**SEXUAL ASSAULT/SEXUAL VIOLENCE INFORMATION AND PROCEDURES**

WCCC is committed to ending all forms of interpersonal violence. This policy covers the topics of sexual assault, domestic violence, dating violence, and stalking in accordance with the Violence Against Women Act of 2013. **Sexual assault, domestic violence, dating violence, and stalking are crimes and can be reported to the police, by calling the WCCC Security Department at 908-835-2455 or 911.**

Title IX of the Educational Amendments of 1972 prohibits discrimination based on sex. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by this federal law. The WCCC Anti-Harassment Policy (Policy 201.1) prohibits sexual harassment or sexual violence and provides reporting procedures. WCCC offers support to victims of interpersonal violence, including assisting victims in accessing resources on and off campus.

When incidents of sexual harassment and/or sexual violence, domestic violence, stalking, and dating violence, occur and are reported to campus security authorities, WCCC will take immediate and effective steps to end sexual harassment and sexual violence, including but not limited to contacting the police. In addition, retaliation against individuals who report sexual harassment and/or sexual violence and/or who participate in college conduct hearings will not be tolerated and will be addressed through the College’s judicial process. Retaliation includes, but is not limited to: intimidation, threats, coercion, and/or discrimination perpetrated directly, indirectly, and/or through third parties, which involves any type of media, social media, texting, emails, and/or other electronic communications, etc.

Questions about WCCC’s Anti-Harassment Policy and Title IX procedures can be directed to the Director of Human Resources Director/Title IX Coordinator at [hintz@warren.edu](mailto:hintz@warren.edu), at extension 908 835-2356 or in Room 125 on the Washington campus.

**Definitions of Domestic Violence, Dating Violence, Stalking and consent**

**Domestic Violence** – Domestic violence pursuant to New Jersey statutes is defined as one or more offenses, such as physical harm, bodily injury, assault or the infliction of fear of imminent physical harm, bodily injury or assault or the infliction of fear of imminent physical harm, bodily injury or assault between family members, household members, residents sharing living space or dating relationships. When notified, the College will comply with any protective or restraining orders or other court orders.

The following are a list of criminal offenses included in New Jersey’s Domestic Violence Act

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| Homicide N.J.S.A. 2C:11-1  Assault N.J.S.A. 2C:12-1  Terroristic threats N.J.S.A. 2C:12-3  Kidnapping N.J.S.A. 2C:13-1  Criminal restraint N.J.S.A. 2C:13-2  False imprisonment N.J.S.A. 2C:13-3  Sexual assault N.J.S.A. 2C:14-2 | Criminal sexual contact. N.J.S.A. 2C:14-3  Lewdness N.J.S.A. 2C:14-4  Criminal mischief. N.J.S.A. 2C:17-3  Burglary N.J.S.A. 2C:18-2  Criminal trespass N.J.S.A. 2C:18-3  Harassment N.J.S.A. 2C:33-4  Stalking N.J.S.A. 2C:12-10 |

Complete definitions of the above can be complex. No one outside of official law enforcement and/or the prosecutor’s office is trained to make a determination of applicability. Therefore, WCCC Policy compels all College administrators, faculty, staff, and employees to report any perceived or alleged incidents directly to the Director of Human Resources Director/Title IX Coordinator at [hintz@warren.edu](mailto:hintz@warren.edu), at extension 908 835-2356 and/or Campus Security; who will work in conjunction with the Director of Safety and Security, to lead an investigation to determine the appropriate action.

**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 where the relationship is determined by consideration of length of relationship, type of relationship, and frequency of interaction.

**Stalking** – Course of conduct directed at a specific person that would cause a reasonable person to fear for safety of self or others or suffer substantial emotional distress. Stalking behaviors are sometimes characterized as persistent and frequent unwanted in-person contact, surveillance, and unwanted telephone or other electronic contact.

**Consent** – Voluntary, positive agreement between the participants to engage in specific sexual activity.

**Victims** often have difficulty reporting sexual violence for numerous reasons such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, and/or fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents to the appropriate College authorities.

All College administrators, faculty, staff, and employees are compelled to report any alleged incidents to the Director of Human Resources Director/Title IX Coordinator at [hintz@warren.edu](mailto:hintz@warren.edu), at extension 908 835-2356 or in Room 125 on the Washington campus. In the case of an immediate emergency, contact Campus Security at (908) 835-2455.

**General INFORMATIONAL Guidelines for Victims of Sexual Violence**

The following information provides guidelines to follow should sexual violence occur.

* Get to a safe place as soon as possible.
* Try to preserve all physical evidence – The victim should not shower, bathe, or wash any part of your body. Do not use the toilet or douche. Do not change clothing, brush your teeth or gargle, or comb your hair.
* Seek medical attention. If you were sexually assaulted, your healthcare provider can provide additional guidance to assist you. You also can have evidence collected at a hospital emergency department. Evidence collection should occur as soon as possible.
* The victim can request an advocate to assist him/her. An advocate will provide information about resources and options for reporting the crime, seeking medical care, counseling, and other services. Advocacy Services are free and confidential and are available 24 hours a day, 7 days a week. Advocates are available through the **Domestic Abuse & Sexual Assault Crisis Center of Warren County at 908-453-4121 or 866-6BE-SAFE [623-7233]**.
* Contact the police – Sexual assault, domestic violence, dating violence, and stalking are crimes. It is vital to report it. It is important to remember that reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the County Prosecutor.

**Resources to Assist Victims**

In the case of sexual assault, domestic violence, dating violence or stalking incident(s), a victim should be encouraged to access the following support services:

1. **WCCC Campus Security at 908-835-2455 (Washington) or 908-878-0202 (Phillipsburg):** This office will immediately contact the local police. The local Police will take immediate and appropriate action to investigate any allegation of sexual assault and, if evidence exists, will take appropriate action to end the sexual violence and prevent its recurrence. In cases requiring urgent measures, victims should contact the local police by dialing 9-1-1. Ensure that the victim is in a safe and secure environment, and encourage him/her to preserve all physical evidence. Even if the allegation is deemed not subject to a criminal investigation, the College will initiate its policies and procedures regarding any complaints. Campus Security/Campus Operations and Student Services are available for consultation and/or support with regard to questions concerning procedures and services that are available for sexual assault/violence victims. Campus Security are available to provide escort services to victims who are victims of sexual assault/violence, upon request of the victim.
2. **Medical Attention:** If the alleged abuse or assault occurred within the last seventy-two hours, encourage the victim to seek medical attention at a nearby hospital. Each hospital has the facilities and expertise to conduct medical-legal examinations, even if the victim prefers not to prosecute. This step is important, so that s/he receives proper assessment and treatment of any physical injuries sustained in the assault.
3. **Counseling/Advocacy Services:** The Domestic Abuse & Sexual Assault Crisis Center of Warren County is available to students to provide confidential counseling services at 908-453-4121 or 866-6BE-SAFE [623-7233].

**STUDENT CONDUCT POLICIES AND PROCEDURES**

The crimes of rape, sexual assault, domestic violence, dating violence, and stalking, when perpetrated by students are in violation of this policy and WCCC Standards of Community Conduct (Policy 304.3). The WCCC Standards of Community Conduct applies at all college campuses/locations and may also address off campus student misconduct when a student’s behavior affects a substantial college interest. Violations of college conduct policies are adjudicated in accordance with the Non-Academic Conduct Grievance Policy (Policy 304.6). These policies are contained in the Student Handbook, which can be accessed under “Quicklinks” on the College’s homepage ([www.warren.edu](http://www.warren.edu)).

The Office of Student Services is the primary office responsible for administering the judicial aspects of the WCCC Standards of Community Conduct and related policies. These policies articulate the behavioral standards and the due process employed by the College to respond to allegations of student misconduct. Students who are found responsible for violations may be subject to sanctions ranging from Disciplinary Warning, Disciplinary Probation, up to Suspension or Expulsion from the College.

For additional questions, special needs, or to request a hard copy of the Student Handbook containing the College’s policies and procedures, please contact the Office of Student Services at 908-835-2300.

**REPORTING A CLAIM OF SEXUAL ASSAULT/SEXUAL OR DOMESTIC VIOLENCE/STALKING**

Should a claim of sexual assault be reported to Campus Security, that office will contact and refer the information to local law enforcement as necessary.

Students or members of the community may report a claim or allegation directly to the Director of Human Resources Director/Title IX Coordinator at [hintz@warren.edu](mailto:hintz@warren.edu), at extension 908 835-2356 or in Room 125 on the Washington campus.

Should students or members of the community report a claim of sexual assault/sexual violence to a WCCC employee or contractor, that individual has **an obligation to immediately report the matter to the HR Director**. If the HR Director is not available, the employee or contractor should report the matter to a College Executive or the Director of Safety and Security. That individual will gather the initial information and refer the matter to the HR Director for further investigation.

If there is reason to believe that a student has sexually assaulted another person and the College has sufficient information to file a student conduct referral, action will be taken within the student conduct system, regardless of whether the case is pursued by the victim or under state, criminal, or civil codes.

The HR Director, in conjunction with the Director of Safety and Security, will lead the investigation with other college employees for any violations of sexual assault/sexual violence. These individuals will use appropriate resources to document and investigate the matter.

Once the investigation of a claim is complete, the case will be referred to the Vice President of Student Services for determination of any internal judicial process necessary in the matter. Possible college sanctions for rape, sexual assault, domestic violence, dating violence, and/or stalking include, but are not limited to: suspension, and/or expulsion from the College. Students found in violation of the College’s Sexual Assault/Sexual Violence Policy also may be assigned developmental and educational interventions designed to promote greater awareness, improved decision-making, and to further deter future misconduct.

In instances where there is reasonable cause to believe a student is an immediate threat to the safety of himself/herself or other persons or property or is an immediate threat to disrupt essential campus operations, the College shall implement an Interim Suspension of the student.

All reports of sexual assault/sexual violence will be treated with confidentiality and respect for the privacy of the reporting individual(s). Information concerning student conduct proceedings including the outcome of any student conduct hearing related to violence shall be available to the victim at the same time the information is provided to the alleged perpetrator.

In addition, retaliation against individuals who report sexual harassment and/or sexual violence and/or who participate in college conduct hearings will not be tolerated and will be addressed through the College’s internal judicial process. Retaliation includes, but is not limited to: intimidation, threats, coercion, and/or discrimination perpetrated directly, indirectly, and/or through third parties, which involves any type of media, social media, email, texting, and/or other electronic communications, etc. Issues of retaliation will be investigated by the Director of HR. Issues where there are immediate threats made to a person or persons will be immediately referred to Campus Security and local law enforcement.

Please consult the judicial policies and procedures contained in the College Handbook for further information. This document can be found under the “Quicklink” on the College’s homepage ([www.warren.edu](http://www.warren.edu)). For additional questions, special needs, or to request a hard copy of the Student Handbook containing the College’s policies and procedures, please contact the Office of Student Services at 908-835-2300.

**Rights for Legal Protection**

The rights of victims also include the right to obtain legal protections, including:

* Orders of protection;
* No contact orders; and
* Restraining orders.

Individuals who apply for or obtain a protective or restraining order that lists Warren County Community College campuses or other facilities as protected areas, should provide the Campus Safety Department with a copy of the related petition and declarations and/or the temporary or permanent protective or restraining order.

**Information and Training**

WCCC will offer periodic sexual violence information programs and training for primary and ongoing prevention and awareness to students and employees in compliance with the Violence Against Women Act.

Approved: 06/18/14