dress, language, approximate height and weight, vehicle description, and/or tag number. Write these down as soon as possible and include the date and time.
- If an individual has been the victim of assault or sexual misconduct, to preserve the option of pursuing legal remedies, including criminal prosecution, that person should do the following:
 - Persons involved in an incident are advised not to disturb the area, room, or vehicle where the incident occurred.
 - In the event of a sexual assault, the victim should not bathe, shower, douche, brush individual's teeth, or eat or drink. (Additional detail about forensic examinations and preservation of physical evidence can be found in the Sexual Misconduct Policy outlined further below).
- If anyone reports an incident of sexual misconduct, sexual assault, relationship violence or stalking directed against them, whether on-campus or off-campus, to the Title IX Coordinator, Campus Security officers, or to any other University employee, such as the Coordinator of Residence Life and Student Engagement or Residence Assistants, they can receive a packet of information regarding available resources and processes.

Medical Attention

Victims of sexual assault or other acts of violence, even if physical injuries are not apparent, are strongly encouraged to have a medical examination and discuss with a health care provider the risk of exposure to sexually transmitted diseases and the possibility of pregnancy resulting from the sexual assault. If you think you may have been a victim of a drug facilitated assault, you should inform the medical provider, as testing may be possible. The Sexual Assault Response Team (SART) and Forensic Nurse Examiner (FNE) are available to any victims within Morris County. You can activate these services by contacting the hotline at (973) 829-0587.

Victims may also choose to be seen at Health Services for injuries, testing for sexually transmitted diseases, and emergency contraception. Counseling services are also available at the McClintock Center for Counseling and Psychological Services.

Victims of sexual assault or dating or domestic violence may prefer to be taken to a local hospital for medical attention:

- to be examined for injuries
- to have evidence collected
- to receive immediate counseling and referral service
- to receive emergency contraception
- to be tested and treated for STDs

If students or staff wish to be transported to the hospital, they are encouraged to contact emergency services via 9-1-1. All students and employees will receive full and prompt cooperation from campus personnel in obtaining appropriate medical attention, including providing free and prompt transportation to the nearest designated hospital for medical assistance and/or forensic examination.

On-Campus Student Counseling

Students who have been sexually assaulted, or the victim of relationship violence or stalking, are encouraged to speak with an on-campus professional Drew University counselor. Professional staff at Drew's McClintock Center for Counseling and Psychological Services are trained to assist victims with the emotional and physical impacts of the incident.

Students may receive confidential counseling during work hours, free of charge, from Drew's counselors by contacting the McClintock Counseling Center. The Counseling Center is open Monday-Friday, 9 a.m. – 5 p.m. during the fall and spring semesters, and students are encouraged to email counseling@drew.edu or call (973) 408-3398 to make an appointment.

Employee Assistance

Employees may contact the Employee Assistance Program by the UNUM group. Employees can access this resource by calling 1-800-854-1446. Information can be found at: www.unum.com/lifebalance.

Visa and Immigration

General visa questions should be sent to Drew's SEVIS Coordinator who works in the International Student and Scholar Services office in Tilghman House. Their email address is iss@drew.edu.

The Victims of Trafficking and Violence Prevention Act (VTVPA) of 2000 authorized Congress to create two new visa statuses, the U and T. This removes barriers for those who may have had a fear of reporting a crime due to immigration status.

In general, the U Visa may be granted if the victim:

- Is the direct or indirect victim of qualifying criminal activity;
- Has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity;
- Has information about the criminal activity; and
- Was helpful, is being helpful, or is likely to be helpful to law enforcement, prosecutors, judges, or other officials in the detection, investigation, prosecution, conviction, or sentencing of the criminal activity.

The U Visa allows for the victim, and certain qualifying family members, to temporarily remain and work within the United States for up to four years. Qualifying crimes include sexual assault, dating, and domestic violence and stalking.

In general, the T Visa may be granted if the victim:

- Is or was a victim of a severe form of trafficking in persons (which may include sex or labor trafficking), as defined by federal law;

- Is in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands or at a U.S. port of entry due to trafficking;
- Has complied with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking; and
- Would suffer extreme hardship involving unusual and severe harm if removed from the United States.

The T Visa allows for the victim, and certain qualifying family members, to temporarily remain and work within the United States for up to four years.

Some common supportive measures or accommodations, e.g., withdrawing from courses, may affect immigration status. International students and scholars with questions about their immigration and visa status are advised to seek the assistance of an immigration attorney. Assistance may be found by contacting the University Title IX Coordinator or from the Morris County Family Justice Center at <https://morrisfjc.org/>.

Formal Grievance Process

Initial Assessment

A formal report or complaint of alleged Prohibited Conduct will be initially evaluated by the Title IX Coordinator or designee. The Title IX Coordinator will explain to the Complainant the process for filing a Formal Complaint and available resolution processes. The Title IX Coordinator will first determine whether the reported conduct falls within the scope and jurisdiction of the Sexual Misconduct Policy (“Policy”), and more specifically, within the jurisdiction of the Title IX Final Rule.

Based upon the reasonably available information at the time of intake, the Title IX Coordinator will assess whether:

- The conduct is alleged to have occurred on or after August 14, 2020;
- The conduct is alleged to have occurred in the United States;
- The conduct is alleged to have occurred in the University’s Education Program or Activity; and
- The alleged conduct, if true, would constitute a violation of Prohibited Conduct, under this Policy, based upon the facts and circumstances of the information.

The assessment will also aid with identifying what Policies and procedures are most appropriate to use in response to the reported allegations. The specific procedures for assessing, reviewing and resolving Prohibited Conduct are dependent upon the nature of the Respondent’s relationship to the University, and when a Respondent is an employee, the type of Prohibited Conduct alleged.

Respondent is a Student

If the reported allegations would constitute Prohibited Conduct as defined by the Policy, the University will follow the procedures outlined in the Policy, regardless of jurisdiction.

Respondent is an Employee

If the reported allegations are made against a non-student employee, the Title IX Coordinator will assess whether the allegations fall within the jurisdiction of the Title IX Final Rule. If it is determined that the alleged conduct falls within the jurisdiction of the Title IX Final Rule, and a Formal Complaint is filed, the University will follow the procedures outlined within the Policy. If it is determined that the alleged conduct does not fall within the jurisdiction of the Title IX Final Rule, the University will dismiss the allegations in the Formal Complaint related to Sexual Harassment as defined in the Title IX Final Rule. If there are multiple allegations, the Title IX Coordinator will evaluate each violation individually to determine whether the procedures in the Policy are followed or the allegation(s) are dismissed. Any dismissal shall be for purposes of Title IX only, and the University will not be precluded from addressing the allegations of Prohibited Conduct under the Employee Handbook.

Respondent is both a Student and an Employee

The Title IX Coordinator will determine whether student or employee procedures apply based upon the facts and circumstances, and whether those circumstances relate more closely to the Respondent's status as a student or employee.

Respondent is a Third Party

The University will take steps to eliminate the harassment, address the behavior, and remedy its effect by providing Supportive Measures to students or employees who have been impacted by the alleged behavior.

A continuation in the process, or referral to another process, does not constitute a determination that a policy has been violated. Additionally, a Complainant who files a Formal Complaint may elect, at any time, to address the matter through the University's Informal Resolution Process. (See below).

Conflicts of Interest or Bias

The University requires any University personnel participating in the investigation, hearing process, sanctioning, or appeal determinations to disclose to the Title IX Coordinator any potential or actual conflict of interest or bias. If a party believes that any individual involved in the process has a conflict of interest or bias, they may make a request to the Title IX Coordinator that the individual not participate. This request must be submitted in writing to the Title IX Coordinator within three (3) business days after notification of that person's involvement in the process. Any request must include a description of the conflict or bias. If the Title IX Coordinator determines that a conflict or interest or bias may exist, the University will take steps to address the conflict or bias in order to ensure an impartial process. A Party who believes that the Title IX Coordinator has a conflict of interest or bias may make a request to the Vice President for Enrollment Management and Campus Life that the Title IX Coordinator not participate.

Filing a Formal Complaint

The timeframe for the Formal Grievance Process begins with the filing of a Formal Complaint. To file a Formal Complaint, a Complainant must provide the Title IX Coordinator with a written, signed Formal Complaint describing the facts alleged. When filing a Formal Complaint under the Policy, Complainants must be currently participating in, or attempting to participate in, the education programs or activities of the University, including as an employee.

For Complainants who do not meet this criteria, the University will utilize existing policy in the [Student Code of Conduct](#) and/or the [Employee Handbook](#).

If a Complainant does not wish to make a Formal Complaint, the Title IX Coordinator is responsible for determining whether it is necessary to initiate a complaint in order for the University to respond to the reported conduct of which it has actual notice in a way that is not deliberately indifferent. The Title IX Coordinator will consider various factors in this assessment, such as the availability of independent evidence of the allegations, the nature of the allegations, and/or whether there have been other similar complaints about the same Respondent. If the Title IX Coordinator initiates a Formal Complaint, the University will inform the Complainant of this decision in writing, and the Complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

The University may consolidate Formal Complaints alleging Prohibited Conduct against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Conduct arise out of the same facts or circumstances.

Nothing in the Formal Grievance Policy, or any University policy, prevents a Complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

[Dismissal of a Formal Complaint](#)

At any time during the handling of a Formal Complaint, the Title IX Coordinator may dismiss the complaint, in whole or in part, for the purposes of Title IX or at their discretion. Upon receipt of a Formal Complaint, the information gathered will be continuously assessed to determine whether a Mandatory or Discretionary dismissal is warranted.

[Mandatory Dismissal](#)

The Title IX Coordinator will determine whether the conduct alleged in the Formal Complaint falls within the scope of this Policy and the associated definitions of Prohibited Conduct. The Title IX Final Rule requires the Title IX Coordinator to dismiss some or all of the allegations in the Formal Complaint if the conduct alleged in the Formal Complaint:

- a. Would not constitute Sexual Harassment as defined in Section II.B. of the Policy, even if proved;
- b. Did not occur in the University's Education Program or Activity;
- c. Did not occur against a person in the United States; or
- d. If at the time of filing a Formal Complaint, a Complainant is not participating in or attempting to participate in the Education Program or Activity of the University with which the Formal Complaint is filed.

If any of the above criteria are met, the University must dismiss the Formal Complaint with regard to that conduct for purposes of Sexual Harassment under Title IX. However, where the allegations in the Formal Complaint include other forms of Prohibited Conduct within the Policy, the conduct occurs outside of the United States, or the conduct is not within the University's Education Program or Activity (but still within

the scope of conduct regulated by the University), these procedures will still apply, and the remaining allegations may proceed through the University resolution process set forth below. Either party may appeal this dismissal using the process outlined below.

Discretionary Dismissal

The Title IX Final Rule grants the Title IX Coordinator discretion to dismiss a Formal Complaint brought under this Policy, or any specific allegations therein, at any time during the investigation or hearing, if:

- a. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- b. The Complainant is no longer enrolled or employed by the University; or
- c. specific circumstances prevent the University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations therein.

Either party may appeal the dismissal using the process outlined below.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the Title IX Coordinator, or designee, will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their Drew email accounts. It is the responsibility of the Parties to maintain and regularly check their email accounts.

Upon dismissal for the purposes of Title IX, the University retains discretion to utilize the [Student Code of Conduct](#) and/or Employee Handbook to determine if a violation has occurred. If so, the University will promptly send written notice of the dismissal of the Formal Complaint under the Formal Grievance Process and removal of the allegations to the appropriate process.

Notice of Allegations

If a Formal Complaint is filed, the Title IX Coordinator will draft and provide the Notice of Allegations set forth in the Formal Complaint to the Complainant and Respondent. Such notice will occur as soon as practicable, but not more than five (5) business days after the University receives a Formal Complaint of the allegations, absent extenuating circumstances or if the University needs more time to gather all required information for the Notice of Allegations.

The Parties will be notified via their Drew email accounts if they are a student or employee, and by other reasonable means if they are neither. It is the responsibility of the Parties to maintain and regularly check their Drew email accounts.

The University will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator, or designee, may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive

the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- A copy of the Policy, either electronic or hardcopy, as appropriate.
- The allegations potentially constituting Prohibited Conduct, including sufficient details of the allegations known at the time the Notice is issued. Sufficient details includes the identities of the Parties involved in the incident (including, but not limited to, the Complainant), the conduct allegedly constituting Prohibited Conduct, and the date and location of the alleged incident, to the extent such information is known at the time the Notice of Allegations is issued.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Formal Grievance Process.
- A statement that the Parties may have a Support Person present throughout the investigation and hearing processes.
- A statement that the Parties may have an Advisor of their choice to conduct cross-examination at the hearing who may be, but is not required to be, an attorney.
- A statement that before the conclusion of the investigation, the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and evidence that either tends to prove or disprove the allegations, whether obtained from a Party or other source.
- A statement that University Policies prohibit making false statements or knowingly submitting false information during the Formal Grievance Process. Such conduct may result in additional disciplinary actions.

Ongoing Notice

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the initial Notice of Allegations and are otherwise covered as Prohibited Conduct falling within the Policy, the Title IX Coordinator, or designee, will issue an updated Notice of Allegations to notify the Parties of the additional allegations being investigated via their Drew email accounts or other reasonable means. The Parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

Support Persons and Advisors of Choice

The University will provide the parties equal access to information about Advisors and Support Persons. Any restrictions on Advisor participation will be applied equally.

Support Persons

The Parties have the right to select a Support Person to provide support and assistance throughout the process. A Party may be accompanied by a Support Person to any meeting or hearing to which they are required or are eligible to attend. A Support Person cannot represent the Party during any investigatory meeting/interview or proceeding and cannot address an investigator/Decision-maker unless they are designated as an Advisor for the hearing process, or are otherwise granted permission by the investigator/Decision-maker.

Advisors

The Parties have the right to select an Advisor of their choosing to conduct cross-examination at the hearing. The Party's Advisor of choice may be, but does not need to be, an attorney. The Advisor is not prohibited from having a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor of or against the Parties to a particular case. The Advisor is also not prohibited from being a witness in the matter. The Parties can choose to have their Support Person fulfill this function or may select an additional individual to serve as the Advisor at the hearing. While the Advisor may attend any investigatory meeting/interview, the Advisor cannot represent the Party during any such meeting/interview.

As discussed below, the Party's Advisor will conduct any cross-examination during the hearing. If a Party does not select an Advisor for this purpose, or the chosen Advisor does not attend the hearing, the University will provide the Party with an Advisor for the sole purpose of conducting cross-examination at the hearing.

Advisor and Support Person Availability

The University will not intentionally schedule meetings or hearings on dates where the Advisors and/or Support Persons for all parties are not available, provided that the Advisors and Support Persons act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

The University's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under the Policy, and the University cannot agree to extensive delays solely to accommodate the schedule of an Advisor or Support Person. The determination of what is reasonable shall be made by the Title IX Coordinator, or designee.

The University will not be obligated to delay a meeting or hearing under this process more than five (5) business days due to the unavailability of an Advisor or Support Person, and may offer the party the opportunity to obtain a different Advisor or utilize one provided by the University.

Investigation Procedures

Time Frames

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.

The time frame for the Formal Grievance Process begins with the filing of a Formal Complaint. The Formal Grievance Process will be concluded within a reasonably prompt manner, generally no longer than ninety (90) business days after the filing of the Formal Complaint, excluding all appeals processes.

The University will endeavor to resolve every complaint in a fair, impartial, and timely manner. The University recognizes that each case has its own unique circumstances, and that 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, study periods, or final exams). Time frames may be extended for good cause as necessary to ensure the integrity and completeness of this process. Other reasons for an extension of time frames include, but are not limited to: the Parties mutual voluntary decision to commence or resume an Informal Resolution; compliance with a request by law enforcement; accommodation of the availability of witnesses; accounting for exam periods, school breaks or vacations; and/or accounting for complexities of a specific case, including the number of witnesses and volume of information provided by the Parties. The University will notify the Parties in writing of any extensions of time frames and the reason for the extension.

The University's process for responding to, investigating, and adjudicating Formal Complaints under the Policy will continue during any law enforcement proceeding or civil proceeding. The investigation may need to be temporarily delayed at the request of law enforcement, but will resume as soon as possible and generally will not wait for the conclusion of any related criminal proceeding.

Time Frame Extensions

Either Party may request an extension during the Formal Grievance Process for good cause provided that the requestor provides reasonable notice and the delay does not overly inconvenience other Parties. The Title IX Coordinator, or designee, has sole judgment to grant or deny all extensions and establish timelines for extensions in the Process.

General Principles of Investigations

Roles of the Investigator and Title IX Coordinator

After the Notice of Allegations has been issued, trained investigators will be assigned to investigate the alleged Prohibited Conduct. The investigation will include interviewing the Complainant, Respondent, and witnesses, and gathering relevant evidence directly related to the complaint. The Title IX Coordinator will communicate with the investigators regularly to ensure that the investigation is thorough, impartial and fair. The Title IX Coordinator will also ensure that the Parties are updated throughout the investigative process, including with timely notice of meetings where either or both Parties may be present.

Burden of Proof and Collection of Evidence

The University, and not the Parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either Party, and either Party may decide not to share their account of what occurred or may decide not to

participate in an investigation or hearing. This does not shift the burden of proof away from the University and does not indicate responsibility.

The University uses the preponderance of the evidence standard for investigations of Formal Complaints under this Policy. This means that the investigation determines whether it is more likely than not that a violation of the Policy occurred.

Restrictions on University's Access to Medical Records

The University cannot access, consider, or disclose medical records without a waiver from the Party (or parent, if applicable) to whom the records belong or of whom the records include information.

Notice of Interviews and Meetings

The University will provide, to any individual whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, hearings, or other meetings, with sufficient time for the Party to prepare to participate.

The investigator(s) will provide an equal opportunity for the Parties to identify witnesses, including fact and expert witnesses, as part of the investigation process.

Collection and Review of Evidence

The investigator(s) will give the Complainant, Respondent, and witnesses an opportunity to submit any evidence, including but not limited to, photographs, videos, audio recordings, text messages, and social media posts that relate to the alleged Prohibited Conduct.

Prior to the completion of the investigation, the Parties will have an equal opportunity to inspect and review the evidence obtained through the investigation that directly relates to the allegations in the Formal Complaint. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the Parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

- Evidence that is relevant, even if that evidence does not end up being relied upon by the University in making a determination regarding responsibility; and
- Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the Parties' inspection to avoid disclosure of personally identifiable information of a student, and will be added to an appendices of the Investigation Report.

All Parties must submit any evidence they would like the investigator to consider before the Parties' time to inspect and review evidence begins.

Prior to obtaining access to any evidence, the Parties and their Advisors must sign an agreement not to disseminate, photograph or otherwise copy any of the evidence obtained during the investigation or hearing process, and/or any of the testimony heard during the hearing for any purpose unrelated to the Formal Grievance Process. Once signed, this agreement may not be withdrawn.

The investigators will send the evidence made available to each Party and each Party's Advisor, if any, to inspect and review through an electronic format or a hard copy. The University is not under an obligation to use any specific process or technology to provide the evidence, and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator(s). If the Parties do not provide the investigator(s) with a response within ten (10) business days, it will be assumed they reviewed all of the evidence and choose not to respond. If a Party provides additional evidence within the ten (10) business day period, the University may, within its discretion, provide the other Party with an additional five (5) business days to inspect, review, and respond to the additional evidence through a written response to the investigator(s). The investigator(s) will provide copies of the Parties' written responses to all other Parties and their Advisors, if any, and will consider the Parties' written responses before completing the Investigation Report.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

Investigation Report

At the conclusion of the investigation, the investigator(s) will prepare an Investigation Report that fairly summarizes the relevant evidence. The Investigation Report is not intended to catalog all evidence obtained by the investigator(s), but only to provide a fair summary of that evidence. Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations) will be referenced in the Investigation Report. The Investigation Report may detail a timeline of the case and summarize relevant supporting documentation. Any information or evidence deemed irrelevant will be kept as part of the case file but will not appear in the Investigation Report.

The investigator(s) may redact irrelevant information from the Investigation Report when that information is contained in documents or evidence that is/are otherwise relevant.

The investigator(s) will send (through an electronic format or hard copy) the Report to the Parties and their respective Advisors, and allow them an equal opportunity to review and respond to the Report within ten (10) business days. If the Parties do not provide the investigator(s) with a response within ten (10) business days, it will be assumed they reviewed the Investigation Report and chose not to respond. Upon receipt of a response to the Report from either Party, the investigator(s) may, but are not required to, amend the Investigation Report, if deemed necessary. The investigator(s) will then provide the Final Investigation Report, including each Party's responses, to the Complainant, Respondent, their Advisors and the Decision-maker, at least ten (10) business days prior to the scheduled hearing.

Additional Considerations

If at the conclusion of an investigation it is determined that a dismissal is warranted but there may be violations of the Student Code of Conduct, the Investigator(s) may transfer the case to the Student Conduct Office for further investigation and/or adjudication. If the Title IX Coordinator determines that there are potential violations of the Student Code of Conduct that directly relate to a violation of this Policy, the Title IX Coordinator, in consultation with the Director of Residence Life & Student Conduct, may decide to adjudicate all charges through this Policy's grievance process.

Hearing

Absent a Notice of Dismissal issued by the Title IX Coordinator, or the Parties' mutual decision to reach an informal resolution agreement (if applicable), the Parties will be afforded a live hearing for all Formal Complaints, as outlined in this Policy. The University will not issue a disciplinary sanction arising from an allegation of Prohibited Conduct without holding a live hearing. The Parties cannot waive the right to a live hearing.

Notice of Hearing

The Title IX Coordinator will provide simultaneous written notice of the hearing to the Parties (and the Parties' advisor, if any) no less than ten (10) business days prior to the hearing. Such notice will include:

- the specific allegations;
- the name of the Decision-Maker;
- the date, time and location of the hearing;
- information on requesting accommodations;
- A statement that each Party may raise any objections regarding the Decision-maker's actual or perceived conflicts of interest or bias;
- A statement that the party is entitled to have an Advisor of choice conduct cross-examination on their behalf during the hearing, and a request that the Party notify the Title IX Coordinator at least five (5) business days prior to the hearing if the party does not intend to select their own Advisor and will require that an Advisor be provided for them; and
- a copy of or a hyperlink to the Rules of Decorum, and a statement that a participant's failure to abide by the Rules may result in their removal from the hearing.

Either Party may challenge the fairness, impartiality or objectivity of a Decision-maker selected by the Title IX Coordinator. The challenge must be submitted in writing to the Title IX Coordinator within three (3) business days after receiving the Notice of Hearing, and must include a statement as to why the Party believes that the Decision-maker has a conflict of interest or bias that would impact their ability to objectively evaluate the relevant information and make a decision regarding responsibility. The Title IX Coordinator will make decisions regarding such objections and the appointment of an alternate Decision-maker, as necessary. If a potential conflict of interest is discovered outside of the three (3) days, it is within the discretion of the Title IX Coordinator to appoint an alternate Decision-maker.

Pre-Hearing Meeting

The Title IX Coordinator will convene a separate pre-hearing meeting with each of the Parties and the Decision-maker. The purpose of the pre-hearing meeting is to review information which may include, but not be limited to: the identity and role of their Advisor (who may also attend the pre-hearing meeting); procedures to be followed at the hearing; the Rules of Decorum; to identify the names of the witnesses that will be asked to appear; and to ask any other questions or share information prior to the hearing. The University expects that both Parties will attend separate pre-hearing meetings, but neither Party is required to participate in the pre-hearing meeting.

Participation and Attendance at the Hearing

Live hearings are not public. The only individuals permitted to participate in the hearing are the Parties; the Decision-maker; the Parties' Advisors; the Parties' Support Persons; witnesses; and a staff member(s) to manage logistical and technical aspects of the hearing.

Participation in the hearing is voluntary. The University will proceed with the live hearing in the absence of any party and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party. The University will not threaten, coerce, intimidate, discriminate, or retaliate against any Party or witness in an attempt to secure that individual's participation. The Decision-maker cannot draw an inference about the determination regarding responsibility based solely on a Party's (or witness's) absence from the live hearing or refusal to answer cross-examination or other questions.

All participants at the hearing, including the Parties, witnesses, Support Persons, and Advisors are expected to behave in a civil and appropriate manner. All participants are required to comply with the [Rules of Decorum](#). A participant's failure to abide by the Rules may result in their removal from the hearing.

Witnesses

The Title IX Coordinator will notify individuals who are identified as witnesses that their appearance is requested. It is generally expected that witnesses will appear in person to give testimony, however, witnesses cannot be compelled to participate in the live hearing. Witnesses have the right to be free from retaliation, regardless of whether they do or do not participate in the hearing.

Witnesses are excluded from the hearing during testimony of other witnesses.

Decision-maker

The hearing body will consist of a single Decision-maker. The role of the Decision-maker shall be filled by appropriate University personnel and/or an independent third party. The Decision-maker will not have served as the Title IX Coordinator, investigator, or Party's Advisor in the same case, nor may the Decision-maker serve as the Appeal Officer in the same case. The Decision-maker will not have any conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor of or against the Parties in a particular case. The Decision-maker will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for Complainants, maintaining respect for decorum, and any technology to be used at the hearing.

The Decision-maker will be informed of the identities of the Parties so that they can identify any conflict of interest to the Title IX Coordinator. At the discretion of the Title IX Coordinator, an alternate Decision-maker may be assigned.

Hearing Logistics

The live hearing may be conducted with all parties physically present in the same geographic location, or, at the University's discretion, any or all Parties, witnesses, and other participants may appear at the live hearing virtually through remote video conferencing, while located in a private room with their Advisor and Support Person. This technology will enable participants simultaneously to see and hear each other. At its discretion, the University may delay or adjourn a hearing based on technological errors not within a Party's control.

The Decision-maker may set reasonable time limits for any part of the hearing.

Cell phones and recording devices may not be used in the hearing room(s) unless approved by the Decision-maker(s) in advance and must be turned off before the hearing convenes.

Hearing Procedures

All formal administrative hearings conducted under this grievance process will be conducted as follows, and specific details regarding these procedural components are further outlined in sections below:

- a. The Decision-maker will open and establish rules and expectations for the hearing;
- b. The Parties will each be given the opportunity to provide opening statements;
- c. The Decision-maker will ask questions of the Parties and Witnesses;
- d. Parties will be given the opportunity for live cross-examination after the Decision-maker conducts its initial round of questioning. During the Parties' cross-examination, the Decision-maker will have the authority to pause cross-examination at any time for the purposes of asking their own follow up questions and any time necessary in order to enforce the established Rules of Decorum;
- e. After examination of all Parties and witnesses is complete, the Parties will each be given the opportunity to provide closing statements, and the Decision-maker may ask any final questions of Parties at the Decision-maker's discretion;
- f. The hearing will adjourn, and the Decision-maker will objectively evaluate the relevant information and independently make a decision regarding responsibility of the Respondent;
- g. The hearing will reconvene once the Decision-maker has made their decision, and the Decision-maker will notify the Parties of the outcome;
- h. If the Decision-maker finds the Respondent in-violation of the Prohibited Conduct outlined in this Policy, the Complainant will have the opportunity to present an impact statement, and the Respondent will have the opportunity to share a character statement on their own behalf and have character witnesses present statements, either in writing or in-person, at the hearing. Both Parties will also have the opportunity to make recommendations for sanctioning. If the Decision-maker finds the Respondent not

in-violation of Prohibited Conduct outlined in this Policy, the hearing concludes after the Decision-maker has announced their decision;

- i. Upon conclusion of the hearing, Parties will be notified that they will receive a written decision letter from the Decision-maker via their Drew email account, outlining the decision, any sanctions imposed on the Respondent (if found in-violation), and the rationale for the decision and any sanctions imposed (if applicable).

Procedural Questions

All procedural questions are subject to the final decision of the Decision-maker.

Advisors

Each party may have an Advisor of their choice present at the hearing. The Advisor does not participate in the hearing except for the limited purpose of conducting cross-examination on behalf of the Complainant or Respondent. Advisors may be, but are not required to be, attorneys. Parties must inform the Title IX Coordinator of any Advisor of choice who will accompany them to the hearing within five (5) business days of receiving notice of the hearing, so that it is known whether or not there is a need to arrange for the presence of a University-provided Advisor. If a Party does not have an Advisor of their choice present at the hearing, the University will, without fee or charge to the Party, provide an Advisor of the University's choice, for the sole and limited purpose of conducting cross-examination on behalf of that Party. During an administrative hearing, a Party may request to consult with their Advisor at any point in a non-disruptive manner. However, the Advisor may not represent or otherwise speak for the Party they are supporting except during the cross-examination portion of the hearing.

The Advisor is not prohibited from having a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor or against the Parties of a particular case. The Advisor is not prohibited from being a witness in the matter. All Parties and their Advisors shall be subject to the University's Rules of Decorum, and may be removed from a hearing or other proceeding upon violation of those Rules.

Cross-Examination by Party's Advisor

Cross-examination is designed to test the credibility and trustworthiness of the information presented at the hearing. During this live-cross-examination, the Advisor will ask the other Party or Parties and witnesses relevant questions and follow-up questions (including those challenging credibility) directly, orally, and in real time. A Party's Advisor may appear and conduct cross-examination on their behalf even if the Party does not attend the live hearing.

Before any cross-examination question is answered, the Decision-maker will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Decision-maker, may be deemed irrelevant if they have been asked and answered.

Prior statements (written or oral) by Parties and or witnesses cannot be considered by the Decision-maker unless that individual participates in the hearing and agrees to be cross-examined by the other Party's Advisor. This restriction does not apply to information or evidence (such as text messages, emails, videos, and social media postings) that constitute all or part of the Prohibited Conduct itself.

Questions regarding the Complainant's sexual predisposition or prior sexual behavior are prohibited (though there may be a limited exception made in regard to questions and evidence about the Complainant's prior sexual behavior which are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent).

A Party may affirmatively waive the right to have their Advisor conduct cross-examination through a written or oral statement to the Decision-maker. A Party's waiver of cross-examination does not eliminate the ability of the Decision-maker to use statements made by the Party.

Absence or Refusal to Submit to Cross-Examination

The University may proceed with the live hearing in the absence of a Party or witness or on a Party's refusal to answer cross-examination or other questions. In addition, the Decision-maker may reach a determination in a Party or witness' absence. However, a Decision-maker cannot draw an inference about the determination regarding responsibility based solely on a Party's refusal to answer cross-examination or other questions, or absence from the live hearing.

If a Party does not attend the hearing, the Party's advisor may appear and conduct cross-examination on their behalf. If neither a Party nor their Advisor appear at the hearing, the University will provide an Advisor to appear on behalf of the non-appearing Party.

Continuance or Extensions

The Decision-maker may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the Decision-maker or Title IX Coordinator will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Newly Discovered Evidence

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a Party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the Party may request that such evidence or witnesses be considered in the live hearing.

The Decision-maker will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing and (2) whether such evidence or witness testimony could affect the outcome of the matter. The Party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Decision-maker answers in the affirmative to both questions, then the Parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

Recording of the Hearing

In the absence of any extenuating circumstances, the recording of the hearing will be available to the Parties for their review upon written request, within five (5) business days of the hearing. The recording of the hearing will not be provided to Parties or Advisors of choice.

Determination Regarding Responsibility

Standard of Proof

The University uses the preponderance of the evidence standard to determine responsibility of Formal Complaints covered under this Policy. This means that the hearing determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

Credibility

A Decision-maker shall not draw inferences regarding a Party or witness' credibility based on the Party or witness' status as a Complainant, Respondent, or witness, nor shall it base its judgments in stereotypes about how a Party or witness would or should act under the circumstances.

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on written, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker. Generally, credibility judgments should rest on the demeanor of the Party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. Still, credibility judgments should not rest on whether a Party's or witness' testimony is non-linear or incomplete, or if the Party or witness is displaying stress or anxiety.

Weighing Testimony

First-Hand Testimony

Decision-makers will afford the highest weight relative to other testimony to first-hand testimony by Parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by this Policy, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be afforded lower weight than testimony regarding direct knowledge of specific facts that occurred. Other forms of testimony, such as expert testimony and character testimony, will be afforded lower weight relative to the testimony of fact witnesses.

Expert Witnesses

The University will allow Parties to call “expert witnesses” for direct and cross examination. The University does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the Decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

Character Witnesses

The University will allow Parties to call character witnesses to testify. The University does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be cross-examined, the Decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

Polygraph Tests

The University will admit and allow testimony regarding polygraph tests (“lie detector tests”) and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be cross-examined, the Decision-maker will be instructed to give lower weight to such processes relative to the testimony of fact witnesses.

Retaliation

Where a Party or witness’ conduct or statements demonstrate that the Party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision-maker may draw an adverse inference as to that party or witness’ credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all Parties through their Drew email account or other reasonable means as necessary. The Determination will include:

- a. Identification of the allegations potentially constituting covered Prohibited Conduct;
- b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding which section of the Policy, or the Student Code of Conduct, if any, the Respondent has or has not violated;
- e. For each allegation:
 - i. A statement of, and rationale for, a determination regarding responsibility;
 - ii. A statement of, and rationale for, any disciplinary sanctions the University imposes on the Respondent; and

- iii. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant; and
- f. The procedures and permitted reasons for appeal (described below in "Appeals"), including the Appeal Officer's information.

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by the University within ten (10) business days of the completion of the hearing.

Finality of the Determination Regarding Responsibility

The determination regarding responsibility becomes final either on the date that the University provides the Parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in the Policy, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Sanctions

All hearings that result in a finding of responsible for a violation of the Policy will result in the imposition of outcomes, or sanctions. The Decision-maker will determine the appropriate sanctions to impose. The Decision-maker will consider relevant factors, including, if applicable: (1) facts and circumstances surrounding the event at issue; (2) the nature of the Prohibited Conduct at issue; (3) the circumstances concerning the issue of consent; (4) state of mind; (5) the impact of the offense on the Complainant; (6) the Respondent's prior disciplinary history; (7) the safety of the University community; and (8) precedent established by previous sanctions.

The various sanctions listed below, alone or in any combination, may be imposed upon any student or employee specifically noted in the section below found to have violated the Policy. If a Student-employee is found to have engaged in Prohibited Conduct, the Student-employee may be subject to sanctions both in connection with their employment (outside the scope of the Title IX Office and the Policy) and in connection with their student status, as appropriate under the Policy and other applicable processes.

Possible Sanctions for Student-Respondents

The potential sanctions designated for Student Respondents related to a violation of the Policy are:

- a. **Revocation of Admission:** Admission to the University may be revoked for fraud, misrepresentation or a violation of the University policies.
- b. **Warning:** Written notification to the student that any repetition of the behavior will result in more severe disciplinary action.
- c. **Restriction:** The student is restricted from facilities, programming, participating in certain University events and activities, holding leadership positions at any level in campus organizations, or from remaining a resident on campus.
- d. **Residence Hall Relocation:** Room reassignment to another residence hall or floor.

- e. **Discretionary Sanctions:** Educational assignments, essays, trainings, assessments and completion of any recommendations, service to the community with a specified length of time, or other related discretionary assignments.
- f. **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- g. **Probation:** The student is placed under a status whereby any further violation of University regulations is considered in the context of the original violation and with prejudice. Additionally, the student is more likely to be suspended or expelled from Housing or the University during the time of probation status if found responsible for additional further student conduct violations. The period of probation lasts for a specified period of time. Probationary status may impact a student's ability to study abroad and/or to hold leadership positions in student organizations.
- h. **Suspension from the Residence Halls:** The student is required to move out of the residence hall and may not reside in, be around, participate in activities within, or visit the residence halls for a specified period of time with the privilege of applying for re-entry as a residential student after the period of suspension. In making a determination on the re-entry application as a residential student, the University will evaluate the documented (as appropriate) progress the student has made and any positive indication that the student is ready to return to the residence halls. The student will need to obtain clearance from the Dean of Student Life, or designee, in order to return to the residence halls. The student will be barred from being in or around campus housing during their time of suspension and will be treated as a trespasser if found in or around campus housing during their period of separation.
- i. **Suspension from the University:** The student is separated from the University for a specified period of time with the privilege of applying for re-entry after the period of suspension. In making a determination on the re-entry application, the University will evaluate the documented (as appropriate) progress the student has made and/or any positive indication that the student is ready for re-entry. The student will need to obtain clearance from the Dean of Student Life, or designee, in order to return to academic work. The student will be barred from campus during their time of suspension and will be treated as a trespasser if found on campus during their period of separation.
- j. **Expulsion from the Residence Halls:** Unconditional and permanent separation of the student from residing in, being around, participating in activities within or visiting the residence halls.
- k. **Expulsion from the University:** Unconditional and permanent separation from the University. The expelled student shall be barred from the University campus and all University-sponsored activities.
- l. **Disclosure:** In certain cases deemed appropriate by the proper authorities, information on an offense may be disclosed to individuals or the entire University community, including parents or guardians.
- m. **Withholding Degree:** The University may withhold the awarding of a degree otherwise earned until the completion of the process set forth in the Student Conduct Policy, including the completion of all sanctions imposed, if any.

- n. **Revocation of Degree:** A degree awarded to a student by the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree.

Possible Sanctions for Employee Respondents

Any employee of the University found in violation of the Policy may be subject to disciplinary action, from a warning up to and including termination of employment. In addition to any sanction, the University may also recommend counseling or other support services for the Respondent.

Sanctions for Third-Party Respondents

In cases in which the Respondent is not a University student or employee, the Decision-maker will determine an appropriate sanction within the scope of the University's authority.

Confidentiality of Sanctions

Under federal law, a student's sanction or discipline is part of the educational record of a Respondent who is a student and is protected from disclosure with certain exceptions. In those cases, this information may be released to the Complainant, but only when consistent with the requirements of federal law.

In matters involving faculty and/or staff only, both parties will be advised of the outcome and sanction of a disciplinary proceeding. Otherwise, as a general rule, an employee's specific sanction will not be disclosed to persons other than supervisors.

Appeals

Each Party may appeal, as applicable, the dismissal of a Formal Complaint and any decision and/or outcome(s) rendered by a Decision-maker during the Formal Grievance Process. The circumstances available to appeal, the specific grounds to which parties can appeal on, and the procedures associated with submitting and evaluating appeals are outlined below.

Appeal Procedures

If either Party chooses to submit an appeal, the appeal must be submitted to the Appeal Officer in writing within five (5) business days of receiving the written notice (of dismissal or hearing outcome), and include any supporting documentation that the Party wishes to be considered. Failure to submit a written appeal within this five (5) business day period forfeits the right to appeal under this Policy, and the decision is final.

Upon receipt of the appeal, the Appeal Officer will notify the Title IX Coordinator. The Title IX Coordinator will, as soon as practicable, notify the other Party, in writing, that an appeal has been filed, and provide a copy of the appeal and any supporting documents to the non-appealing Party. The non-appealing Party may submit a written response within five (5) business days after notice of an appeal. If both the Complainant and Respondent appeal, the appeals will be considered concurrently.

Appeals may be no longer than 5 pages (excluding attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced. Appeals should use

footnotes, not endnotes. Appeals that do not meet these standards may be returned to the Party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Deference is given to the Title IX Coordinators rationale for dismissal of the Formal Complaint or the Decision-maker's findings of fact and decision regarding responsibility and/or any sanctions. Therefore, the burden of proof is on the Party filing an appeal to sufficiently demonstrate cause to alter procedures, the original decision, or any sanctions. An appeal will generally be limited to a review of the written appeal, investigation report and supporting documents, provided, however, that the Appeal Officer may request additional information or clarification from the Complainant, Respondent, witnesses, Investigator(s), Title IX Coordinator, and/or other relevant administrators for purposes of this review.

Appeals will be decided by an Appeal Officer, who will be free of conflict of interest and bias and will not have served as Investigator, Title IX Coordinator, or Decision-maker in the same matter.

Grounds for Appeal

The dismissal of a Formal Complaint or the determination of responsibility (hearing outcome) may be appealed on the following grounds, as applicable:

- a. **Process Review.** Procedural irregularity that materially affected the outcome of the matter (i.e. The University failed to follow its prescribed procedures).
- b. **New Information.** New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. **Conflict of Interest or Bias.** The Title IX Coordinator, Investigator(s), or Decision-maker(s) (as applicable) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that materially affected the outcome of the matter; and/or
- d. **Disproportionate Sanction.** The designated sanction(s) are clearly disproportionate to the Prohibited Conduct for which the Respondent was found in violation.

Disagreement with the finding or sanctions is not, by itself, grounds for appeal. 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 submission of an appeal stays any sanctions for the pendency of the appeal. Supportive measures remain available during the pendency of the appeal.

Appeal Decision

Following the Appeal Officer's review of the appeal, they will:

- a. Affirm the finding and sanction originally determined; or
- b. Affirm the finding and modify the sanction; or
- c. Remand the case for a new hearing.

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

Timeframe

Barring any extenuating and/or unforeseen circumstances, the Appeal Officer will notify the Complainant and Respondent in writing simultaneously of the final decision on appeal, including the rationale for the decision. Appeal decisions will be rendered within ten (10) business days after the receipt of the written appeal. All appeal decisions are final and not subject to further review. Once the appeal process is completed, it shall be the responsibility of the Director of Residence Life and Student Conduct, Title IX Coordinator, or the appropriate Dean or Supervisor of an employee to oversee the implementation of imposed sanctions.

Informal Resolution

When appropriate, certain complaints may be resolved by the Title IX Coordinator or Deputy Coordinator without a full investigation or hearing. Informal Resolution is a voluntary process, offered in various forms, but is generally designed to allow a Respondent to acknowledge harm and accept responsibility for repairing harm (to the extent possible) experienced by the Complainant and/or University Community. Informal Resolution is a procedure designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the Complainant and the safety and welfare of the campus community. 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 Mutual No Contact Order between the Parties provides remediation. Informal Resolution may NOT be used: 1) to resolve a complaint that an employee engaged in sexual misconduct against a student; or 2) if a Respondent has previously engaged in an Informal Resolution process.

A Formal Complaint must be filed in order to proceed with an Informal Resolution. A Complainant may request an Informal Resolution at the time of filing a Formal Complaint. Alternatively, either Party may request to proceed with an Informal Resolution at any point in the Formal Grievance Process, prior to reaching a determination regarding responsibility. When a Party requests Informal Resolution, the Title IX Coordinator will review the matter to confirm that Informal Resolution is appropriate. Several factors will be considered when determining if the Informal Resolution process is appropriate including, but not limited to:

- The gravity of the allegations;
- Whether there is an ongoing threat of harm or safety to the campus;
- Whether the Respondent is a repeat offender; and
- Whether the Parties are participating in good faith.

At any time after the commencement of the Informal Resolution, the Title IX Coordinator, or designee, may determine that the Informal Resolution is not an appropriate method for resolving the matter and

may require that the matter be resolved through the Formal Grievance Process. This determination is not subject to appeal.

If a Complainant requests Informal Resolution, and the Title IX Coordinator concludes that Informal Resolution is appropriate, the Title IX Coordinator will offer Informal Resolution as an option to both Parties. Both the Complainant and Respondent have the option to: 1) agree to participate; or 2) not agree to participate in the Informal Resolution. The Parties may change their minds at any time prior to reaching a determination regarding responsibility. Prior to engaging in Informal Resolution, the Respondent must be made aware of the sanctions that could be employed during the Formal Grievance Process. The time frame for completion of Informal Resolution may vary, but the University will seek to complete the process within sixty (60) business days of the Complainant's request.

The Informal Resolution Process does not conclude with a finding. The Respondent is not charged with a Policy violation and is not found to be "responsible" or "not responsible" of a Policy violation. Further, if the Parties agree to an Informal Resolution Process, sanctions will not be imposed on either Party, rather, the Parties may agree to appropriate remedies. An admission of responsibility made by the Respondent in an Informal Resolution is not an indication that the University would have found the Respondent "responsible" for a violation of this Policy.

Informal resolution may include: establishing supportive measures; issuance of an impact statement; conducting targeted or broad-based educational programming or training for relevant individuals or groups (i.e., sexual harassment training, consent workshop, healthy relationships workshop, alcohol education classes); a verbal or written apology; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; facilitating a meeting with the Respondent with the Complainant present; a letter of warning to the Respondent; a No Contact Order; restriction from participation in specific clubs and/or organizations; restriction from participation in particular events (e.g., Holiday Ball) and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. The terms of the Informal Resolution will be set forth in a written Resolution Agreement.

Both Parties must provide voluntary, written consent to the Title IX Coordinator to participate in the Informal Resolution Process. The Title IX Coordinator, or designee, will send a written notice to the Parties inviting them to participate in the Informal Resolution. Both Parties will have ten (10) calendar days to reply in writing. The written notice will include:

- the allegations;
- an explanation of rights through the Informal Resolution Process;
- the requirements of the Informal Resolution Process (including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations);
- any consequences resulting from participating in the Informal Resolution Process (including the records that will be maintained or could be shared).

If a Respondent does not reply or refuses to participate in Informal Resolution, the Title IX Coordinator, or designee, will notify the Complainant and discuss other procedural options of resolution.

Either Party can request to cease Informal Resolution and commence, or resume, a Formal Grievance Process at any time prior to agreeing to, and signing, a written Resolution Agreement. Similarly, the Parties can request to end a Formal Grievance Process and pursue Informal Resolution at any time prior to the issuance of a determination regarding responsibility.

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, both Parties will be provided with a written Resolution Agreement to review and sign. The Resolution Agreement is binding. Once signed by both Parties, the Resolution Agreement will be implemented, and the matter will be closed. Failure to comply with a Resolution Agreement may result in disciplinary action under the Student Code of Conduct and/or other applicable University policies.

Both the Complainant and Respondent may be accompanied by an Advisor and/or Support Person at any meeting with the Title IX staff during the Informal Resolution Process.

In entering the Informal Resolution Process, the Parties agree that any testimony and evidence (including admissions of responsibility) they share or receive during the Informal Resolution Process concerning the allegations of the Formal Complaint is confidential while the Parties are participating in the Informal Resolution Process. No evidence concerning the allegations obtained within the Informal Resolution Process may be disseminated to any person, provided that any party to the Informal Resolution Process may generally discuss the allegations under investigation with a parent, friend, Advisor, or other source of emotional support, or with an advocacy organization. Should the Parties withdraw from the Informal Resolution Process, information disclosed or obtained for purposes of the Informal Resolution Process may be incorporated into the formal investigation and live hearing, provided that this information is disclosed and reviewed by the parties under the investigatory and hearing procedures described in the Policy.

Any final resolution pursuant to Informal Resolution will be documented and kept for seven (7) years. No recording of the Informal Resolution Process will be made.

Amnesty

The University's highest priority is the health, safety and well-being of its community and encourages the reporting of sexual misconduct. In attempt to remove potential barriers that deter students from seeking medical and/or law enforcement attention, reporting incidents of sexual harassment, or pursuing any other necessary assistance, the University may not pursue drug and/or alcohol charges against students reporting offenses involving sexual misconduct based on their personal consumption of drugs and/or alcohol at or near the time of the incident. Amnesty is only provided for the personal use of alcohol or drugs to the extent that the use is relevant to the case and does not extend to acts of violence perpetrated through the use of substances (e.g. possession and use of date rape drugs). Amnesty does not preclude the University from pursuing educational measures, including discussion of the drug and/or alcohol offense regarding the risks and consequences of such activity.

For more information regarding the University's "Good Samaritan" Medical Amnesty policy outside of the Title IX capacity, please see the [Alcohol, Marijuana and Other Drug Policy](#) below.

Training

Drew University is committed to providing effective programming to all students, faculty and staff that focuses on educating, training, and raising awareness of sexual misconduct. These programs are intended to help prevent dating violence, domestic violence, sexual assault, and stalking. Drew strives to ensure that the programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome. The programs also consider environmental risk and protective factors as they occur on the individual, relationships, institutional, community, and societal levels.

Drew programs are designed to provide the following information:

- Information about how the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking
- The definition of "dating violence," "domestic violence," "sexual assault," and "stalking"
- The definition of effective "consent," in reference to sexual activity
- A description of safe and positive options for bystander intervention
- Information on risk reduction

These are community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. Programming is specifically targeted towards incoming students and new employees, at the time of their arrival, and to the entire community throughout the year.

These programs include the following:

- Mandatory online training for new undergraduate and graduate students via the Vector LMS online education program. Undergraduate students will not be permitted to register for classes the following semester until they confirm their participation in this training. Trigger warnings are included, and exemptions can be made by the Title IX Coordinator.
- All new employees to Drew University are provided with training by the Title IX Coordinator, or a Deputy Coordinator, through New Employee Training.
- Drew's mandatory online educational program for all staff and faculty is available through Drew's Human Resources Department and Office of Title IX.
- Orientation program for first-year and transfer students: The University's planned programming for first-year students includes comprehensive coverage of Drew's policies and procedures related to Sexual Misconduct, meaning of consent, reporting options, and bystander intervention strategies, as well as risk factors and protective factors in engaging in sexual activity.
- Programming through the Title IX Office, Faculty, county partners, law enforcement, and the Prosecutor's Office: These may be general or to a specific cohort (e.g., Residence Life staff, NCAA Athletes, etc.).
- Upstander/Bystander Intervention Programs: These programs and trainings offer safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. They include recognizing situations of potential harm, understanding

institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

- Ongoing media campaigns to promote prevention programming, including advertisements in Drew Today, social media, and the electronic bulletin boards on campus.
- Partnering with community organizations as an active participant in the educational offerings of the Morris County Coalition Against Sexual and Relationship Violence.
- Guest speakers for targeted audiences, resource tables, and panel discussions.
- Recognition of violence awareness months (i.e., Domestic Violence Awareness Month – October; Teen Dating Violence Awareness Month – February; Sexual Assault Awareness month – April).

Title IX Committee

The Title IX committee is formally charged with advising the Title IX Coordinator on matters relating to the University's compliance with Title IX Education Amendments of 1972 and Drew's Sexual Misconduct Policy and related procedures. These deal with nondiscrimination on the basis of protected classes of sex, gender, gender identity and expression, and affectional or sexual orientation. While much of the committee work may be in identifying prevention and educational program and policy needs regarding sexual and relationship violence and stalking, it is also charged with monitoring, evaluating, and determining if equity exists in all areas of the University. The appointment to this committee is done by either the University Title IX Coordinator or through election by appropriate community body (e.g., Faculty, DSA, Student Government).

A Sample of Other Programs

- "SCREAM Theatre" during New Student Orientation: Intensive, interactive Peer-to-Peer performance of sexual assault and misconduct scenarios, including a Q & A with the audience.
- "Beyond the Books": Presentation to all incoming students and parents during Summer Orientation. This presents the reality of substance use/abuse and sexual misconduct on campus while also informing students and families of campus policies, consequences for violating policies, and campus support services.
- "Take Back the Night": Campus march and testimonials of sexual assault and abuse.
- Self-Defense Courses – offered through Prepare INC.

Training for Individuals with Specific Responsibilities

Individuals with specific responsibilities relating to cases involving relationship and sexual misconduct will receive additional annual training as required to fulfill those responsibilities effectively. Additionally, employees are informed of their responsibilities as responsible employees during new hire orientation.

Upstander (Bystander) Information

As members of the Drew Community, we all share the responsibility to create a climate of respect – for each other and ourselves. We can often intervene in situations where someone's safety is being threatened by their own or someone else's behavior. You have many opportunities for intervention before a situation progresses and becomes a crisis. We can all do our part to prevent racism, sexism, heterosexism, interpersonal violence, bullying, sexual assault, alcohol or drug poisoning.

Factors that Influence Intervention

- Diffusion of responsibility (“Lots of people are around. Someone else will probably do something about it.”)
- It’s unclear that there is an emergency.
- Perceived personal cost is too high.
- The perception that the prospective victim is inviting danger by being drunk, dressing provocatively, etc.
- Similarities between the bystander and the potential offender (Someone who shares a lot in common with a potential offender will be less likely to act against them.)
- Apathetic mood
- The bystander’s gender may influence their perception of whether it’s appropriate to get involved.
- Social norms (Intervening is easier when peers are nearby to approve of your actions.)

ABCS of Intervention

- ASSESS Safety and Risk – verbal and non-verbal cues will help you to determine whether there is a problem or risky situation. E.g. if you observe someone too intoxicated to protect themselves from being taken advantage of; or if someone seems to be overpowered by another, being cut off, looking cornered; determine if there seems to be a risk of physical violence.
- BRING in reinforcements – you do not have to act alone. Ask friends to accompany you to intervene. Call Public Safety’s 24-hour emergency number: 973-408-4444.
- CARE for the person at risk or victim – Do not leave someone at risk alone, get them to a safe place. If the person has been victimized, help them find resources/options. Be a listening ear. Listen to their fears and concerns for safety. Pay attention to cries for help and take action. While caring for others, remember to care for yourself. Do not try to do everything yourself, get your friend to use professional help. You can bring them to the [Center for Counseling and Psychological Services](#) or come in yourself to talk. Counseling is confidential!
- CONFRONT the potential perpetrator if you deem it safe – Challenge sexist, homophobic, racist, or disrespectful language. Do not let someone take a person away when they appear unable to consent to leave because of force, intoxication, or pressure. Do not do this alone if you do not feel safe! Do not argue with drunk people.

Strategies when Faced with Possible Sexual Assault

- CHALLENGE the potential assailant before the assault happens.
- DISTRACT either party by focusing their attention on something else.
- SEPARATE the potential victim from the potential attacker.
- DELEGATE to someone in a better position to help.

Direct or Indirect Interventions

- Direct Actions: Point out someone’s disrespectful behavior in a manner that will help de-escalate the situation; pull a friend aside and talk to them alone to ensure he/she is okay; call the police.

- Indirect Action: Recommend to a bartender or party host that someone has had too much to drink; make up an excuse to help someone get away from a potential offender; call the local authorities.

Know your options. Once you have decided whether you want to handle the situation directly or indirectly (or a little of both), think of all the possible options for doing so. For instance, if you have decided to speak directly to the person displaying problematic behavior, do you want to do it right there in the moment, or take them aside later? If you want to deal with it indirectly, what resources can you access to help you handle the problem?

Safety Tips

The following tips for safety are adapted from the Rape, Abuse, and Incest National Network's (RAINN) advice on staying safe on campus (<https://www.rainn.org/articles/staying-safe-campus>). It is important to remember that the person to blame for any act of violence against another is the perpetrator, and these tips are not meant to shift that responsibility. They are suggestions and practices designed to assist any person in creating a safer personal environment for themselves based on what they feel is individually necessary.

- **Know your resources.** Know who you should contact in the cases of emergencies, cases of confidential reporting, and in response to incidents of sexual assault. The University maintains lists of resources located at the Title IX website (<https://drew.edu/title-ix-office/>).
- **Download and utilize the Drew University LiveSafe app.** The app provides direct access to resources as well as a connection to Campus Security 24/7. Safety alerts and access to share walks with friends are also great resources for remaining connected even when physically alone.
- **Be secure.** Always lock your doors and secure your belongings.
- **Think about your back up plan.** What happens if you are out and your phone dies or you lose your wallet? A little bit of pre-planning will help you be prepared for many eventualities.
- **Protect your drink.** While good for your own health, knowing what you are consuming prevents those who might tamper with your drink from doing so. Keep your drink near you.
- **It's ok to lie.** You are never obligated to remain in a situation that you think may be dangerous, or where you feel uncomfortable, pressured, or threatened. Some excuses you could use are needing to take care of another, receiving an urgent phone call, not feeling well and having to be somewhere else by a certain time.
- **Be a good friend.** If something does not feel right, it probably is not. Step up and take care of your friends.

Alcohol, Marijuana, and Other Drug Policy

This policy lays out the regulations for alcohol, marijuana, and other drug possession, use, and distribution on campus. While students must define their own values and make their own choices, the University expects all of its members to comply with both Drew University Policy and federal, state, and local laws as they apply to alcohol, marijuana, and other drugs.

Purpose

The purpose of the Drew University Alcohol, Marijuana, and Other Drug Policy is to promote student responsibility, respect for the community and self, and to establish a University community that is safe, healthy, and conducive to serious academic endeavors.

Audience

The entire University community.

Definitions

Alcohol: ethyl alcohol, hydrated oxide of ethyl, or neutral spirits from whatever source fit for human consumption and has an alcohol content of more than half of 1% by volume (NJ Statute 33) as well as any containers or devices whose sole purpose is for the storage or consumption of alcohol.

Binge drinking: rapid consumption of alcohol with or without the intention of becoming intoxicated. Binge drinking includes any competitive or non-competitive drinking game.

Common source: any device or amount that is intended to provide for distribution to multiple parties. This includes items such as kegs, punch bowls, “jungle juice”, etc., as well as any amount that is unreasonable for the consumption by members of the room/suite.

Consumption: active use or being under the influence of alcohol, marijuana, or other drug(s).

Distribution: providing a person with a substance, and not accepting or intending to accept money or barter.

Drug: all illegal drugs and misused illegal drugs, both over-the-counter and prescription, synthetic and other derivatives not covered under marijuana within this policy.

Good Samaritan: an individual who seeks emergency medical attention for themselves, or for another student whose medical assistance is needed, for the consumption of alcohol marijuana, and/or other drug overdose.

High-Risk Alcohol Behavior: engaging in any behavior that creates an environment that increases the likelihood of over-consumption, including but not limited to engaging in drinking games, and/or instances of over-consumption that require medical evaluation, regardless of where the evaluation takes place.

Host/Hosting: any student holding a function in their living unit where an alcohol, marijuana, or drug violation is taking place.

Manufacture: the act of creating a substance or the purchase or purchasing of materials necessary to make or synthesize a substance for personal use, distribution, or sale.

Marijuana: all parts of the plant genus Cannabis L., whether growing or not; the seeds thereof, and every compound, manufacture, salt, derivatives, mixture, or preparation of the plant or its seeds, containing tetrahydrocannabinol (THC) and/or utilized as a psychoactive substance. It is inclusive of products such as resin, wax, butter/budder, shatter, taffy, etc.

Marijuana Concentrate: any marijuana product containing a THC content greater than 35%.

Medical marijuana: any marijuana product prescribed by a physician for the expressed purpose of providing medical treatment.

Paraphernalia: equipment, products, or materials of any kind intended for use to plan, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze,

pack, repack, store, contain, conceal, ingest, inhale, or otherwise introduce into the human body marijuana or other drugs.

Possession: substances, containers, empty or not, and/or paraphernalia, are on one's person, in one's living environment, automobile, or other known hiding location.

Public areas: hallways, foyers, stairwells, bathrooms, lounges, or other public areas, including outdoor University grounds, or any other area beyond an individually assigned resident room. Propped room/suite doors may make the space public.

Online course: any educational course selected by the institution that addresses the alleged violation and required to be completed by the student. The student is responsible for all fees and costs for the completion of the course.

Open container: any bottle, can, cup, glass, etc., containing or having contained alcohol, without a sealed lid.

Residence hall room: all parts of an individual suite/quad, etc. including a bathroom connected to an individual suite/quad, etc.

Sale: the exchange of a substance with the intention or act of receiving money or barter.

Social host probation: a disciplinary status for a set period of time during which the occupants of the residence hall room may only allow one (1) additional person per resident within the residence hall room.

Guidelines and Procedures

The University holds students accountable for the decisions they make, particularly when they have an adverse effect on the health and safety of the community, on the quality of life of other students, on the learning environment, or on the students themselves. To support student responsibility, the University offers a wide range of educational and counseling services that provide accurate substance use information and evaluation. In addition to the formal services, students can gain support from faculty, staff, and other members of the community. The policy provides a range of sanctions yet students should be aware that law enforcement may also be involved, leading to arrest and charges in the appropriate venue.

The policy seeks to establish clear community standards around alcohol, marijuana, and other drugs. While the policy defines guidelines for the consequences of various behaviors, the context of those behaviors will be considered when policy violations are adjudicated. Repeat offenders may face a higher level of sanction.

Entering a university setting for many necessitates a new level of independence. Students have the privilege of making their own decisions, as well as the outcomes of those decisions. Keeping this in mind, the University encourages students to be responsible for their actions and will use parental/guardian notification as a partnership, including informing parents/guardians of the potential health and safety concerns and/or significant sanctions.

Students who need assistance in addressing concerns regarding substance use/abuse for themselves or others are encouraged to contact Drew's Counseling Center at (973) 408-3398.

Guidelines for the Use of Alcohol

- Alcohol possession and consumption is permitted only for students of legal drinking age (21). Alcohol can only be consumed on campus in a student's residence hall room or at a University-sponsored event.
- Healthy, legal consumption does not include competitive or binge drinking. Competitive drinking includes any type of drinking games.
- No student may possess or consume alcohol above 100 proof on campus.
- No student may possess common sources of alcohol on campus. Common sources include kegs and other containers of alcohol (e.g., punch bowls, "jungle juice", etc), including an amount of alcohol that is not reasonable to be consumed by the above age residents of a room/suite.
- Students of legal age may not give, leave in an easily accessible place, or sell alcohol to minors to transport, possess, or consume.
- No student may host the consumption of alcohol by other students under the age of 21 within their residence hall rooms.
- Minors may not transport, possess, consume, or purchase alcohol. Used or empty containers found in a room or on one's person may constitute possession.
- No open containers or consumption of alcohol may take place in public areas.
- Consumption in student rooms should neither infringe on the rights of other students to study nor negate any normal student activity.
- Alcoholic beverages may not be sold at any time except through approved liquor licenses by the University, borough and state. Alcohol Permit (one-day): Special one-day permits are necessary for student events where alcohol is to be served. A form, available from the Madison town clerk, must be signed by both the Dean of Student Life and the Director of Campus Security and submitted to the Alcoholic Beverage Commission in Trenton.
- Public areas include hallways, foyers, stairwells, bathrooms, lounges, or other public areas, including outdoor University grounds, without an event liquor license, or any other area beyond an individually assigned resident room. Propped room/suite doors may make that space public.
- All parts of an individual suite/quad, etc. shall be considered a residence hall room including a bathroom connected to the individual suite/quad, etc.
- Alcohol may be confiscated or the student may be asked to pour out containers.
- Full responsibility for compliance with policies and laws belongs to all students. A student will be held responsible for their guests' actions. Guests violating the policies and laws may be asked to leave the campus or may be trespassed.
- No student may engage in high-risk alcohol behavior.
- No student may sell or manufacture alcohol.
- No student may engage in binge drinking.
- Students must adhere to all federal, state, and local laws regarding appropriate alcohol consumption and possession.

Guidelines for the Use of Marijuana

Under the Drug-Free Schools and Communities Act, Drew University is required to strive to maintain a drug-free community in order to receive federal education funding. At the federal level, marijuana, in all its forms, remains an illicit drug, and, therefore, is prohibited from being possessed, consumed, distributed, or produced on campus.

The intent of defining marijuana within the policy is to recognize the unique context of its use and a belief that education and engagement within the community for violators are the most effective approach to reducing and eliminating its use. In line with Drew University's mission of engaging thoughtfully with the students and community, the goal of this policy is to put forward rehabilitative sanctions that balance individual accountability with community impact and that are consistently enforced and evaluated.

Marijuana, within the University policy, refers to all parts of the plant Genus Cannabis L., whether growing or not; the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, containing tetrahydrocannabinol (THC) and/or utilized as a psychoactive substance. It is inclusive of products such as resin, wax, butter/budder, shatter, taffy, etc. Commonly acknowledged marijuana paraphernalia is defined as equipment, products, or materials of any kind intended for use to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, ingest, inhale, or otherwise introduce into the human body marijuana. For the purpose of this policy, concentrate will refer to any marijuana product containing a THC content greater than 35%.

1. Students may not consume or be in possession of marijuana or marijuana paraphernalia as defined above.
 - a. Possession means that such substances are on one's person, in one's living environment, automobile, or known hiding location. If a student is hosting a guest, possession extends to their guests.
 - b. Consumption refers to active use or being under the influence.
2. Students may not sell or distribute, or possess with the intent of distribution or sale, any controlled substance or commonly acknowledged drug paraphernalia.
 - a. Distribution of marijuana is providing a person with marijuana and not accepting or intending to accept money or barter.
 - b. Students may not sell for money or barter marijuana.
 - c. Students may not manufacture via purchasing or possessing the materials necessary to make or synthesize marijuana for personal use, distribution, or sale.
3. Medical marijuana may not be possessed, used, or distributed on campus.

Students should be aware that federal law dictates that any conviction in a court of law regarding controlled substances, including marijuana, may lead to a loss of financial aid for a set period of time. No student may consume, possess, distribute, manufacture, or sell marijuana and/or marijuana paraphernalia, including medical marijuana.

Guidelines for the Use of Other Drugs

1. Students may not consume or be in possession of any controlled substance or commonly acknowledged drug paraphernalia, as defined above.
 - a. Possession means that such substances are on one's person, in one's living environment, automobile, or known hiding location. If a student is hosting a guest, possession extends to their guests.
 - b. Consumption refers to active use or being under the influence.

2. Students may not sell or distribute, or possess with the intent of distribution or sale, any controlled substance or commonly acknowledged drug paraphernalia.
 - a. Distribution of controlled substance(s) is providing a person with a controlled substance and not accepting or intending to accept money or barter.
 - b. Students may not sell for money or barter any controlled substance.
 - c. Students may not manufacture via purchasing or possessing the materials necessary to make or synthesize illegal drugs for personal use, distribution, or sale.
3. Prescribed drugs may only be in possession of, and consumed by, the individual to whom the medication has been prescribed. It should always be in the prescription container with the prescription label.

Students should be aware that federal law dictates that any conviction in a court of law regarding controlled substances may lead to a loss of financial aid for a set period of time. No student may consume, possess, distribute, manufacture, or sell any drug and/or drug paraphernalia.

Good Samaritan Medical Amnesty

To safeguard students so they receive the help they need without fear of penalty or retribution. Students who seek emergency medical attention for themselves, or for a student whom medical assistance is needed, for consumption of alcohol and/or other drug overdose, will not be charged with alcohol or other drug violations of Daniel's Dictionary, the Drew University code of conduct, providing they:

1. Contact and obtain assistance from Residence Life and Housing Staff, Campus Security Officers, medical professionals and/or local law enforcement;
2. Complete an assessment/evaluation with the Alcohol and Other Drug Counselor, in a timely manner; AND
3. Meet with a member of the Student Conduct and Community Standards staff.

To honor the culture of respect for self and others, this policy is only to those students who activate the assistance and not for those found by University employees. You should always call for assistance if you are, or you see someone, in need. To activate medical assistance, call Campus Security at (973) 408-3379 or 9-1-1.

Additional information about local and state Medical Amnesty laws are available in the Laws section at the end of this policy.

Hosting

According to the Social Host Law of New Jersey, a host accepts a level of responsibility for guest behavior, the amount of alcohol consumed, and any injury that occurs due to drinking. In order to reduce the risk of incidence, common sources, high-proof alcohols (over 100 proof), "jungle juice" and progressive parties are specifically identified. Those stated either encourage excessive drinking or make it difficult for the host to monitor the amounts of alcohol consumed.

Residents holding a function in their living unit where an alcohol violation is taking place are considered hosts. All residents on the roster who are present during the time of the incident will likely be regarded as the host and subjected to disciplinary actions.

The University will sanction those involved with hosting a function and/or providing alcohol, differently from an individual attending the function. The goal is to increase education and awareness of the responsibilities that go along with hosting and living in a community. If a member of a room/suite is found responsible for hosting, then all members of the room/suite may be placed on "Social Host Probation." Those who are documented for and found responsible for hosting a party will have the amount and type of alcohol confiscated considered during adjudication.

On an interim basis, students involved in hosting a function where an alcohol violation has allegedly occurred may be immediately placed on Social Host Probation. Final outcomes, including sanctions, will be determined through the student conduct process. Students should be familiar with the penalties that can happen via a third party and NJ Social Host Law.

Consequences of Violating this Policy

Alcohol Violations

- Level 1 Alcohol Offense
 - Underage possession and consumption of alcohol
 - Open container in any public area of the University
- Level 1 Adjudication - Potential sanctions
 - Warning
 - Attend alcohol education class (in person or online); the course fee must be paid directly by the student to the course provider
 - Educational activity or service to the Drew community
- Level 2 Alcohol Offense
 - Repeat of a Level 1 offense
 - Engaging in high-risk alcohol behavior
 - Hosting underage consumption of alcohol
 - Possession of common sources of alcohol
- Level 2 Adjudication - Potential sanctions
 - Warning or disciplinary probation
 - Alcohol assessment and compliance with subsequent recommendations
 - Educational activity or service to the Drew community
 - Parental/guardian notification via copy of sanctioning letter or phone call
 - Social host probation
- Level 3 Alcohol Offense
 - Repeat of Level 2 offense
 - Serving alcohol to minors
 - Selling alcohol on campus
- Level 3 Adjudication - Potential sanctions
 - Disciplinary probation, suspensions, or expulsion from housing
 - Suspension or expulsion from the University
 - Housing relocation
 - Restriction of some campus events

- Referral to off-campus substance abuse assessment and compliance with subsequent recommendations
- Completion of an online education course or an alcohol and drug assessment
- Educational activity or service to the Drew community
- Parental/guardian notification via copy of sanctioning letter or phone call
- Social host probation

Marijuana Violations

- Level 1: Possession and Consumption
 - Possession of plant material not exceeding one (1) ounce or 28 grams
 - Consumption of marijuana
- Level 1 Adjudication: Possession and Consumption - Potential Sanctions
 - Warning
 - Completion of an online marijuana education course
 - Educational activity or service to the Drew Community
- Level 2 Possession and Consumption
 - Repeat of Level 1 offense
 - Possession of marijuana concentrate not exceeding seven (7) grams
- Level 2 Adjudication: Possession and Consumption - Potential Sanctions
 - Warning or disciplinary probation
 - Referral for substance abuse assessment
 - Educational activity or service to the Drew community
 - Parental/guardian notification via a copy of sanctioning letter or phone call
- Level 3: Possession and Consumption
 - Repeat of Level 2 offense
 - Possession of quantities of plant material greater than one (1) ounce or seven (7) grams of concentrate
- Level 3 Adjudication: Possession and Consumption
 - Disciplinary probation
 - Referral to off-campus substance abuse assessment and compliance with subsequent recommendations
 - Educational service to the Drew community
 - Parental/guardian notification via copy of sanctioning letter or phone call
 - Potential referral for prosecution
- Level 4: Possession and Consumption
 - Repeat of Level 3 offense
- Level 4 Adjudication: Possession and Consumption
 - Suspension or expulsion from housing
 - Suspension or expulsion from the University
 - Referral to off-campus substance abuse assessment and compliance with subsequent recommendations
 - Educational activity or service to the Drew community
 - Parental/guardian notification via copy of sanctioning letter or phone call
 - Potential referral for prosecution

- Level 1: Distribution or Intent to Distribute
 - Engaging in distribution or attempting to distribute marijuana
- Level 1 Adjudication: Distribution or Intent to Distribute
 - Suspension from the University for a specified period of time
 - Suspension or expulsion from housing
 - Residence hall restriction
- Level 2: Distribution or Intent to Distribute
 - Repeat of Level 1 offense
- Level 2 Adjudication: Distribution or Intent to Distribute
 - Expulsion from the University
 - Potential referral to prosecution

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- Level 1: Sale or Manufacturing or Intent to Sell or Manufacture
 - The attempted sale, the sale, or the manufacture of marijuana
 - Level 1 Adjudication: Sale or Manufacturing or Intent to Sell or Manufacture
 - Expulsion from the University
 - Potential referral to prosecution

Other Drug Violations

- Level 1: Possession and Consumption
 - Possession or consumption of drug or drug paraphernalia
- Level 1 Adjudication: Possession and Consumption - Potential Sanctions
 - Disciplinary probation
 - Residence hall restriction
 - Educational activity or service to the Drew community
 - Required substance abuse assessment and compliance with recommendations or completion of a online course
 - Parental/guardian notification via copy of sanctioning letter or phone call
- Level 2: Possession and Consumption
 - Repeat of Level 1 offense
- Level 2 Adjudication: Possession and Consumption - Potential Sanctions
 - Suspension from residence halls for a specified period of time
 - Residence hall restriction
 - Probation effective for the remainder of time enrolled at Drew
 - Required substance abuse assessment and compliance with recommendation
 - Educational activity or service to the Drew community
 - Parental/guardian notification via copy of sanctioning letter or phone call
- Level 3: Possession and Consumption
 - Repeat of Level 2 offense
- Level 3 Adjudication: Possession and Consumption
 - Suspension or expulsion from the University
 - Suspension or expulsion from housing
 - Potential referral for prosecution

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- Level 1: Distribution or Intent to Distribute

- Engaging in distribution or attempting to distribute drugs other than marijuana
- Level 1 Adjudication: Distribution or Intent to Distribute
 - Suspension from the University for a specified period of time
 - Suspension or expulsion from housing
 - Residence hall restriction
- Level 2: Distribution or Intent to Distribute
 - Repeat of Level 1 offense
- Level 2 Adjudication: Distribution or Intent to Distribute
 - Expulsion from the University
 - Potential referral to prosecution

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- Level 1: Sale or Manufacturing or Intent to Sell or Manufacture
 - The attempted sale, the sale, or the manufacture of any drug other than marijuana
 - Level 1 Adjudication: Sale or Manufacturing or Intent to Sell or Manufacture
 - Expulsion from the University
 - Potential referral to prosecution

VII. Related Information

Alcohol and Other Drug Counselor

In view of the University's commitment to educate and support the growth and development of the whole person, full-time NJ Licensed Counselors are available to anyone in the campus community during the academic year. If you or someone you know may have a problem with alcohol and/or drugs, the Counselor provides assessment, education, and individual and group counseling. Referrals off-campus and to local support groups are also available. Call (973) 408-3398 for assistance. Additionally, there are resources available through the state of New Jersey and through a partnership with *UWill* and you can call 24/7 to (833) 646-1526.

Laws

Below are laws and regulations as taken from the corresponding authority. They may be subject to change.

New Jersey

According to New Jersey State law, it is illegal for anyone under the age of 21 to:

1. Purchase, possess, consume, manufacture, or distribute alcoholic beverages
2. Enter places licensed to sell alcoholic beverages with the intent to purchase, have served or delivered to them, alcoholic beverages
3. Misrepresent their age or the age of anyone else for the purpose of purchasing alcohol or gaining entrance to a place that sells or serves alcohol. It is also illegal for anyone to purchase, manufacture, or distribute alcohol to a person who is under 21 years of age. In

addition to criminal sanctions for violations of State law, there is potential civil liability for serving minors or serving a person who is already intoxicated.

Borough of Madison

Madison Borough Code § 233-1: ordinance on alcoholic beverages, possession, and consumption by Minors on Private Property (This Ordinance was passed in 2013 and can be found in the Borough Code as [Borough Code § 233-1.](#))

Possession or consumption by persons under legal age on private property is prohibited. Below is a listing of all violations and penalties under the Code:

- Any person under the legal age to purchase alcoholic beverages who knowingly possesses, without legal authority, or who knowingly consumes any alcoholic beverage on private property shall be subject, upon conviction, to a fine of \$250 for the first offense and \$350 for any subsequent offense.
- The Municipal Judge may, in addition to any other sentence imposed for the offense, suspend or postpone, for up to six months, the driving privilege of the defendant. Upon the conviction of any person under this section, Chapter 233, the Municipal Judge shall forward a report to the Division of Motor Vehicles (the "Division") stating the first and last day of the suspension or postponement period imposed by the Municipal Judge pursuant to this section, Chapter 233. If a person is less than 17 years of age at the time of the imposition of a sentence, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years.
- If a person, at the time of the imposition of a sentence, has a valid New Jersey driver's license, the Municipal Judge shall immediately collect the license and forward it to the Division, along with the report. If for any reason the license cannot be collected, the Municipal Judge shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the Municipal Judge.
- The Municipal Judge shall inform the person orally and in writing that, if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge, in writing, the receipt of written notice shall not be a defense to a subsequent charge of violation of N.J.S.A. 39:3-40.
- If the person convicted under this section, Chapter 233, is not a New Jersey resident, the Municipal Judge shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit the required report to the Division. The Municipal Judge shall not collect the license of a nonresident convicted under this section, Chapter 233. Upon receipt of a report from the Municipal Judge, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

- The Municipal Judge shall have the discretion to waive the penalty provisions of Subsections A, B and C above if the defendant is enrolled in an educational institution that has imposed administrative sanctions and penalties against the defendant for the offense(s). [Added 5-29-2013 by Ord. No. 16-2013]

Exceptions:

- Religious observance, presence of a parent or guardian. Nothing in Chapter 233 shall prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite, or consuming or possessing an alcoholic beverage in the presence of, and with the permission of, a parent, guardian or relative who has attained the legal age to purchase or consume alcoholic beverages. As used in this section, Chapter 233, "guardian" means a person who has qualified as a guardian of the underage person pursuant to testamentary court appointment, or other applicable laws, as determined by the Municipal Judge, and "relative" means an underage person's grandparent, aunt, uncle, sibling, or any other person related by blood or affinity.
- Performance of employment. Nothing in Chapter 233 shall prohibit possession of alcoholic beverages by any person while engaged in the performance of employment pursuant to an employment permit issued by the Director of the Division of the Alcoholic Beverage Commission, or for a bona fide hotel or restaurant, in accordance with the provisions of N.J.S.A. 33:1-26, or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or postsecondary educational institution; however, nothing in Chapter 233 shall be construed to preclude the imposition of a penalty under these subsections, N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.
- An underage person and one or two other persons, if applicable, shall be immune from prosecution under this chapter prohibiting any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property if: [Added 5-29-2013 by Ord. No. 16-2013]
 - One of the underage persons called 9-1-1 and reported that another underage person was in need of medical assistance due to alcohol consumption;
 - The underage person who called 9-1-1 and, if applicable, one or two other persons acting in concert with the underage person who called 9-1-1, provided each of their names to the 9-1-1 operator;
 - The underage person was the first person to make the 9-1-1 report; and
 - The underage person and, if applicable, one or two other persons acting in concert with the underage person who made the 9-1-1 call, remained on the scene with the person under the legal age in need of medical assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene.
- The underage person who received medical assistance as provided in Subsection F(3) of this section shall also be immune from prosecution under this chapter prohibiting the possession or consumption of an alcoholic beverage on private property. [Added 5-29-2013 by Ord. No. 16-2013]

Controlled Substances

Being aware of local, state, and federal laws regarding controlled substance use and possession is very important. The consequences of drug possession, use, and distribution vary depending on the type of drug. Federal law prohibits the possession, use, or distribution of illicit drugs. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses.

Federal Laws

The following information, although not complete, provides an overview of federal penalties.

Denial of Federal Benefits (21 USC 862)

A federal drug conviction may result in the loss of federal benefits including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in the denial of federal benefits for up to five years for a first conviction, 10 years for a second conviction, and a permanent denial of benefits for a third conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

Federal Drug Trafficking Penalties (21 USC 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled dangerous substance that has been illegally distributed, the person convicted on federal drug charges of distributing the substances faces a mandatory life sentence and fines ranging up to \$8 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a school (21USC 845a) face penalties of prison terms and fines that are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

New Jersey Laws

The following information, although not complete, provides an overview of New Jersey State laws and/or penalties.

The New Jersey Comprehensive Drug Reform Act (N.J.S. 2C: 35-1 et seq)

The NJCDRA created new offenses, increased penalties for some existing offenses to “ensure the imposition of stern, consistent punishment for all drug offenders,” and transferred all drug offenses into the Code of Criminal Justice.

Drug-Free School Zone (NJ Statute 2C: 35-1.1)

Drew University is within 1,000 feet of an elementary school and a nursery school and, therefore, is within a drug-free school zone as defined by New Jersey law. This means that any person who distributes, dispenses, or possesses with intent to distribute a controlled dangerous substance anywhere at Drew is subject to arrest, time in jail, and a fine up to \$150,000 depending upon the amount of substance possessed. During part of this term of imprisonment, there is no eligibility for parole.

The following Information, although not complete, outlines the potential penalties for a conviction:

- Simple possession, use, or being under the influence of:
 - Marijuana: 0-18 months in jail; a fine of \$500 to \$15,000; and a mandatory loss of driver's license for 6 months to 2 years.
 - Cocaine/Crack: 3-5 years in jail; a fine of \$1,000 to \$25,000; and a mandatory loss of driver's license for 6 months to 2 years.
 - Amphetamine ("Speed"): 3-5 years in jail, a fine of \$1,000 to \$25,000; and a mandatory loss of driver's license for 6 months to 2 years.
 - Psilocybin ("Shrooms") and LSD: 3-5 years in jail; a fine of \$1,000 to \$25,000; and a mandatory loss of driver's license for 6 months to 2 years.
- Possession of:
 - MDMA/Ecstasy: .50 oz. or less: maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; and a mandatory loss of driver's license for 6 months to 2 years.
 - MDMA/Ecstasy: .50 oz. to 5.0 oz.: maximum fine \$150,000; maximum prison sentence of 10 years in jail, 5 years without parole; and a mandatory loss of driver's license for 6 months to 2 years.
 - MDMA/Ecstasy: 5.0 oz. or more: maximum fine \$250,000; maximum prison sentence of 20 years in jail, 10 years without parole; and a mandatory loss of driver's license for 6 months to 2 years.
- Use or possession with the intent to distribute:
 - Marijuana: 0-10 years in jail; a fine of \$750 to \$100,000; and a mandatory loss of driver's license for 6 months to 2 years.
 - Cocaine: 3-20 years in jail (with a 3-5 year mandatory sentence with no parole if the amount exceeds 5oz.); a fine of \$1,000 to \$300,000; and a mandatory loss of driver's license for 6 months to 2 years.
 - Amphetamine ("Speed"): 3-10 years in jail; a fine of \$1,000 to \$100,000; and a mandatory loss of driver's license for 6 months to 2 years.
 - Psilocybin ("Shrooms") and LSD: 3-5 years in jail; a fine of \$2,000 to \$300,000; and a mandatory loss of driver's license from 6 months to 2 years.
- Possession or distribution:
 - Ketamine: maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; mandatory loss of driver's license for 6 months to 2 years.
 - Rohypnol (Flunitrazepam): maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; mandatory loss of driver's license for 6 months to 2 years.
 - GHB (Gamma Hydroxybutyrate) and GBL (Gamma Butyrolactone): maximum fine \$100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; revocation of driver's license for a maximum of 6 months; mandatory loss of driver's license for 6 months to 2 years.

In addition to the foregoing fines, every defendant who is convicted of any drug offense or who goes into a drug diversionary program must pay a mandatory penalty ranging from \$500 to \$3,000 and a mandatory \$50 laboratory fee. The Act provides that any person, 18 years or older, who uses, solicits, or directs a juvenile (17 years or younger) to manufacture or distribute drugs, is guilty of a second degree crime and is subject to imprisonment for 5-10 years and a fine up to \$300,000.

- Use or possession of drug paraphernalia:
 - Up to 6 months in jail; mandatory fine of \$500 to \$1,000; and a mandatory loss of license for 6 months to 2 years.
 - It is unlawful for any person to deliver drug paraphernalia to a person under 18 years of age.

Borough of Madison Map of Drug Free School Zones

As shown below, the entirety of Drew's campus is defined by the Borough of Madison as a *Drug-Free School zone*.



Signs and Symptoms of Problematic Drinking

- Increase in alcohol tolerance
- Urgency to have the first drink
- Drinking because you are angry, upset, or stressed
- Your personality is altered when drinking
- Drinking the night before has caused you to miss or to be late for class
- You sometimes have a drink to help you sleep
- When you drink, you wind up drunk
- You promise yourself you will cut down or stop, but that only lasts a short time, if at all
- Someone has expressed concern over your drinking
- It is difficult to stop after one or two drinks
- The day after drinking you have trouble remembering parts of the night (blackouts)
- You regret things you have said or done while drinking
- Even after others have stopped, you want to continue drinking
- You get irritated when anyone talks about your drinking
- At times, grades have suffered because of drinking
- A significant part of the day is spent getting, using, or recovering from the effects of alcohol

Signs and Symptoms of Problematic Drug Use

- Loss of appetite, increase in appetite, changes in eating habits, unexplained weight loss or gain
- Slowed or staggering walk; poor physical coordination
- Red, watery eyes; pupils larger or smaller than usual; blank stare
- Puffy face, blushing, or paleness
- Smell of substance on breath, body, or clothes
- Extreme hyperactivity; excessive talkativeness
- Runny nose, hacking cough
- Excessive sweating
- Tremors or shakes of hands, feet, or head
- Change in overall attitude/personality
- Change in activities or hobbies
- Drop in grades, skipping class
- Difficulty paying attention; forgetfulness
- General lack of motivation, energy, self-esteem; “I don’t care” attitude
- Moodiness, irritability, or nervousness
- Paranoia
- Secretive or suspicious behavior
- Change in personal grooming habits
- Change in peer group or isolation from others

Crime Statistics

The Dean of Student Life Office and the Department of Campus Security are responsible for collecting and reporting annual crime statistics. They do so by collecting information from campus incident report systems and through outreach to local police departments and campus security authorities as defined by Clery. The crime statistics herein are submitted to the United States Department of Education on an annual basis and are based upon the calendar year, January 1 through December 31.

The following statistics present the past three years of data for Drew University. It is important to note that with the onset of COVID-19 in 2020, Drew University entered a virtual state around March 16, 2020. At that time, students began to leave campus, and Drew University operated with a minimum number of students on campus. Therefore, in 2020 and 2021, the University saw lower reports in the Clery defined geographical area.

Definitions of Reportable Crimes in the Campus Security Act

Below are definitions as required by the Campus Security Act. These may differ from University policy definitions, yet should assist the reader in understanding the chart categories below. Clery defines Items referred to disciplinary actions as, “the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.”

Clery defines unfounded crimes as, “A reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.”

Criminal Offenses, including Hate Crimes

- **Murder and nonnegligent manslaughter:** The willful (nonnegligent) killing of one human being by another.
- **Negligent manslaughter:** The killing of another person through gross negligence.
- **Sexual assault:** An offense that meets the definition of any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, rape or attempted rape. It includes sexual acts against people who are unable to consent due to age or because they are incapable of giving consent.
- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
- **Motor vehicle theft:** The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, including joyriding.
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

VAWA Offenses

- **Domestic violence:** A felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.

Arrests & Disciplinary Actions

- **Weapon law violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using,

manufacturing, etc, of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

- **Drug abuse violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Liquor law violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

Offense definitions relating to hate/bias-related crime (as per the Unified Crime Reporting [UCR] Hate Crime Reporting Guidelines)

A hate crime is defined by Clery as, “a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of Clery, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.”

In addition to the offenses mentioned above, there are four additional criminal offenses related to hate crimes. They are: simple assault, larceny/theft, intimidation, and destruction/damage/vandalism of property.

- **Simple assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Larceny - theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/damage/vandalism of property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Criminal Offenses

Offenses (reported by hierarchy)	Year	On-Campus	Non-Campus	Public Property	On-Campus Residential Facility	Total
Murder/Non-Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Sex Offenses: Rape	2021	5	0	0	5	5
	2022	5	0	0	5	5
	2023	1	0	0	1	1
Sex Offenses: Fondling	2021	0	0	0	0	0
	2022	2	1	0	1	3
	2023	4	0	0	2	4
Sex Offenses: Statutory Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Sex Offenses: Incest	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	1	0	0	1	1
Burglary	2021	0	0	0	0	0
	2022	2	0	0	1	2
	2023	0	0	0	0	0

Offenses (reported by hierarchy)	Year	On-Campus	Non-Campus	Public Property	On-Campus Residential Facility	Total
Motor Vehicle Theft	2021	0	0	0	0	0
	2022	4	0	0	0	4
	2023	0	0	0	0	0
Arson	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Simple Assault	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Larceny - Theft	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Intimidation	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Destruction/damage/vandalism of property	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0

Notes:

Note 1: The Clery definition for Hate Crimes is, “A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of Clery, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.” While there were no hate crimes reported for 2021, 2022 or 2023, the University did respond to 19 reported violations of the Bias and Harassment Policy.

Note 2: In 2022, the motor vehicle theft was related to joyriding involving multiple university golf carts.

Note 3: There were no unfounded crimes in the reporting years.

Note 4: The aggravated assault incident in 2023 was a roommate conflict where a box cutter was used as a weapon.

VAWA Offenses

Offenses (Crimes not reported by hierarchy)	Year	On-Campus	Non-Campus	Public Property	On-Campus Residential Facility	Total
Domestic Violence	2021	2	0	0	1	2
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Dating Violence	2021	2	0	0	2	2
	2022	2	0	0	2	2
	2023	3	0	0	2	3
Stalking	2021	1	0	0	1	1
	2022	2	0	0	2	3
	2023	7	0	0	5	7

Arrests - On-Campus

Offenses (reported by hierarchy)	Year	On-Campus	Non-Campus	Public Property	On-Campus Residential Facility	Total
Weapons Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Drug Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Liquor Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0

Disciplinary Actions - On-Campus

Offenses (reported by hierarchy)	Year	On-Campus	Non-Campus	Public Property	On-Campus Residential Facility	Total
Weapons Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	1	0	0	1	1
	2023	3	0	0	3	3
Drug Law Violations Referred for Disciplinary Action	2021	23	0	0	22	23
	2022	39	0	0	29	39
	2023	11	0	0	11	11
Liquor Law Violations Referred for Disciplinary Action	2021	56	0	0	56	56
	2022	76	0	0	73	76
	2023	48	0	0	45	48

Notes:

Note 1: The weapons law violation in 2022 involved a student wearing a knife on a belt.

Note 2: The weapons law violations in 2023 all involved the knives or box cutters, in a residential room.

Fire Report

Campus Fire Safety Right to Know Act

This 2008 law requires institutions of higher education to publicly report fire safety information and statistics. Drew's report, including fire statistics on campus residences and evacuation procedures, is available at the Department of Campus Security. Fire is defined to mean any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Smoke detectors, heat sensors, carbon monoxide sensors, sprinklers and fire extinguishers have been strategically placed in all residence halls to protect life and property. Drew's alarm system is monitored 24 hours a day. In response to an alarm, Campus Security personnel will be dispatched and attempt to respond immediately to any alarm condition. Drew values your privacy as well as your safety. Every attempt will be made to turn off the alarms as soon as it has been ascertained that no danger exists. The Madison Fire Department and/or other available local resources will respond to all alarms within residence halls and are contacted by Drew Campus Security and/or the Central Station Fire Safety Company upon verification of an emergency.

Vandalizing the alarm system, covering smoke detectors or sprinklers, disabling fire sensors, or illegally discharging fire extinguishers are serious offenses. Every effort will be made to identify persons who compromise Campus Security through such acts. Offenders will be referred to the Dean of Student Life, or designee, for appropriate disciplinary action and/or to local law enforcement.

In compliance with regulations, the Department of Campus Security and the Office of Residence Life conduct fire drills. Drew works with outside vendors to maintain our fire alarm and fire extinguishing systems and hydrants.

Student Housing Fire Systems

Drew University is required to provide a description of the fire systems in each of the student housing facilities on campus. The list of each building is found below along with the number of fire drills performed during the prior calendar year. Drills are those alarms requiring evacuation that were planned, supervised, and evaluated to ensure compliance.

Plans for Future Fire Safety Improvements

Systems are fully operational and there are no plans for future fire safety improvements. Ongoing maintenance and updates are standard and in compliance with local, state, and federal mandates.

Prohibited Items in Campus Housing

For a list of items and activities that are prohibited under the student conduct code, please refer to the List of Prohibited Items/Residence Halls in Daniel's Dictionary.

Reporting Fires

Reports of fires and fire emergencies should be made to Drew Campus Security and to the Madison Fire Department by calling 9-1-1 as soon as possible.

Fire Alarm Evacuation Policy

Fire alarms signal a significant threat to health and safety, and Drew expects all individuals, including students, faculty, and staff, to immediately evacuate buildings when a fire alarm is sounding. Failure to leave the building during a fire alarm constitutes disregarding a University directive and may result in disciplinary action.

When an alarm is activated, you must act as if it is a real alarm. You should not and cannot assume that, in any given instance, the sounding of an alarm is a drill or a false alarm. Keep calm and move safely to the nearest exit. You should wait outside the building at a safe distance, in order to allow emergency personnel and equipment to respond appropriately and safely to any incident, and you should not re-enter it until an all clear is sounded, and you are given permission.

The procedure for fire evacuations is as follows:

- Occupants are instructed to learn the locations of all fire exits in their building and to utilize the closest safe fire exit when the alarm sounds.
- If an occupant detects evidence of a fire and the alarm has not yet activated, they should activate an alarm pull station and evacuate from the building.
- Occupants must evacuate the building immediately upon an activation of the fire alarm. Under normal conditions they are expected to exit the facility within 3 minutes.
- If possible, evacuees should dress for the weather and take their room key.
- Occupants should feel their room door prior to opening the door. If the door is hot they should not open the door. Instead, they should shelter-in-place or find an alternate exit from their room.
- When exiting their room, if smoke is present, occupants should crawl low under the smoke to the closest safe fire exit. If the hallway is smoke-filled and they cannot safely reach the fire exit, they should take shelter in their room.
- Evacuees should use stairways, not elevators, when evacuating.
- On the way to the closest safe fire exit, if possible, warn neighbors of the need to evacuate by knocking on their room doors.
- Evacuees should gather at the designated assembly point for their building.
- Do not re-enter the building until instructed by Drew or Madison officials.
- People who cannot use the stairs to evacuate due to a mobility impairment or other disability should take shelter in a fire stairwell, communicate their location to 9-1-1 (or ask a passerby to notify emergency responders of their location), and await assistance.
- If forced to shelter-in-place in a residence hall room during a fire, occupants should block openings around their door with wet towels to help prevent smoke from entering the room, call 9-1-1 and report their location, signal rescue personnel by hanging a white sheet or towel out the window, and breathe through a wet cloth over their face while awaiting assistance.

If you observe suspicious behavior or criminal conduct, you should report that activity to Drew Campus Security. Residence halls are typically occupied 24 hours a day, and residents are instructed to follow the procedures identified in fire drills and the instructions of Campus Security personnel and first responders on the scene.

Fire Safety Training

Fire safety training includes graphic video depictions of common sources of fire and the aftermath in residence rooms, as well as the appropriate prevention steps to prevent fires in housing. Additionally, campus regulations concerning prohibited items, smoking, cooking, fire alarms, and evacuations are explained. All incoming College of Liberal Arts (CLA) students are required to attend fire training during New Student Orientation. Resident Life Staff are trained annually in conjunction with Drew Campus Security, Madison Fire Department, and local fire resources. Training for Graduate and Theological students takes place by residence hall. Fire safety equipment and availability are likewise explained and also posted in Daniel's Dictionary, the student handbook.

2023 Fire Safety Systems and Drills in Residential Facilities

Facility*	Fire Alarm Monitoring On Site	Fire Alarm Monitoring Remote	Full Sprinkler System	Smoke Detection	Carbon Monoxide Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Number of Evacuation Drills in the 2023 Calendar Year
Asbury Hall	X	X	X	X	X	X	X	2
Baldwin Hall	X	X	X	X	X	X	X	2
Brown Hall	X	X	X	X	X	X	X	2
Eberhart Hall	X	X	X	X	X	X	X	2
Foster Hall	X	X	X	X	X	X	X	2
Hoyt – Bowne Hall	X	X	X	X	X	X	X	2
Holloway Hall	X	X	X	X	X	X	X	2
Haselton Hall	X	X	X	X	X	X	X	2
McLendon Hall	X	X	X	X	X	X	X	2
McClintock Hall	X	X	X	X	X	X	X	2
Riker Hall	X	X	X	X	X	X	X	2
Tipple Hall	X	X	X	X	X	X	X	2
Tolley Hall	X	X	X	X	X	X	X	2
Town Houses	X	X	X	X	X	X	X	2
Welch Hall	X	X	X	X	X	X	X	2
Wendel Hall	X	X	X	X	X	X	X	2

* All facilities are located at 36 Madison Avenue, Madison NJ

Drew Fire Statistics

Fire Statistics For 2023						
Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Asbury Hall	0	0	N/A	N/A	N/A	N/A
Baldwin Hall	0	0	N/A	N/A	N/A	N/A
Brown Hall	0	0	N/A	N/A	N/A	N/A
Eberhart Hall	0	0	N/A	N/A	N/A	N/A
Foster Hall	0	0	N/A	N/A	N/A	N/A
Hoyt – Bowne Hall	0	0	N/A	N/A	N/A	N/A
Holloway Hall	0	0	N/A	N/A	N/A	N/A
Haselton Hall	0	0	N/A	N/A	N/A	N/A
McLendon Hall	0	0	N/A	N/A	N/A	N/A
McClintock Hall	0	0	N/A	N/A	N/A	N/A
Riker Hall	0	0	N/A	N/A	N/A	N/A
Tipple Hall	0	0	N/A	N/A	N/A	N/A
Tolley Hall	0	0	N/A	N/A	N/A	N/A
Town Houses	0	0	N/A	N/A	N/A	N/A
Welch Hall	0	0	N/A	N/A	N/A	N/A
Wendel Hall	0	0	N/A	N/A	N/A	N/A

* All facilities are located at 36 Madison Avenue, Madison NJ

Fire Statistics For 2022						
Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Asbury Hall	0	0	N/A	N/A	N/A	N/A
Baldwin Hall	0	0	N/A	N/A	N/A	N/A
Brown Hall	0	0	N/A	N/A	N/A	N/A
Eberhart Hall	0	0	N/A	N/A	N/A	N/A
Foster Hall	0	0	N/A	N/A	N/A	N/A
Hoyt – Bowne Hall	0	0	N/A	N/A	N/A	N/A
Holloway Hall	0	0	N/A	N/A	N/A	N/A
Haselton Hall	0	0	N/A	N/A	N/A	N/A
McLendon Hall	0	0	N/A	N/A	N/A	N/A
McClintock Hall	0	0	N/A	N/A	N/A	N/A
Riker Hall	0	0	N/A	N/A	N/A	N/A
Tipple Hall	0	0	N/A	N/A	N/A	N/A
Tolley Hall	0	0	N/A	N/A	N/A	N/A
Town Houses	0	0	N/A	N/A	N/A	N/A
Welch Hall	0	0	N/A	N/A	N/A	N/A
Wendel Hall	0	0	N/A	N/A	N/A	N/A

* All facilities are located at 36 Madison Avenue, Madison NJ

Fire Statistics For 2021						
Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Asbury Hall	0	0	N/A	N/A	N/A	N/A
Baldwin Hall	0	0	N/A	N/A	N/A	N/A
Brown Hall	0	0	N/A	N/A	N/A	N/A
Eberhart Hall	0	0	N/A	N/A	N/A	N/A
Foster Hall	0	0	N/A	N/A	N/A	N/A
Hoyt – Bowne Hall	0	0	N/A	N/A	N/A	N/A
Holloway Hall	0	0	N/A	N/A	N/A	N/A
Haselton Hall	0	0	N/A	N/A	N/A	N/A
McLendon Hall	0	0	N/A	N/A	N/A	N/A
McClintock Hall	0	0	N/A	N/A	N/A	N/A
Riker Hall	0	0	N/A	N/A	N/A	N/A
Tipple Hall	0	0	N/A	N/A	N/A	N/A
Tolley Hall	0	0	N/A	N/A	N/A	N/A
Town Houses	0	0	N/A	N/A	N/A	N/A
Welch Hall	0	0	N/A	N/A	N/A	N/A
Wendel Hall	0	0	N/A	N/A	N/A	N/A

* All facilities are located at 36 Madison Avenue, Madison NJ