



CAMPUS SAFETY, SECURITY AND CODE OF CONDUCT-RELATED POLICIES (NON-ACADEMIC)

TABLE OF CONTENTS

304.1	WCCC STATEMENT OF RIGHTS AND RESPONSIBILITIES	1
304.3	WCCC STANDARDS OF COMMUNITY CONDUCT	1
304.6	NON-ACADEMIC CONDUCT GRIEVANCE	3
304.7	INTIMIDATION & BULLYING	6
305	STUDENT COMPLAINT PROCEDURE	6
308.1	SERVICE AND SUPPORT ANIMALS	8
309	TITLE IX – EDUCATIONAL AMENDMENTS OF 1972	10
309.1	CAMPUS SEXUAL ASSAULT/VICTIM’S BILL OF RIGHTS	13
309.2	SEXUAL ASSAULT/SEXUAL VIOLENCE INFORMATION AND PROCEDURES	14
309.3	DOMESTIC VIOLENCE	19
312	TECHNOLOGY USE POLICY	20
509.	TOBACCO PRODUCTS	26
510.	NON-COLLEGE GROUPS USING COLLEGE FACILITIES.....	26
511.	UNACCOMPANIED CHILDREN POLICY	27
512	SECURITY AND ACCESS TO COLLEGE FACILITIES	27
512.1	USE OF EXTERNAL GROUNDS	28
512.2	PUBLIC ACCESS TO CAMPUS FACILITIES	28

513.	ALCOHOL AND SUBSTANCE ABUSE.....	29
514.	REPORTING CRIMINAL ACTS AND OTHER EMERGENCIES ON CAMPUS ...	36
514.5.	MISSING PERSON POLICY	38
514.6	WEAPONS POLICY.....	40
514.7	EMERGENCY NOTIFICATION SYSTEM	40
514.8	EMERGENCY RESPONSE AND EVACUATION PROCEDURES	42
514.9	PROCEDURES FOR DESIGNATING AND TRAINING CAMPUS SECURITY AUTHORITIES.....	44
515.	EMERGENCY ACTION PLAN	45

304.1 WCCC STATEMENT OF RIGHTS AND RESPONSIBILITIES

The primary responsibility of the College community is to create conditions that provide beneficial educational experiences and an atmosphere of civility for the rights and opinions of individuals or groups as long as such expression does not infringe upon the rights of others. The purpose of the statement is to list the provisions necessary to secure and respect conditions conducive to the freedom to learn.

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304.3 WCCC STANDARDS OF COMMUNITY CONDUCT

The following standards and regulations are designed to protect the rights, privileges and property of all individuals associated with the College. Misconduct in any of these categories is subject to disciplinary action.

- A. Any and all laws of the State of New Jersey, County of Warren, Township of Washington, and Town of Phillipsburg that provide for the protection of persons; for the protection of personal, real or public property, or provide for the regulation of motor vehicles, shall apply and be in effect on College property and such laws shall be properly enforced.
- B. Students who violate the law may incur penalties prescribed by civil authorities, but College authority is never used merely to duplicate the function of general laws. Only where the interest of the College as an academic community is distinctly and clearly involved will the authority of the College be asserted.
- C. The campus locations in Washington and Phillipsburg shall regularly be open and available for use by the public daily, including any designated hours during the weekend.
 - 1. No one will be permitted into any classroom, office, library, building or campus grounds at either location before opening time or after closing time without proper authorization.
 - 2. No unauthorized vehicles will be permitted on the campus of either location after closing.
 - 3. The schedule and regulation shall be in effect unless special conditions shall exist. Notice of the special conditions and scheduled changes shall be given by the President or his designated agent.
- D. Use, possession, manufacture, distribution or sale of illegal or controlled substances (as defined by federal, state and local statutes) on College property or at college sponsored events is prohibited.
- E. Possession, use or distribution of alcoholic and intoxicating beverages on College property is prohibited. Use of such beverages outside of the law at College events on and off campus is prohibited. See the *College Substance Abuse Policy* for greater specificity.
- F. Gambling on College property as defined in the State Criminal Code shall be prohibited and enforced in accordance with state law.
- G. Use, possession or concealment of any firearms, fireworks, explosives, dangerous chemicals or any other material or weapon considered deadly or dangerous on College property is prohibited.
- H. Endangering or infringing upon the personal safety, personal rights or personal property of any member of the campus community is prohibited.

- I. Threatening, intimidating, coercing or using physical force in a manner which causes another member of the campus community to be injured or fearful of physical harm is prohibited, including assault, battery and sexual offenses.
- J. Any form of intimidation or harassment toward any member of the College community is prohibited.
- K. Slandering or libeling another member of the College community is prohibited.
- L. Displaying indecent or obscene conduct (in violation of federal, state and local statutes) to another member of the College community is prohibited.
- M. Willful defacement, destruction or misuse of public and private properties is prohibited.
- N. Theft, larceny or embezzlement of public and private property, including issuance of bad checks is prohibited.
- O. Interfering with regular College operations including, but not limited to, teaching and classroom activities, administration, meetings and public discussions, disciplinary procedures, College activities, and fire, police or emergency services is prohibited.
- P. Dishonesty such as cheating, plagiarism or otherwise intentionally furnishing false information to the College is prohibited.
- Q. Unauthorized use of computers, or computer services and time is prohibited.
- R. Forging, altering or misusing any college document or instrument of identification is prohibited.
- S. Using the College name for soliciting funds or other activities without prior permission is prohibited.
- T. Operating a vehicle in a reckless fashion on College property is prohibited. All traffic or vehicle regulations shall be strictly enforced by the College.
- U. Violating the College standards of conduct while participating as a student at off-campus sites or at events where the student is representing the College or engaging in any behavior or practice that is determined by college faculty, staff or auxiliary staff to be injurious or hazardous to other persons is subject to involuntary withdrawal from the program and disciplinary action.
- V. Failure to comply with direction of College officials when those officials are acting in performance of their duties and are requesting the student behave in accordance with college policies and regulations.
- W. Any type of cyber-harassment, including electronic stalking, bullying, and/or sexual exploitation.
- X. Student organizations are collectively responsible for any action committed by members on behalf of their organization that violate College policy. Disciplinary action against student organizations is separate from actions taken against individuals. Facts of an incident may necessitate action against both a student organization and the individual members of that organization who were found to have violated College policy.
- Y. Obstructing the free flow of pedestrian or vehicular traffic on or adjacent to College premises or at College events is prohibited.
- Z. Students are required to comply with the reasonable and lawful directions of College officials and College security.
- AA. Making, attempting to make, or transmitting an audio or video recording of private, nonpublic conversations and/or meetings on College premises without the knowledge and consent of all participants subject to such recordings. This provision does not extend to the recording of public events or discussions, or to recordings made for law enforcement purposes.
- BB. Violating other published College regulations or policies.

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304.6 NON-ACADEMIC CONDUCT GRIEVANCE

If a grievance is non-academic in nature (all matters that are not related directly and specifically to academic concerns) and cannot be resolved informally between the parties involved, the grievant may request that the Vice President of Student Services take action to resolve the matter. If the complaint is of a sexual, discriminatory or harassment nature, it must be immediately referred to Human Resources. Academic matters must go to the Vice President of Academics.

In developing responsible student conduct, disciplinary proceedings play a substantially secondary role to informal resolution including counseling, guidance and admonition. At the same time, the College has a duty and the corollary disciplinary powers to protect its educational purpose through the setting of standards of scholarship and conduct for its students and through regulation of the use of college facilities. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, procedural safeguards are provided to protect the student from unfair imposition of serious penalty. In all situations, procedural fair play requires that the student be informed of the nature of the charges against him/her and that s/he be given a fair opportunity to refute them.

The Vice President of Student Services has responsibility for non-academic discipline of students enrolled at the College. The Vice President of Student Services is authorized to take disciplinary action when a student violates the *College Standards of Community Conduct*, standards that govern acceptable behavior while present on College-owned facilities and properties or at College-sponsored events.

Any member of the College community who observes a student in such violation is to inform the Vice President of Student Services and submit a written statement. The Vice President of Student Services will initiate an informal investigation of the reported violation, in which case the facts regarding the student's conduct will be reviewed, resolution of the problem determined and a decision rendered. If a student is found to have committed an offense, appropriate disciplinary measures will be imposed by the Vice President of Student Services. The student will be informed in writing of the charges and related evidence, the decision rendered, and the right to a formal hearing before the Student Review Hearing Board.

1. Non-Academic Disciplinary Sanctions

Any of the following measures can be imposed on a student for violation(s) of the *College Standards of Community Conduct*, depending on the severity of the violation. Notices of disciplinary action taken will be filed in the student's records. The notice will be removed when the terms of the sanction are fulfilled, or at the end of the semester following the ruling. In cases where the decision involves separation from the College, the Vice President for Finance and Operations and the President will be notified and the notification will be filed permanently in the student's record.

- a. *Reprimand***
The student will receive verbal and/or written notice of infractions of specified standards of conduct and warning that future misconduct will result in more severe disciplinary actions.
- b. *Restitution***
The student will be held accountable for College property that s/he has damaged or destroyed, removed and not returned.
- c. *Probation***
The student will be subject to a time period of restrictions after which institutional authorities will determine if his/her behavior has improved. During this time, the student will not be permitted to represent the College in any activity or run for or hold any office in a student group or organization. Additional restrictions or conditions may also be imposed. Notification will be sent to appropriate college offices.
- d. *Withdrawal***
The student will be given the opportunity to withdraw from the institution and no entry will be made in his/her official records other than withdrawal. S/he may return to school at the end of the time period as specified in writing.
- e. *Temporary Interim Suspension***
The student will be suspended immediately and temporarily pending hearing. Temporary interim suspension shall become immediately effective without prior notice whenever there is evidence that the continued presence of the student on the College campus poses a substantial threat to him/herself or to others or to the stability and continuance of normal college functions.
- A student suspended on a temporary interim basis shall be given an opportunity to appear personally before the Vice President of Student Services or a designee within five school days from the effective date of the temporary interim suspension. A hearing shall then be held on the following issues only:
- The reliability of the information concerning the student's conduct, including the matter of his/her identity.
 - Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to him/herself or to others or to the stability and continuance of normal college functions.
- f. *Suspension***
The student will be dismissed from the College for a specified period not to exceed one year. Suspension can result in expulsion if terms of the suspension are violated.
- g. *Expulsion***
The student will be permanently dismissed from the College.
- h. *Other Disciplinary Sanctions***

Other sanctions may be imposed instead of /or in addition to a. through e., including work or counseling.

2. Student Review Hearing Procedures for Non-academic Matters

The purpose of the Student Review Hearing Board (Review Board) is to assist WCCC institutional authorities to arrive at a decision and resolution regarding student behavior that has been reported to be in violation of WCCC Standards of Community Conduct. A student has the option to select to have a hearing before the Review Board.

After receipt of written decision from the Vice President of Student Services regarding the matter, the student may choose to exercise the right to a hearing before the Review Board. To do so, s/he must submit a written request to the Vice President of Student Services within seven (7) school days from the date that the Vice President of Student Services issued his/her written decision. The Vice President of Student Services shall forward to the student within seven (7) school days of receipt of the student's request, a written statement that includes the charged infraction and related evidence, time and place of the hearing, and rights of the student to representation. "School days" are days that classes are in session and does not include interterm, spring or holiday breaks. The Review Board shall only meet on school days.

The Student Review Hearing Board will consist of seven (7) members including three faculty or teaching administrators, two students and two administrators, appointed by the Vice President of Finance and Operations. The Review Board will assume responsibility for its procedural operation that will include appointing a chair and secretary. The Review Board will execute the proceedings insuring fairness, truth, justice and due process. The Board will render a judgment in writing to the Vice President of Finance and Operations for final action.

The following structure will be used in these proceedings:

- a. A hearing must be held no sooner than (14) fourteen days or later than thirty days after the request has been received. The Vice President of Student Services shall notify all parties of the time/place for the hearing and will provide all parties with a copy of the written charge.
- b. The hearing is meant to be a non-adversarial proceeding. Parties to the hearing may invite witnesses, advisors and/or personal legal counsel to be present. It is important to note that review hearings are informal in nature and aimed at providing due process. Review hearings are not to be construed as court proceedings. Legal advisors may not participate in the hearing except to advise their clients.
- c. Having heard evidence and asked questions, the Review Board will meet in closed session to render a decision. The decision will be based only on the evidence presented in the hearing. A majority vote by the board is required to render a decision.
- d. Review Board decisions must be provided in writing to the Vice President of Finance and Operations. The Vice President of Finance and Operations will direct the Vice President of Student Services to notify the student and other parties in writing of the Review Board's decision within ten days of the hearing date. If the decision involves suspension or dismissal from the College, the President will be notified.

The Review Board's decision will be final unless within seven (7) school days after receipt of the decision, either party files a letter with the Vice President of Finance and Operations, requesting an appeal of the Board's decision. Appeal of the Board's decision will be reviewed by the President, whose decision will be final.

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304.7 INTIMIDATION & BULLYING

The College maintains a strict policy prohibiting intimidation or bullying. This policy applies to all students of the College. In accordance with 18A:3B-68, the College defines intimidation and bullying as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on the property of the College or at any function sponsored by the College, or by electronic means at or away from the College, that substantially disrupts or interferes with the orderly operation of the institution or the rights of other students and that such action/behaviors:

- a. as a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming another student or damaging another student's property, or placing another student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property;
- b. have the effect of insulting or demeaning any student or group of students in such a way as to cause disruption in, or interference with, the orderly operation of the College; or
- c. create a hostile educational environment for other students at the College; or
- d. infringe on the rights of other students at the College by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

Students who engage in prohibited intimidation or bullying are subject to disciplinary action, up to and including possible expulsion from any academic or continuing education program, the College, and all its events and activities.

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305 STUDENT COMPLAINT PROCEDURE

Warren County Community College is committed to providing an environment encourages open and effective communication and respect for all members of the college community. From time to time disputes may arise that need resolution. In these instances, WCCC encourages all students to first direct the concern to the individual or department/area with whom the concern resides. Students

should stop by the Office of Student Services or the Office of Academic Affairs if they have a question as to who should be contacted about a concern.

Most concerns should be resolved through an open, honest dialogue between the persons involved. In cases where that may not be possible, the Student Complaint Procedure can assist in facilitating a resolution.

Definition of Student Complaint

A complaint is a student initiated complaint about the treatment of the student by an employee or contractor of the College. The Student Complaint Process can be used when the concern **does not** fall into one of the current complaint/appeal categories:

- a) Complaints regarding intimidation, harassment, bullying, inappropriate sexual contact or sexual assault: Any of these claims should be **immediately** forwarded to the Director of Human Resources/Title IX Compliance officer.
- b) Appeal of Financial Aid: An appeal of financial aid is done through the formal Financial Aid Appeal Form and Process.
- c) Request for a grade change or grade reconsideration: This is done through the Grade Change Request Form and Process.
- d) Request for a late refund, forgiveness of charges or medical withdrawal. This is done through the Special Considerations Form and Process.
- e) Complaints about Federal, State or local statutes, rules, regulations or requirements that are beyond the scope of something that can be resolved by the College.

A complaint may not be submitted on behalf of another person unless the complainant is incapacitated and unable to complete the form.

Procedure

- 1) The student shall complete a Student Complaint Form and direct it to the Board Recording Secretary. The form must be signed and include an e-mail address for subsequent follow up. In order that a timely resolution can be made in this matter, the form should be submitted within 5 business days of the incident or activity.
- 2) The Board Recording Secretary or designee shall submit an acknowledgement to the Complainant within 3 business days and indicate either a) a resolution to the process or b) the next step in the process for a resolution and a projected timetable.
- 3) Once a resolution to the process provided, the complaint will be considered addressed and closed.

Reporting and Publishing Responsibilities

The Board Recording Secretary shall maintain a log on all complaints and aggregate student complaint information so that the data on complaints can be reported each December to the Board of Trustees.

The College shall publish information regarding the Student Complaint Process in its Student Handbook and on its website at www.warren.edu. Information regarding the number and types of complaints shall

also be collected and reported as necessary to the Middle States Commission on Higher Education in accordance with accreditation requirements.

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308.1 SERVICE AND SUPPORT ANIMALS

Warren County Community College (the "College") limits the presence of privately-owned animals on campus to service animals trained to perform work or tasks for an individual with a disability, as described under the ADA. It is the policy of the College to afford individuals requiring a service animal equal access to College property, programs, and activities in accordance with the ADA.

Definitions and Terms

Service Animal: Under the ADA, a "service animal" is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Handler: means the disabled individual having an interest in or right of possession to a service animal, or any person having control, custody, or possession of a service animal.

Therapy Animal: A therapy animal is an animal that provides emotional support or comfort that alleviates one or more of the identified symptoms or effects of a disability. A therapy animal is **not** a service animal under this policy. Therapy animals **may** qualify as a reasonable accommodation for a disabled individual and are **only permitted** at the discretion of the College. Access for therapy animals is evaluated similar to any other request for accommodation and should be directed to the VP of Student Services to discuss whether the use of a therapy animal is permissible on campus.

Service Animals on College Property Pursuant to Title III (Public Accommodation)

1) Where is the Service Animal Permitted

Title III prohibits discrimination on the basis of disability in the activities of places of public accommodation, including the College. Accordingly, the College generally permits the use of a service animal by any individual with a disability. Handlers of service animals are permitted to be accompanied by their service animal in all areas of the College property where the owner is allowed to go. Such areas include public areas, public events, and areas where public activities are held.

2) Permitted Inquiries

College personnel shall permit service animal access to an event or activity with its owner when it is readily apparent that the animal is trained to do work or perform tasks for its owner. Example: a seeing eye dog aiding a blind individual; a dog assisting an individual in a wheelchair.

If the need for the service animal is not readily apparent, personnel may only ask the following of service animal owners:

- Whether the service animal is required because of a disability; and
- What task the animal has been trained to perform for the individual.

If the owner states that the animal is required because of a disability and that the animal has been trained to do work or a task¹ for the owner, then the service animal shall be admitted.

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. (emphasis added for potential applicability to Employee). Service animal owners must not be asked about the nature of their disability or for medical documentation of it. The College shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

1) Handler Responsibilities and Removal

The handler may take the service animal onto College property subject to Section 5.1. However, the College may request that the service animal be removed from College property when:

- (a) The animal is out of control and the animal's handler does not take effective action to control it;
- or
- (b) The animal is not housebroken.

Further, a service animal shall be under the control of its handler. The College is NOT responsible for the care or supervision of a service animal.

The handler is tasked with the following regarding service animals:

- A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- Ensure the service animal does not disturb or disrupt normal College functions;
- Immediately clean up after the service animal and properly dispose of the service animal's waste or other debris in accordance with all applicable local and state laws.
- The service animal must be vaccinated and licensed as required by state law and/or local ordinance

¹ For example, if a service animal senses that a person is about to have a psychiatric episode and it is trained to respond by nudging, barking, or removing the individual to a safe location until the episode subsides, then the animal has indeed performed a task or done work on behalf of the individual with the disability, as opposed to merely sensing an event.

Under New Jersey law, a person with a disability who has a service or guide dog in his possession shall be liable for any damages done to the premises of a public facility by such dog. See N.J.S.A. 10:5-29(c).

Title I (Employment Accommodation)

Title I of the ADA governs the use of a service or therapy animal by employees. Pursuant to Title I of the ADA, the College will consider all employee requests for the use of a service or therapy animal as a reasonable accommodation to an employee's disability. All persons who require the use of a service or therapy animal in the workplace must make a request for an accommodation in accordance with the College's policy on Reasonable Accommodations in the workplace.

Any service or therapy animal shall be under the control of the employee handler. The College is NOT responsible for the care or supervision of a service or therapy animal.

Approved: 12/19/18

309 TITLE IX – EDUCATIONAL AMENDMENTS OF 1972

The College maintains a strict policy prohibiting discrimination or harassment based on sex, including sexual assault and gender identity discrimination in any education program or activity. This policy applies to all employees, students, executives, officers, Trustees, Foundation Directors, independent contractors, visitors to the College and third parties. (Also see policy 201.2 Anti-Harassment)

The College will respond to all notices/complaints of discrimination on the basis of sex in any educational program or activity which include locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Anyone, who has been the victim of sexual harassment or discrimination regarding a College program or activity should immediately contact the Director of Human Resources/Title IX Coordinator. All notices/complaints of discrimination as stated above should be directed to the Director of Human Resources/Title IX Coordinator at 908-835-2356. The office is located in Room 125 on the Washington Campus. If this individual is not available, the notice/complaint should be reported to the Public Safety Coordinator or a College Executive.

DEFINITIONS:

Actual knowledge means notice of Title IX violations including sexual harassment or allegations of sexual harassment to the College's Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College.

Sexual Harassment means conduct of the basis of sex where a College employee conditions education benefits on participation in unwelcome sexual conduct (i.e. quid pro quo); or any individual, as applicable to this policy, demonstrates unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education programs or activities; or sexual assault (as defined by the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA). (See policy 309.2).

Complainant is defined as an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Respondent is defined as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Investigator is defined as the person or persons charged by the College with gathering facts about an alleged violation of this policy, assessing relevance and credibility, evaluating evidence, and compiling this information into an investigation report and file of directly related evidence.

Advisor is defined as a friend, mentor, family member, attorney, or any other individual a party may choose to advise, support, and/or consult with them throughout the resolution process.

Decision-maker is defined as the person who has decision-making and sanctioning authority within the College's formal grievance process.

Formal Complaint is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegations of sexual harassment.

Supportive Measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education programs or activities, without unreasonable burdening the other party; protect the safety of all parties and the College's educational environment; and deter sexual harassment. Supportive measures can include advising, course-related adjustments, modifications of work or class schedule, campus escort services, increased security & monitoring of certain areas of campus, and mutual restrictions on contact between the parties.

Finding is a conclusion by preponderance of evidence that the conduct did or did not occur as alleged.

Final Determination is a conclusion by preponderance of evidence that the alleged conduct occurred and whether it did or did not violate policy.

REPORTING A TITLE IX COMPLAINT

Students or members of the community should report a Title IX claim or allegation directly to the Director of Human Resources/Title IX Coordinator at (908) 835-2356. The office is located in Room 125 on the Washington campus.

Should students or members of the community report a Title IX complaint to a WCCC employee or contractor, that individual has an obligation to immediately report the matter to the Director of Human Resources/Title IX Coordinator. If this individual is not available, the employee or contractor should report the matter to a College Executive or the Public Safety Coordinator. That individual will gather the initial information and refer the matter to the Director of Human Resources/Title IX Coordinator for further investigation.

Upon receipt of a Title IX complaint by the Title IX Coordinator, the College will respond promptly, offer supportive measures to the complainant and begin an investigation.

If there is reason to believe that a student has been sexually assaulted or harassed by 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 Director of Human Resources/Title IX Coordinator, in conjunction with the Public Safety Coordinator, will lead the investigation for any violations of Title IX. These individuals will use appropriate resources to document and investigate the matter. The College will evaluate all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent or witness.

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 Title IX violations 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 or an employee is an immediate threat to the safety of themselves or other persons or property or is an immediate threat to disrupt essential campus operations, the College shall implement an Interim Suspension of that individual.

Provided that the complaint is not resolved through informal resolution and the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a live hearing. At the live hearing, a college appointed Decision-maker will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally and in real time by the party's Advisor only. The Decision-maker will evaluate all relevant evidence and issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant. This written determination must be sent simultaneously to the parties along with information regarding the appeal process.

All reports of Title IX violations will be treated with confidentiality and respect for the privacy of the reporting individual(s). Information concerning conduct proceedings including the outcome of any conduct hearing related to Title IX 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 Title IX violations 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

Human Resources/Title IX Coordinator. Issues where there are immediate threats made to a person or persons will be immediately referred to Campus Security and local law enforcement.

The judicial policies and procedures are contained in the College Handbook for further information. This document can be found on the College's homepage (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.

The College will follow a consistent, transparent grievance process for resolving formal complaints of Title IX violations.

The College will treat complainants equitably by providing remedies any time a respondent is found responsible, to maintain the complainant's equal access to education programs and activities.

All notices/complaints of Title IX violations will be treated with confidentiality and respect for the privacy of the reporting individual(s). There will be no retaliation taken against an employee or student solely for being a victim of discrimination or harassment on the basis of sex or reporting such an incident to a College official.

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Revised: 11/18/20

309.1 CAMPUS SEXUAL ASSAULT/VICTIM'S BILL OF RIGHTS

Warren County Community College is committed to maintaining an academic/work environment for all students, faculty, and staff that is free from sexual assault and non-consensual sexual contact. Any allegation of sexual assault and non-consensual sexual contact will be treated seriously. Such behavior or threat thereof shall not be tolerated. Full assistance and prompt cooperation will be provided in notifying the proper criminal and civil authorities. The College will adhere to the directives of the law enforcement agency responsible for the sexual assault investigation. In addition, any student, faculty, staff, or administrative employee of the College determined to have violated this policy will be subject to immediate and appropriate disciplinary sanctions.

Anyone, who has been the victim of a sexual assault, attempted sexual assault, or non-consensual sexual contact on the WCCC campus should immediately contact the Director of Human Resources/Title IX Coordinator. This individual can provide supportive intervention, including information and referral for contacting the police, obtaining appropriate medical care, preserving evidence for possible criminal prosecution, obtaining a temporary restraining order, and contacting the available counseling and support services within the community.

Counseling, on-going support, and information about college disciplinary action may be obtained through the Office of Student Services. In addition, the victim of such an assault may request changes as needed, in their academic circumstances (i.e. course section, credit load). All requests considered to be reasonable will be implemented promptly.

All interventions shall be made in accordance with *The Campus Sexual Assault Victim's Bill of Rights* as adopted by the New Jersey Commission on Higher Education in October 1995. This Bill of Rights shall be published annually in the Student Handbook.

Approved: 03/23/05
Revised: 11/18/20

309.2 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 (See Policy 309). 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/Title IX Coordinator, at, 908-835-2356. The office is located 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

Homicide N.J.S.A. 2C:11-1	Criminal sexual contact. N.J.S.A. 2C:14-3
Assault N.J.S.A. 2C:12-1	Lewdness N.J.S.A. 2C:14-4
Terroristic threats N.J.S.A. 2C:12-3	Criminal mischief. N.J.S.A. 2C:17-3
Kidnapping N.J.S.A. 2C:13-1	Burglary N.J.S.A. 2C:18-2
Criminal restraint N.J.S.A. 2C:13-2	Criminal trespass N.J.S.A. 2C:18-3
False imprisonment N.J.S.A. 2C:13-3	Harassment N.J.S.A. 2C:33-4
Sexual assault N.J.S.A. 2C:14-2	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/Title IX Coordinator and/or Campus Security; who will work in conjunction with the Public Safety Coordinator, 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/Title IX Coordinator at (908) 835-2356. The office is located 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 908-453-4181**.
- 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 on the College's homepage (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/Title IX Coordinator at (908) 835-2356. The office is located 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 Director of Human Resources/Title IX Coordinator. If this individual is not available, the employee or contractor should report the matter to a College Executive or the Public Safety Coordinator. That individual will gather the initial information and refer the matter to the Director of Human Resources/Title IX Coordinator 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 Director of Human Resources/Title IX Coordinator, in conjunction with the Public Safety Coordinator, 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 Human Resources/Title IX Coordinator. 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 on the College's homepage (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

Revised: 11/18/20

309.3 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 (See Policy 309.1). Community members will be held accountable for actions involving any violations of the domestic violence statutes.

Warren County Community College will not tolerate domestic violence including harassment of any employee or student while on our campuses and other facilities. This includes physical, verbal and non-verbal threats, threatening behavior, related actions against WCCC employees, students, visitors, guests or other individuals by anyone on WCCC property that may result in physical or emotional injury or otherwise place one's safety and productivity at risk.

Any employee or student who threatens, harasses or abuses someone at the institution or uses college resources such as work time, workplace phones, fax machines, mail, email or other means to threaten, harass, or abuse someone may be subject to disciplinary action which may include dismissal and/or expulsion. Disciplinary action may also be taken against students or employees who are arrested, convicted or issued a permanent injunction as a result of domestic violence when such action has a direct connection to the student's performance or the employee's duties at the College.

Emergency Circumstances

The safety of individuals on campus is essential. Should a student or employee believe that there is an immediate threat, s/he should call the local 9-1-1 operator and report an emergency situation. To contact emergency from an internal college phone, the user should dial 9-1-1. There are emergency phones in the Washington Campus parking lot that connect directly with the WCCC Security staff. Should an individual use one of these phones, the WCCC Security Staff shall contact the local police and report any emergency.

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. The College shall accommodate the terms of the protective or the restraining order.

Reporting and Confidentiality

Domestic violence victims, as well as perpetrators are encouraged to report their situation and ask for assistance. Any employee or student having knowledge of abuse from a victim or perpetrator should immediately report the matter to the Director of Human Resources/Title IX Coordinator. If this individual is not available, the employee or contractor should report the matter to a College Executive or the Public Safety Coordinator. That individual will gather the initial information and refer the matter to the Director of Human Resources/Title IX Coordinator for further investigation. The matter will be investigated and adjudicated in accordance with the College's policies and procedures.

The College will provide resource and referral information. Work schedule or academic schedule adjustments or leave may also be provided if necessary for assistance with domestic violence situations. WCCC shall make available information and programs to students and employees for the awareness on issues of domestic violence.

All reports of domestic violence will be treated with confidentiality and respect for the privacy of the reporting individual(s). There will be no reprisals taken against an employee or student solely for being a victim of domestic violence or reporting such an incident to a College official.

Approved: 06/18/14
Revised: 11/18/20

312 TECHNOLOGY USE POLICY

Technology resources are valuable, and their abuse can have a far-reaching negative impact on the entire campus. The same standards that apply in the non-computing environment apply in the computing environment. In providing computing resources, WCCC has the responsibility to inform its users (faculty, staff and students) of the rules and procedures regarding their usage. Users are responsible for understanding these rules so that they can abide by them.

Policies regarding conduct generally address issues such as treatment of other individuals, theft, destruction of property or vandalism, and access (i.e. who can use what and when). The WCCC Technology Use Policy is intended to address these elements as they relate to the evolving landscape of computing, network, and information resources. Because technology changes so quickly, no policy dealing with it can hope to remain current in all its details. The policies delineated here should be considered examples, and not an exhaustive list of prohibited behavior. Unauthorized use has two meanings regarding technology issues. First, it can mean that an individual is not authorized to use a machine, network, or other resource, for any purpose. Second, it can mean that although an individual is authorized to use a particular resource, certain activities are prohibited.

As with all other organizations, standard, responsible systems administration requires close monitoring by WCCC network administrators of the usage of College information systems. E-mail is not guaranteed to be private or confidential. All electronic communications are College property. When necessary to investigate violations of these and other College policies, the College will examine the contents of "personal" directories, e-mail folders, and other resources accessible to users. Such examinations are not done frivolously. They are conducted only by the Office of Information Technology, under the direction of the Vice President of Finance and Operations, unless directly ordered otherwise by the College President.

I. Introduction

It is essential for all users to practice ethical behavior in their use of technology resources since they have access to many valuable resources and their computing practices can adversely affect the work of other users. Most users act responsibly, but the few who do not, either through ignorance or by intent, have the potential for disrupting all users' work. Warren County Community College (WCCC) has the responsibility of securing all technology systems to a reasonable and economically feasible degree against unauthorized access while making systems accessible for legitimate and innovative uses. This responsibility includes informing users of an expected standard of conduct and the punitive measures for not adhering to them.

The following list constitutes a code of technology practice for users. Disciplinary action for violating the code shall be governed by the applicable provisions. Violations may also result in criminal prosecution under State and/or Federal law. Every student, employee, instructor or other person using the College's information technology systems agrees to abide by the tenets set forth in the following policy.

II. Access

- A. Users may only use network accounts that have been authorized for their use.
- B. Users must identify work produced through technology with their own names so that responsibility for the work can be determined and users can be contacted in unusual situations, e.g., the return of misplaced output.
- C. Users must use their network accounts solely for the purposes for which they were authorized.
- D. Users must not attempt to modify WCCC technology equipment or resources.
- E. Users must not attempt to subvert the restrictions associated with their computer accounts.
- F. The College has password protocols established to ensure that each user has a unique password when an account is set up as well as a self-service password system to assist students. Users are responsible for the usage of their computer accounts. Users are required to maintain secure passwords for systems that support them and take precautions against others obtaining access to their computer resources. Each user is responsible for all transactions made under the authorization of his or her system account.

III. Use

WCCC's technology resources, including hardware, software, wired and wireless networks, are provided for the use of students, staff and faculty in fulfilling their needs that relate to the mission of the College. Other usage is prohibited. This includes, but is not limited to:

- A. Unauthorized access of a file to use, read or change the contents, or for any purpose.
- B. Unauthorized transfer of a file.

- C. Unauthorized use of another individual's network account.
- D. Use of WCCC technology resources to interfere with the work of another student, faculty member or College official.
- E. Use of WCCC technology resources to send or receive what may be deemed under the circumstances to be obscene or inappropriate.
- F. Interference with normal operation of the College's network systems or databases.
- G. The utilization of a network access account for the purposes of development and/or utilization of malicious code or viruses, The only exception would be if materials were developed as part of a class assignment under the explicit direction of a faculty member. This activity must be authorized in advance by the Office of Information Technology.
- H. Solicitation for charity, personal needs or other organizations/persons without approval of the College.
- I. Activities related to the promotion and/or running of a personal for-profit venture or other activities unrelated to the provision of an undergraduate education.
- J. Using WCCC technology to undertake harassment or behavior that is in violation of the Campus Code of Conduct..
- K. Promoting and sending chain letters, mass mailings or personal advertisements using college technology resources.
- L. Sending electronic communications or email that obscures the identity of the sender, misrepresents the College or represents the sender as someone else.
- M. Harassing students or employees at the College or other organizations.
- N. Sexual, racial, ethnic, religious or any other harassment of any individual or group of individuals.
- O. Access to websites, listservs, software and other resources that do not provide a scholarly treatment of pornography, hate speech, or activity, which otherwise would be deemed a violation of existing law. When the scholarly merit of such materials is in question, the judgment of the College administration will be final.
- P. Misuse, intentional damage or loss of technology equipment owned by WCCC.
- Q. Use of technology equipment without appropriate safeguards to protect sensitive college documents.
- R. Use of technology systems in a way that violates Copyright policies or laws (see Policy 404 for additional information).
- S. Any other uses prohibited by WCCC policies and/or state or federal regulations or statutes.

All electronic communications through the College's network are considered College property. Employees must be aware that certain communications may be considered public and therefore subject to the State's Open Public Records Act. As a result, the College reserves the right to examine, monitor and regulate communications and network usage of employee and student accounts.

The College also reserves the right to manage the technology network, equipment and infrastructure to ensure that the educational mission of the WCCC can be served. This may mean include the blocking or limiting access and usage of network service to individually paid subscription services or gaming sites.

Nothing above or herein is intended to violate "Academic Freedom." Under "Academic Freedom," material otherwise not appropriate for use on the College's technology or networks will be exempt from this policy. However, the College shall not protect or indemnify employees who access materials that are considered illegal and monitored by law enforcement officials (example: child pornography sites). To avoid any misunderstanding, it is required that any instructor consult with the Academic Vice President prior to the use of questionable, controversial or potentially offensive print or digital materials.

IV. Individual Rights, Privileges and Responsibilities

- A. Members of the WCCC community have the right to be free of harassment. Usage of the College's technology systems to violate this basic right is strictly prohibited and will be treated with the utmost gravity.
- B. The College understands that providing network connectivity and advanced technology often facilitates personal and recreational usage of those systems. However, the use of the College's technology systems for activities not directly related to learning (for students) or performing of work duties (for staff and faculty) is a privilege. While these activities are not encouraged, they are tolerated so long as they:
 - 1) do not infringe on the rights of other users to use the College systems for bona fide academic or work-related activities
 - 2) do not interfere with the accomplishment of one's work responsibilities
 - 3) do not violate any other portion of these technology use policies.
- C. The use of the College's wireless infrastructure for the purposes of streaming third- party, non-academic content is strongly discouraged. The College reserves the right to restrict non-academic content to ensure adequate bandwidth for instructional needs. The college offers no guarantee of access to third- party, non- academic content through personal devices. Wireless access privileges may be revoked at any time for failure to comply with any of the above listed requirements.
- D. As a function of accepted and responsible system management, network administrators may conduct examinations of any or all files on the network to monitor compliance with these usage policies and to insure the effective and appropriate functioning of WCCC technology infrastructure. This is a legal right of the College and any other organization that provides similar systems for the execution of its mission.

- E. The College regards electronic and voice communications as vehicles for the delivery of information and not as mechanisms for the retention or archiving of such information. It is the responsibility of the individual sender and/or receiver of such messages to determine which information should be retained or archived. Records retained by an individual, even if they are retained on an electronic medium, are subject to College policies, State and Federal laws.

V. Software

- A. Warren County Community College licenses the use most of its computer software applications from external vendors. The College does not own this software or its related documentation and, unless authorized by the software developer, does not have the right to reproduce or modify it.
- B. Users agree not to copy, disclose, transfer, or modify, without written permission, any computer software or documentation that the College provides its users. The sole exception to this policy is software clearly marked as belonging to the public domain.
- C. Media containing licensed software and the accompanying documentation is to be used in College office areas, classrooms, and computing labs, and is not to be removed from such designated areas.
- D. All use of software provided by WCCC and all use of the College's computer and telecommunications equipment is subject to vendor license agreements, this policy statement, and applicable Federal and State law. Users agree to comply with all such restrictions.

VI. Secure Device Policy

Warren County Community College issues various types of technology equipment to employees in order to ensure that college services can be effectively provided to students and the Warren County community. This equipment may include workstations, laptop, notebook and tablet computers or other technology devices. Employees issued these devices are permitted to use the equipment off campus solely for work-related activities unless otherwise authorized by the Board of Trustees. Employees must return all equipment upon separation from the College.

College devices intended for students are not intended to leave the campus. However, in an emergency circumstance (such as the COVID-19 pandemic) equipment may be loaned temporarily to students. All users of college-owned devices are expected to return devices to the College at the end of a loaner period or the end of an assignment or semester.

In order to best secure student and employee data, all college-owned computing equipment containing confidential or intending to store college data that leaves the College campus shall be protected with encryption technology. The College shall maintain procedures for the securing equipment in accordance with the accepted industry encryption standards.

VII. Enforcement

- A. Complaints against any user for violation of these policies shall be the subject of full and immediate investigation and may result in the suspension or revocation of access to WCCC technology or other sanctions in accordance with College policy.

- B. Users wishing to make a complaint or report violations of these policies should contact the Vice President of Finance and Operations.
- C. Revocation of access may be done at any time by the Office of Information Technology to protect users' rights and privileges and to safeguard College resources.
- D. If violations of these Technology Use Policies occur, those responsible for such abuse will be held accountable and may be subject to disciplinary action and may also be subject to criminal investigation, as warranted.
- E. Violations to these policies will be forwarded to the Vice President of Finance and Operations at (908) 835-2355 for disposition and action. The Vice President may, at his or her discretion, involve other individuals to assist in resolution of the matter. When deemed necessary, the College may consult or turn the matter over to the appropriate legal authority.
- F. Any employee who abuses the privilege of the College-facilitated access to email, the internet or the use of hardware or software may be subject to disciplinary action up to and including termination of employment.

Approved: 12/17/14

Revised: 2/14/18

Revised: 9/16/20

509. TOBACCO PRODUCTS

The College's smoking policy shall be in accordance with state statutory requirements. The use of any and all tobacco and vaping products, including electronic cigarettes, is prohibited in all buildings and vehicles leased, owned, or maintained by Warren County Community College. Use of these products is permitted only in specific outside areas as designated by the College.

Approved 8/25/89
Revised: 04/19/06
Revised: 5/18/13
Revised: 9/18/2019

510. NON-COLLEGE GROUPS USING COLLEGE FACILITIES

Use of college facilities by non-college groups may be approved subject to the guidelines established by this policy and other appropriate college regulations.

The use of facilities must be for purposes that do not conflict with the aims and purposes of college policies or local, state and federal laws. Approval to use facilities does not necessarily imply approval of the aims and purposes of the sponsoring organization or for the event being planned. Also, because Warren County Community College is a non-partisan, public institution, it reserves the right to restrict or deny the use of college and campus facilities in accordance with statutory requirements.

This policy does not apply to registered student organizations at any location of the College as long as their use is compatible with the goals and intent of the student organization.

In order to meet the intent of P.L. 2009, Chapter 148 of controlling student indebtedness, no credit card issuers may use college facilities to solicit or advertise for credit cards.

College use of all facilities shall have preemptive priority over all non-college groups. The College reserves the right to cancel, postpone, or alter arrangements for any event if necessary. In all instances, the College decisions will be made to ensure minimum disruption of its normal activities and to ensure its optimum use as a resource for the community.

Any use of the name of the College, other than to indicate the location of the event, must be approved in advance by the College through the Office of Campus Operations. Request forms are available at the Office of Campus Operations.

Except as permitted, no materials or information can be distributed or announced on campus, be placed on, or attached to, or written on any structure or anywhere on the grounds of the campus.

Information must be provided in advance to the College concerning any financial activities or transactions planned by the non-college group during its use of the facility.

The group will be charged a rental fee based on rates approved by the Board of Trustees. An additional surcharge will be assessed to groups using college facilities to cover the cost of any required additional staffing, maintenance and security. Fees may be waived only upon the written authorization of the President of the college.

The College requires insurance coverage and proof of the same by providing a certificate of insurance naming Warren County Community College as an additional insured indicating at least \$1,000,000 bodily injury coverage and \$1 million property liability coverage. The policy will include a 20-day notice of cancellation. An Indemnification Agreement, available at the Office of Campus Operations, must be executed and on file with the College.

Revised: 11/17/10

Revised: 11/06/19

511. UNACCOMPANIED CHILDREN POLICY

Children aged 14 and under who are not enrolled in a WCCC program may not be left unattended on the grounds, in automobiles, or in any facility owned, leased, or used by the College. Children may not be taken into classrooms or laboratories when instruction is in session unless they are enrolled in the course or receive special permission from the instructor. If children are found unsupervised on college grounds, parents or guardians will be contacted regarding the situation. If such a contact is unsuccessful, then the College will contact law enforcement on this matter.

Approved: 09/22/89

Revised: 04/19/06

Revised: 5/21/16

Revised: 12/13/23

512 SECURITY AND ACCESS TO COLLEGE FACILITIES

Consistent with the nature of a college community, Warren County Community College seeks to provide an atmosphere for openness and for the encouragement of collegiate activity on campus facilities. However, the policy of promoting openness must be balanced by controls on access to campus facilities designed to promote security in campus facilities.

The Office of Campus Operations will develop rules and regulations on access and security of campus facilities including parking, vehicle registration, college identification cards and visitor sign-in procedures.

This office also shall be responsible for reviewing campus security needs, including lighting, landscaping and the College's physical plant (door, locks, etc.) to determine what improvements if any need to be made for security on the campus, and shall coordinate any safety repairs or upgrades to campus facilities. Campus Operations also shall be responsible for coordinating any safety and security inspections (with both internal staff and external agencies) as well as the oversight of safety

and security training needs, safety meetings and information sessions for members of the College community.

Definition:

"Campus" is defined as any building or property owned or controlled by the College within a reasonably contiguous geographic area and used by the College in direct support of or related to its educational purposes. Campus shall also include any building or property utilized by the College such as satellite facilities.

Approved: 11/02/92

Revised: 05/09/07

Revised: 06/24/15

Reaffirmed: 3/23/19

512.1 USE OF EXTERNAL GROUNDS

In order to protect the safety and health of students and employees, and to maintain as much of the campus in its natural state, while encouraging public use of its campus, the College prohibits the use of off-road vehicles, hunting, discharge of firearms, rollerblading, skate boarding, hitting of golf balls, riding horses, and other uses incompatible with the principal purpose of the institution which is to provide educational programs and services. The use of a UAS at the drone port is prohibited without permission from the Dean of Administration. Signage is posted throughout the grounds cautioning against prohibited activities. Guidelines for the posting and enforcement of this policy are the responsibility of the College President or his/her designee.

Approved: 05/24/96

Revised: 11/15/06

Revised: 06/24/15

Revised: 03/23/19

512.2 PUBLIC ACCESS TO CAMPUS FACILITIES

Members of the public are welcome into public areas of WCCC facilities during operating hours as long as they observe and behave in compliance with the WCCC Standards of Community Conduct. "Public areas" include the library, café and bookstore, as well as rooms/facilities that are being used for public events, such as special lectures, graduation ceremonies and fundraising activities.

Only currently enrolled college students, employees, and officially invited college guests are permitted in college classrooms and laboratories. Non-enrolled persons cannot attend college classes unless that attendance is for approved accommodation needs or has been pre-approved by the College prior to the class. The judgment of the Vice President of Academic Affairs is final in this matter.

College parking areas may not be used for non-college related activities (examples: "park and ride" commuting, overnight truck parking, parking for non-college sponsored or hosted events, etc.). Any

outside group seeking to use the College's external facilities in Washington or Phillipsburg must have the use pre-approved by the College.

Access to WCCC facilities does not mean public access to WCCC phones, networks, wifi, computers, fax machines, copiers or printers (other than public devices in the library). These devices are solely for WCCC's students, faculty and employees and intended to carry out the College's mission of providing educational services to students.

Children who are brought to the college while parents are on official business may not be left unattended in college facilities. A parent who brings a child to campus is accountable for the behavior of their child.

The College reserves the right to deny any individual who violates this policy from future access to WCCC facilities.

Approved: 06/24/15
Revised: 03/23/19

513. ALCOHOL AND SUBSTANCE ABUSE

1. Policy Statement:

This Policy applies to all Warren County Community College (the "College") employees, including faculty, staff, post-doctoral associates, post-doctoral fellows, visiting faculty/scholars, graduate assistants, teaching assistance, other student employees, interns, volunteers, vendors, contractors, subcontractors, and visitors, while in an area under the jurisdiction of the College or engaged in College-related responsibilities.

The College is committed to sustaining an academic environment that both respects individual freedom and promotes health, safety, and well-being of all members of the College community. It is essential that all employees, students, and others within the scope of this Policy recognize that the misuse and abuse of alcohol and other drugs constitutes a threat to the educational mission of the College. The Colleges has an obligation to promote a healthy and safe campus environment that includes taking responsibility for one's own actions.

The College seeks to provide an environment that reduces or eliminates the adverse consequences of alcohol and other drug misuse and abuse on individuals, groups, and the College. All members of the College community are responsible for being fully aware of the requirements of the College policies related to alcohol and local, State, and federal laws regarding alcohol and other drugs as outlined herein. This Policy is not designed to be punitive towards individuals seeking rehabilitation. All information about those individuals who voluntarily avail themselves to drug or alcohol counseling or rehabilitation services will remain confidential to the extent possible and permissible by the College policies and applicable law. Seeking counseling or rehabilitation will not be used as a basis for disciplinary action or be used against an individual in any way.

2. Reason For Policy

The College has an obligation to promote a healthy and safe campus environment that includes all individuals taking responsibility for their own actions. This Policy states the College's expectations regarding the use of alcohol and other drugs by employees and other members of the College community, including those using College resources and the responsibilities and obligations in using alcohol and other drugs. This Policy serves to expressly describe and state compliance requirements and obligations under State and federal laws.

3. Scope

This Policy shall apply to all employees, as defined herein, on the property under the jurisdiction of the College, as defined herein, and any other individual described in Paragraph 1.

4. Who Should Read This Policy

All College employees, as defined herein, and all individuals identified in Paragraph 1 of this Policy.

5. Resources

The following resources are available to employees and supervisors for alcohol and other drug related issues. Employees are encouraged to seek assistance through the Faculty Assistance Program if they believe they may have an alcohol or other drug abuse problem. A non-exhaustive list of resources are below:

Drug Free Workplace Act of 1988

New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act

NJ Addictions Services Hotline: 988

Alcohol: 1-800-322-5525

REACH NJ: 1-844-732-2465

Community Prevention Resources: 908-835-1800

Warren County Community College Human Resources: 908-835-2356

Warren County Community College Security:
908-835-2455 (Washington)
908-878-0202 (Phillipsburg)

6. Definitions:

- a. "Alcoholic Beverage": Any liquid beverage containing at least one (1) percent of alcohol by volume, including methyl and isopropyl alcohol that is not intended for human consumption.
- b. "Area under the jurisdiction"; Includes all on and off campus property owned, occupied, leased, or used by the College. This includes all campuses, research sites, and leased

indoor and outdoor spaces or spaces occupied with a user permit, license, or contract for the conduct or performing of official College business.

- c. "Controlled Substance": A drug or chemical substance whose possession and use are controlled by Title 21, Section 812, Schedules I through V of the United States Controlled Substances Act. This includes, but is not limited to, narcotics, depressants, hallucinogens, stimulants, and other substances commonly or collectively known as illicit drugs. Medical cannabis and hashish are considered controlled substances.
- d. "Employee": An employee is any individual who performs services for and under the control and direction of the College for wages or other remuneration.
- e. "Events": Any program or activity sponsored by and under the sponsorship of the College.
- f. "Illicit Drug": A type of controlled substance that is imported, grown, or manufactured illegally. This includes, but is not limited to, heroin, cocaine, amphetamines, ecstasy, cannabis, methamphetamine, and LSD.
- g. "Legally Prescribed Medication": Includes drugs prescribed by a licensed practitioner and over-the-counter drugs that have been legally obtained and are being used in the appropriate amount solely by the individual and for the purpose for which the medication was prescribed or manufactured.
- h. "Manufacture": The production, preparation, propagation, compounding, conversion, or processing of a controlled substance or alcohol. This does not include manufacturing for the intended purpose of scholarly research.
- i. "Marijuana and Hashish": All forms of the substance that are not regulated cannabis or medical cannabis.
- j. "Medical Cannabis": Cannabis or related paraphernalia acquired, possessed, transported, or used by a registered qualifying patient under the New Jersey Compassionate Use Medical Marijuana Act and the Jake Honing Compassionate Use Medical Marijuana Act.
- k. "Minor": An individual not of legal drinking age, under 21 years of age.
- l. "Possession": Knowing or intentionally possessing a controlled substance and/or having direct physical control over a controlled substance but does not include possession for the purpose of scholarly research.
- m. "Regulated Cannabis": Cannabis or related paraphernalia legally acquired, possessed, or used under certain conditions as outlined in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.
- n. "Safety-sensitive": Activities involving a risk of moderate to severe injury to the person or property of oneself or others, in the performance of job duties. This includes, but is not limited to, direct support of patient care and treatment, police and security duties, operating a motor or motorized vehicle or potentially hazardous equipment, use of ladders and/or working at heights, use of hazardous materials, maintenance of hazardous facilities such as boilers, utilization of explosives, utilization of lasers, work with high-voltage electricity, or access to controlled substances within the College.
- o. "Sponsoring": The hosting of an official activity on behalf of the College or a unit of the College. Events held by College affiliated foundations shall be a College sponsored event for the purpose of obtaining permission to serve, possess, or consume alcohol.

- p. "Under the influence/impairment": Defined without limitation as being impaired or intoxicated by alcohol or controlled substances, smelling of alcohol or controlled substances, or appearing disheveled or unkempt, slurring one's speech, being argumentative, or being incapable of performing the duties of the job satisfactorily, and when such conduct is reasonably related to an employee's use of alcohol or controlled substances.
- q. "While at work": All times when an individual is on College property, on-call, supposed to be working, including paid breaks, operating College vehicles, or on official College business either on or off site. This does not include events sponsored by the College at which alcohol may be served.

7. Compliance with Federal and State Laws

The sale, provision, serving, possession, and consumption of alcoholic beverages on the College campuses are regulated by federal and State laws and local ordinances. All members of the College community are obligated to obey these laws, regulations, and ordinances. The College does not have the authority to alter the laws or obtain exemptions. Members of the College community are individually responsible for determining how applicable laws, regulations, and ordinance apply to them, and obeying such.

- a. The College, as an institute of higher education and an employer, is obligated to abide by and enforce provisions of the Drug Free Workplace Act of 1988, Drug Free School and Campus Act, and the statutes of the State of New Jersey.
- b. No member of the College community may possess, manufacture, distribute, or use drugs, narcotics, or controlled substances and/or paraphernalia containing evidence of such substances on College property except as expressly permitted by law.
- c. Medical Cannabis and Regulated Cannabis, while legally permitted in New Jersey, are prohibited on the College's campuses due to the provisions in the Drug Free School and Communities Act and the New Jersey Regulatory, Enforcement Assistance, and Marketplace Modernization Act.
- d. A person who is a minor may not acquire, possess, or consume alcoholic beverages on any College property or College sponsored event.
- e. A person who is of legal drinking age may not give any alcoholic beverages to a minor, assist, or allow a minor to acquire or consume any alcoholic beverage, except a parent or guardian of the minor, if the alcoholic beverage is consumed for religious observance, ceremony, or rite.
- f. No member of the College may sell alcoholic beverages to any person of any age without a license or special permit issued by the New Jersey Division of Alcoholic Beverage Control.
- g. No person, regardless of age, may possess an open container of an alcoholic beverage in any motor vehicle.

8. Alcohol and Other Drug on the Job

While in an area under the College's jurisdiction, at work, or engaged in the business of the College, an individual covered under this Policy may not consume alcohol or controlled substances, except where allowed as defined by this Section.

- a) Alcohol: Limited legal consumption of alcohol at College-sponsored events held during the workday or during a traditional meal break in the individual's workday and off College property is not prohibited by this policy with the exception of safety sensitive functions as described below.
- b) Controlled Substances: Consumption of a controlled substance that has a currently accepted medical use, is at the direction of a health care provider, is prescribed for the individual, and is being consumed during or prior to the workday consistent with the manner in which it was prescribed, is not prohibited with the exception of safety sensitive functions as described below. Note: federal law does not define Medical Cannabis as having a currently accepted medical use. However, employees and other covered individuals are expected to present themselves in a manner fit to perform the functions of their job. Additionally, during the workday, any use of a controlled substance inconsistent with the criteria set forth above is strictly prohibited. Any individual who is found to have violated this section of the policy will be dealt with as appropriate. This may include removal from the worksite and/or discipline up to and including termination. For student employees, this may also include appropriate action pursuant to the Code of Student Conduct.
- c) Safety Sensitive Functions: Notwithstanding subparagraphs (a) and (b) above, consumption of alcohol either at College-sponsored events or during a traditional meal break is prohibited for individuals whose positions include one or more safety-sensitive components as described in this Policy. Additionally, consumption of a controlled substance may not be permitted, even when consumption is consistent with the criteria of subparagraph (b) above. Individuals who have taken a controlled substance, or who must take a controlled substance during the course of the workday, must report this information to their supervisor. Any individual who exhibits the effects of having consumed alcohol or a controlled substance, whether before or during the workday, will be dealt with as appropriate, including removal from the worksite and/or discipline up to and including termination. For student employees, this may also include appropriate action pursuant to the Code of Student Conduct.

9. Drug Testing

Employees who are required to have a Commercial Drivers License ("CDL") to perform their job duties are required to undergo drug and/or alcohol testing upon hire as a commercial driver, when randomly chosen, for due cause or reasonable suspicion following certain motor vehicle accidents, or as ordered by a Substance Abuse Professional hired by the College.

10. Responsibilities of Supervisors

- a. Supervisors are expected to communicate to employees that there are support services available to employees who may need medical and/or therapeutic treatment for the abuse of alcohol or other drugs. If an employee serves in a safety sensitive function, then the supervisor must clearly state that the employee cannot be under the influence of alcohol and/or other drugs while performing his or her job duties.

- b. If a supervisor is suspicious that there is an alcohol or other drug problem with an employee and that the problem is affecting work performance, it is a supervisor's responsibility to address the situation. When a supervisor suspects that an employee is under the influence of or impaired by a controlled substance that supervisor will, if possible, notify Human Resources. Early recognition of a problem and a prompt response by a supervisor are preferred. Possible behavioral indicators of alcohol or drug related problems may include, but are not limited to, those shown below:
- Drowsiness or sleepiness
 - Alcohol or drug odors on the breath
 - Slurred or incoherent speech
 - Confusion
 - Unusually aggressive behavior
 - Unexplained mood changes
 - Lack of manual dexterity
 - Lack of coordination (e.g., staggering, inability to walk)
 - Unexplained work related accidents or injuries
 - Excessive sloppiness
 - Leaving work areas for extended periods or for unexplained reasons
 - Patterns of absenteeism or tardiness
 - Corroborating evidence
 - It should be noted that some of these symptoms may be indicative of a serious medical condition. If the supervisor believes that the employee requires urgent medical attention, the supervisor should call the appropriate campus Police Department.
- c. A supervisor who reasonably believes that an employee is exhibiting behavior that may be in violation of expectations as indicated herein, or that an employee may be unfit to perform the duties of his or her position, should contact the appropriate College affiliated health department to request a fitness-for-duty evaluation. After a discussion with the appropriate College affiliated health department, the employee should be escorted or otherwise safely transported to the appropriate medical facility. If the appropriate College affiliated health department determines that an employee is unfit to perform the duties of his or her position following an evaluation, the employee may be subject to removal from the worksite and/or discipline up to and including termination. If an employee is covered by a collective bargaining agreement, said employee shall, upon request, be afforded the opportunity to have a union representative present during questioning by a supervisor or manager, or during initial intake discussions with staff of the appropriate College health department.
- d. If an employee reasonably believes that his or her supervisor is engaging in behavior that suggests the influence of alcohol or other drugs because the supervisor is demonstrating behavior as described herein, the employee should report the behavior.
- e. A supervisor who reasonably believes that a student employee is exhibiting behavior that may be in violation of responsibilities should contact Human Resources to request a fitness-

for-duty evaluation as indicated herein. A student employee should then be escorted or otherwise safely transported to the College Security Department, or other appropriate Department, for evaluation.

- f. If the College Security Department, or other appropriate Department, determines that the student employee has violated the Paragraph above or is unfit to perform the duties of his or her position following an evaluation, the student employee may be subject to removal from the worksite and/or discipline up to and including termination.
- g. The supervisor may also refer the student employee to the student counseling center for additional help.
- h. The supervisor determines if discipline is necessary per departmental expectations for student employees. The supervisor may also choose to file an official complaint through the Code of Student Conduct.

11. Alcohol at Campus Events

- a. The use of alcoholic beverages at social functions on the College campuses is restricted to those functions open to members of sponsoring departments/organizations and their invited guests where service of alcohol is restricted to those of legal drinking age as defined by the laws of New Jersey. Such functions must be restricted to areas designated by the dean, chancellor, and/or vice president. In all cases, State laws governing the dispensing of alcoholic beverages must be observed.
- b. Per Circular, State of New Jersey, Department of the Treasury, Office of Management and Budget, No.: 06-14-OMB, departmentally-allocated State funds may not be used for the purpose of purchasing alcoholic beverages.
- c. As a further guide to the responsible use of alcohol, sponsoring departments are urged to observe the following practices when alcoholic beverages are served:
 - i. Provide an equal quantity of nonalcoholic beverages at the same place in an equally attractive variety.
 - ii. Provide food in sufficient quantity for the number of people present.
 - iii. Discontinue the sale or service of alcohol for a reasonable period prior to the anticipated end of the event.
 - iv. Note the availability of nonalcoholic beverages and food in any advertisement.
 - v. Provide for oversight by persons who have a demonstrable awareness of these regulations and the techniques to reduce risk and/or those who are so trained through the College.
 - vi. Designate at least one person to be responsible for ensuring adherence to these guidelines in any group where alcoholic beverages are served.
 - vii. Have an adequate mechanism in place to properly identify of-age drinkers, including verification of picture identification.
- d. In instances where an employee serves alcohol in his or her capacity as an employee of the College in a facility or an area not under the jurisdiction of the College, the employee providing alcohol should be cognizant of those participating in the event who may not choose to use alcohol. When evaluating the location of such events, the employee coordinating the event should consider the personal needs of the individuals participating and whether they

may be in recovery. In planning such events, the employee should follow the guidelines stated above.

12. Exceptions:

Exceptions to any provision within this Policy may be granted only by the Director of Human Resources or his or her designee.

Approved: 11/02/92
Revised: 05/09/07
Revised: 02/14/18
Revised: 06/22/24

514. REPORTING CRIMINAL ACTS AND OTHER EMERGENCIES ON CAMPUS

The Office of Campus Operations shall be primarily responsible for carrying out the mandates of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). Campus Operations will develop procedures to implement these requirements. This includes the annual reporting of campus crime statistics and disseminating this information to the campus community.

In addition to its annual reporting responsibilities for compliance with the Clery Act, the College shall report to the Board of Trustees as soon as practicable any significant on-campus criminal act, including the occurrence of on-campus murder, criminal sexual assault, criminal sexual abuse, robbery, aggravated assault, aggravated battery, burglary, motor theft, and liquor law violations, drug abuse violations, weapons possessions and other emergencies occurring on the campus considered to be a threat to the safety of students and employees.

Timely reporting of violent or serious criminal offenses shall be made to students and employees after such occurrences. The type and nature of the report and the method of disseminating the information shall be determined by Campus Operations. The College also is responsible for periodically reviewing its security preparation and planning efforts to promote a safe environment for the campus community.

The College shall provide appropriate and reasonable support services and resources to crime victims and the victim's family.

If a perpetrator of a violent crime is subject to discipline by the College, the victim of the offense shall, at the discretion of the Dean of Administration, be permitted to obtain the results of that disciplinary proceeding.

Definitions of students and employees:

"Student" is any person enrolled in one or more courses of study for academic credit or non-credit vocational courses.

"Employee" is defined as a part-time or full-time person with scheduled hours of employment on campus under the direction and control of the institution and its agents.

514.1 INFORMING STUDENTS AND EMPLOYEES ABOUT CAMPUS SECURITY PROCEDURES AND PRACTICES

The Office of Campus Operations shall inform students and employees about campus security measures to encourage all persons to be concerned about a secure campus environment and to be aware of security concerns on the campus.

Campus Operations shall develop information about campus security procedures for students and employees and distribute this information through the College's website. Security presentations will be conducted as appropriate.

Campus Operations shall work with the Dean of Students and the Director of Human Services to develop safety programs and initiatives for the campus community.

Campus Operations shall also work with local law enforcement officials to secure appropriate written materials and present programs to implement this responsibility. Campus Operations shall also work with the local community to undertake safety drills and tabletop exercises supporting campus safety procedures.

514.2 INCIDENTS ON CAMPUS

The Office of Campus Operations shall maintain logs and incident reports concerning activities reported to Campus Security. Such incident reports shall be made available to campus community members or the public upon request.

Issues that rise to the level of federal reporting shall be included in the College's Annual Security Report (Clery Report). The US Department of Education establishes definitions for such reporting.

Any circumstance that warrants the summoning of a first responder(s) onto campus (including police, fire, and/or medical personnel) shall require a written incident report filed by the Director of Campus Security and copied to the President of the College. The President shall determine whether such information should be forwarded to the Board of Trustees or any local officials.

514.3 GATHERING STATISTICS CONCERNING CRIME ON CAMPUS

The Office of Campus Operations shall be responsible for gathering statistics concerning the occurrence of crime on campus, which have been reported to campus security authorities and local police agencies.

Statistics shall be compiled by the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Act requires colleges to compile an annual report to ensure that students and the higher education community are made aware of the presence of crime on campus.

The statistical data gathered shall relate to all reported crimes occurring on any WCCC property, any non-campus buildings or property owned by the college, or any public property within or adjacent to the campus.

The resulting data shall reflect the incidents reported to the WCCC Security Office, the Local Police Department, Campus Security Authorities, and other campus personnel. The statistics obtained from the Local Police Departments shall be compared with the data gathered by the college. The resulting figures will then be used to prepare the Annual Security Report.

Under the Clery Act, colleges are required to publish specific crime statistics. These statistics cover the period from January 1 through December 31 for the respective years. The crime statistics shall be reported to the U. S. Department of Education by October 1 of each year.

Once the Clery report is filed, it will be published on the College’s website and the public bulletin boards. In addition, the College’s Annual Security Report shall be made available on the College’s website. Copies of this report will be made available in the Office of Campus Operations for those who desire a printed copy. The annual security report shall be available in the Office of Campus Operations for full distribution to current and prospective students.

Approved: 11/02/92
Revised: 05/09/07
Revised: 06/24/15
Revised: 05/21/16
Revised: 12/13/23

514.5. MISSING PERSON POLICY

Under the Higher Education Opportunity Act of 2008, all Colleges must have policies and procedures for handling missing students and persons.

2. DEFINITION

A missing student means any student of an institution who resides in a facility owned or operated by such institution and who is reported to such institution as missing from their residence. Warren County Community College does not hold or operate resident facilities. As such, this policy refers to a situation where a College community member seeks to report a missing person to the College for investigative purposes.

3. PROCEDURES

Anyone seeking to report a missing person should be directed to the Coordinator of Public Safety.

Once a missing person is reported, the Coordinator of Public Safety will undertake the following:

- A. Obtain information regarding the identity of the student or individual presumed missing, the person reporting the incident, the relationship of the person reporting the incident, and the circumstances that caused the reporting person to file the report.
- B. Document such information in a College incident report.
- C. As appropriate, inquire with other officials at the College regarding the presumed missing person.
- D. Advise the reporting person that missing person reports must be filed with the law enforcement agency having jurisdiction where the student resides.
- E. Contact the law enforcement agency where the individual resides and advise them of the missing person report made to the College.
- F. Should the Coordinator of Public Safety believe that the missing individual may be in imminent threat of danger or the person is considered to have been last seen on the Warren County Community College campus, the Coordinator of Public Safety will contact the appropriate police agency and turn the issue over to their jurisdiction.

4. FERPA COMPLIANCE

Information sharing with police on missing persons will follow guidelines established under the federal Family Educational Rights and Privacy Act.

5. COMMUNICATIONS

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media designed to elicit public assistance in searching for a missing person. Therefore, outside law enforcement will handle all communications regarding missing students.

Approved: 5/20/09
Revised: 12/20/17
Revised: 12/13/23

514.6 WEAPONS POLICY

Warren County Community College prohibits the use or possession of any weapons as defined in N.J.S.A. 2C:39-1 in all campus buildings on all College properties and at all College sponsored events. The prohibition of the use and possession of weapons as defined below applies to students, employees, independent contractors and visitors/members of the public, including those who have a valid permit to carry a concealed weapon. Violators of this policy may be removed from campus, arrested, expelled, suspended, placed on probation or given a lesser sanction for good cause consistent with due process. Individuals shall be held accountable through the criminal justice system and/or the College judiciary process. Prohibition may not apply to authorized law enforcement personnel pursuant to N.J.S.A. 2C:39-6, if an exemption applies to carry a weapon on campus.

All state and federal statutes and local ordinances regarding the possession of firearms and weapons, including imitation firearms, both legal and illegal apply on all College property and at College-sponsored events and any applicable statutes, laws, regulations and ordinances are hereby incorporated by reference as if set forth here at length. Under New Jersey statute weapons mean, "anything readily capable of lethal use or of inflicting serious bodily injury." The term includes, but is not limited to: air guns, spring guns or pistols or weapons of a similar nature in which the propelling force is from an elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air or ignited by compressed air and ejecting a bullet or missile, knives, clubs, night sticks, metal knuckles, firearm silencers, armor piercing ammunition, zip guns, chemical substances, i.e. pepper spray over 3/4 oz. (See N.J.S.A.2C:39-6(i) setting out permissible conditions for carrying chemical substances for personal self-defense.)

In accordance with state statute N.J.S.A 2C: 39-5(e)(1), any person who knowingly has in his/her possession any firearm in or upon any part of the buildings and grounds of any college or university, without authorization of the governing officer of the institution is guilty of a crime of the third degree, regardless of whether on possesses a valid permit to carry the firearm or a valid firearms purchaser identification card.

Please see Campus Operations or Campus Security for more details regarding the College's weapons policy.

Approved: 06/18/14
Reaffirmed: 02/13/19

514.7 EMERGENCY NOTIFICATION SYSTEM

Warren County Community College has contracted with Rave Alert to provide emergency notification to students. This is a self-enrollment system that permits students and employees to receive text and e-mail alerts. The instructions for this system are as follows:

1. Go to www.getrave.com/login/warren.
2. Enter the requested information and agree to the terms of use.

Note: If you are prompted to go to your email, please do so and select the link there to continue the registration process.

3. During registration for mobile phone updates, you will be asked to enter a 4-digit confirmation code that was sent to your phone via text message. Please enter the 4-digit code in the website to complete your phone registration.

Points of Contact

Warnings will be issued to the Campus Community through any or all of the means listed below:

- Campus wide e-mail system;
- Text message;
- Notification on the WCCC website

When the system will be used

- An impending emergency situation
- An actual emergency situation
- Updates regarding a current emergency situation
- School closures due to weather or other circumstances

Timely Warnings

In the event that a situation arises, either on or off campus, that in the judgment of the Campus Safety Office and/or Campus Operations, constitutes an ongoing or continuing threat, a campus wide Campus Safety Alert (timely warning) will be issued. The Campus Safety Alert will be issued through the College's email system to students, faculty and staff. The information will also be posted on the WCCC website. The Campus Safety Alert will include information to promote safety and help aid in the prevention of similar crimes. In addition, it will include information about the crime that triggered the warning, including the nature of crime, any suspect information and location of the incident.

Emergency Notifications

The Campus Safety Office and Campus Operations is authorized to send emergency notifications through the selected contracted vendor (Rave Alert) to the WCCC Community if it is determined that there is an emergency or dangerous situation that poses an ***immediate threat*** to the health or safety of some or all members of the WCCC Community. Situations that may warrant an emergency notification include, but are not limited to:

- An emergency incident in progress; active shooters, bomb threats, civil unrest, and evacuations
- Potential impending emergency incidents such as tornado warnings and other serious weather events
- Safety messages regarding suspicious persons, area or school closures, crimes against person where the suspect is not apprehended
- Termination messages including all clears, status updates or re-opening of campus or buildings

The Campus Safety Office or Campus Operations shall without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Washington or Phillipsburg Township Police Departments, and/or the Washington or Phillipsburg

Township Fire Departments), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Before sending a message, the incident must be confirmed through one or more of the following methods:

1. Confirmation of an emergency in progress is subject to:
 - a. Confirmation of the incident by an emergency responder in the area
 - b. Visual confirmation via CCTV systems
 - c. Audible confirmation either in person or via telephone systems
 - d. Three (3) unique reports of the incident from members of the public or College community
2. Confirmation of an impending emergency is subject to confirmation of the incident by an emergency responder or relevant agency

The system will be tested during the Fall and Spring semesters. Users opt in to receive text messages, but all WCCC Community members will receive the notification via email. WCCC community members can sign up to receive messages through Rave Alert. For additional information visit: www.getrave.com/login/warren

Approved: 11/10/15
Reaffirmed: 02/13/19

514.8 EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Emergency Management at WCCC

The Campus Security Office and Campus Operations are responsible for the Emergency Operations Plan (EOP). This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency;
- Coordination with college departments to write, maintain, test, and exercise the EOP; and
- Cooperation, Integration, and Mutual Aid with local, state and federal planning, response, and public safety agencies and their EOPs.

The College's Emergency Operations Plan is reviewed on an annual basis for updates. This plan is distributed to all offices on campus.

There are four goals of the EOP:

1. Preparedness: Planning for an emergency or disaster event;
2. Response: The planned response to an emergency or disaster event;
3. Recovery: The process of returning to normal operations; and
4. Mitigation: Steps taken to prevent the effects of an emergency or disaster itself.

A hazard mitigation plan has also been written.

Drills, Exercises and Training

Annually, the College conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year to year, and include several departments from across the county.

To ensure the College's emergency management plans remain current and workable, the College will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. Following all drills and exercises a report, post exercise improvement plan, or corrective action plan is completed documenting the details and outcomes of the exercise.

In case of an emergency or a life-threatening situation, a decision to evacuate the building will be made by the College. Once the order is given to evacuate, staff and visitors will exit the building according to the posted instructions in the area. In the event of the activation of the fire alarm, the building would be evacuated IMMEDIATELY. Activation of the fire alarm also results in the notification of 911.

The Dean of Campus Administration and the Director of Campus Safety will be responsible for coordinating the safe evacuation of the building. Facilities staff also will assist in this process.

Evacuation Routes

When a Campus building is evacuated, individuals will assemble as follows:

Main Campus:

- All personnel who exit from the front of the building should proceed across the main access driveway into the main parking lot.
- All personnel who exit from the rear of the main campus building should proceed around the building, across the grass to the sidewalk and continue west to the Warren County Communications Center driveway.
- All personnel who exit from the rear of the annex addition should proceed to the left in the direction of the administrative parking lot.

Philipsburg Site:

- Evacuation routes are published in each classroom.
- All personnel who exit through the main front door, handicapped entrance or door leading off of the dock should cross Marshall Street and reassemble in the parking lot.

Approved: 11/10/15
Revised: 02/13/19

514.9 PROCEDURES FOR DESIGNATING AND TRAINING CAMPUS SECURITY AUTHORITIES

The purpose of this Policy is to establish a process by which the Warren County Community College designates and trains Campus Security Authorities (“CSAs”) in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) (the “Clery Act”) and its implementing regulations. It is the policy of the College to comply with the Clery Act through the proper designation and training of CSAs, as that term is defined in the Clery Act and related regulations.

Definitions:

“**Campus Security Authority**” (“CSA”) is defined. CSAs are individuals at the College who, because of their function for the College, have an obligation under the *Clery Act* to notify the College of alleged Clery Crimes that are reported to them in good faith, or alleged Clery Crimes that they may personally witness.

“Clery Crimes” are defined by the Clery Act as any of the following:

- Criminal Homicide
- Aggravated Assault
- Sex Offense (rape, fondling, incest, statutory rape)
- Burglary
- Robbery
- Motor Vehicle Theft
- Arson
- Dating Violence
- Domestic Violence
- Stalking

Hate Crimes, including:

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property that are motivated by bias

Arrests and referrals for disciplinary action for any of the following:

- Liquor Law Violations
- Drug Law Violations
- Carrying and possessing illegal weapons

“**Clery Geography**” includes the College’s campuses, public property within or immediately adjacent to its campuses, and non-campus buildings or property that the College owns, leases or controls. The College’s Clery Geography is outlined on a map maintained by the College’s Campus Operations Office.

Procedure for Designating and Training CSAs

A. Employee and Non-Employee/Volunteer CSAs

Each employee and non-employee/volunteer CSA shall complete training with respect to the Clery Act, the College's Clery Act compliance policies and procedures, and the responsibilities of a CSA ("CSA Training"). CSA Training shall educate CSAs about the history of the Clery Act, Clery Crimes, Clery Geography, when and how to report allegations of Clery Crimes, and the College's timely warning and emergency notification processes. CSA Training shall include a self-test, which a CSA must pass with a score of 80% to earn a Certificate of Completion.

With respect to employee CSAs, the College's Human Resources Director and/or the Campus Safety Coordinator ("Compliance Manager") shall be responsible for designating CSAs. Human Resources shall make these designations as soon as practicable after the hiring of an employee or a change in an employee's job functions. Human Resources should consult with the College's Compliance Manager if unsure whether to designate a particular individual as a CSA.

The Human Resources Director is also responsible for monitoring and notifying CSAs of their obligation to complete CSA Training (as defined and more fully described below) annually. The College Compliance Manager shall provide oversight of and assistance to Human Resources Director as necessary in ensuring compliance.

B. Student Organization Advisor CSAs

By January 31 of each year, each student organization recognized by Student Services shall provide Student Services with the name of the organization's advisor. If an organization's advisor changes, the organization must notify Student Services of the change as soon as practicable. Student Services will be responsible for providing this information to the Compliance Manager. The Compliance Manager will designate such individuals as CSAs. Student Services will make CSA training available to each designated student organization advisor.

Approved: 11/10/15
Reaffirmed: 12/18/19

515. EMERGENCY ACTION PLAN

The College will develop and maintain an Emergency Operation Plan (EOP) to be utilized as a basic guide to effectuate the College's response to ensure minimal loss of life and property in the event of an emergency. The EOP will be reviewed annually and updated as frequently as necessary.

Approved: 07/ 25/03
Revised: 12/20/17
Reaffirmed: 03/14/24