



**RIDER**  
UNIVERSITY

**2019**

# **Annual Security and Fire Safety Report**

**Lawrenceville and  
Princeton Campuses**

This brochure, which contains both the Annual Security and Fire Safety Reports for the Lawrenceville and Princeton campuses of Rider University, has been produced in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (also known as the Clery Act or Campus Security Act), codified at 20 U.S.C. 1092(f) as part of the Higher Education Act of 1965 (HEA). It is distributed annually via Internet to all Rider students and employees. A hard copy brochure is made available to all prospective students and employees upon request.

Further information about Rider University policies, regulations, fire safety and security services are available at Rider's web site [www.rider.edu](http://www.rider.edu). Employees may also obtain further information from the Human Resources Department.

# **Table of Contents**

## **Section One: SECURITY REPORT**

4	From the Rider University Director of Public Safety
4	What is an Annual Security Report?
5	Rider University Department of Public Safety
5	Campus Policing and Security Policies
6	Reporting and Responding to Incidents, Criminal Actions and Emergencies
7	Monitoring and Recording Criminal Activity at Off-campus (Non-Campus) Locations
7	Immediate Emergency Response and Evacuation Procedures
7	Emergency Notification
7	Timely Warning Notices
8	Disseminating Information
8	Daily Crime Log
8	Facilities Access and Security Maintenance
9	Crime Prevention Education and Awareness
10	Substance Abuse Policy
10	Alcohol Policy
11	Drug Policy
11	Alcohol/Drug Education and Awareness
12	Missing Student Notification Policy
12	New Jersey Campus Sexual Assault Victim's Bill of Rights
12	Anti-Harassment and Non-Discrimination Policy
13	Reporting and Responding to Sexual Assault
13	What to Do if Someone You Know is Sexually Assaulted
15	Available Services and Contact Information
16	Disclosures to Victims of Sexual or Other Violence
16	Campus Security Statistics
18	New Jersey Statutes
20	Geography Terms
20	Hate Crimes
20	New Jersey Sex Offender Internet Registry
21	Criminal Offenses – Lawrenceville Campus
23	Criminal Offenses – Princeton Campus
25	Liquor, Drug, Weapon Violations – Lawrenceville Campus
26	Liquor, Drug, Weapon Violations – Princeton Campus

## **Section Two: FIRE SAFETY REPORT**

28	From the Rider University Director of Public Safety
28	Reporting and Responding to Incidents
28	University Smoking Policy
29	Residence Life Regulations
29	Residence Fire and Safety Regulations
30	Fire Event Log
30	Fire Safety Systems
32	Fire Prevention Education and Awareness
33	Fire Statistics
33	Evacuation Procedures
35	Fire Emergency Plan
36	Residential Facilities Assembly Points
37	Evacuation for People with Disabilities

**Section Three:**  
**ANTI-HARASSMENT AND**  
**NON-DISCRIMINATION POLICY (AHND)**

45	Preamble
45	Rational for Policy
46	Applicable Scope
46	Definitions
49	Title IX Coordinator
49	Independence and Conflict-of-Interest
50	Administrative Contact Information
52	Notice/Complaints of Discrimination, Harassment and/ or Retaliation
53	Supportive Measures
55	Emergency Removal
56	Promptness
56	Privacy
58	Jurisdiction of Rider University
59	Time Limits on Reporting
59	Online Harassment and Misconduct
60	Policy on Nondiscrimination
61	Policy on Disability Discrimination and Accommodation
63	Policy on Discriminatory Harassment
75	Retaliation
76	Mandated Reporting
78	When a Complainant Does Not Wish to Proceed
79	Federal Timely Warning Obligations
79	False Allegations and Evidence
80	Amnesty for Complainants and Witnesses
81	Federal Statistical Reporting Obligations
82	Interim Resolution Process for Alleged Violations of the Anti-Harassment and Non-Discrimination Policy (Process A)
82	Overview
82	Notice/Complaint
83	Initial Assessment
86	Counterclaims
86	Right to an Advisor
89	Resolution Process
91	Formal Grievance Process Pool
93	Formal Grievance Process: Notice of Investigation and Allegations
94	Resolution Timeline
95	Appointment of Investigators
95	Ensuring Impartiality
95	Investigation Timeline
96	Delays in the Investigation Process and Interactions with Law Enforcements
96	Steps in the Investigation Process
98	Role and Participation of Witness in the Investigation
99	Recording of Interviews
99	Evidentiary Considerations in the Investigations
99	Referral for Hearing
100	Hearing Decision-maker Composition
100	Evidentiary Considerations is the Hearing
101	Notice of Hearing
102	Alternative Hearing Participation Options
103	Pre-Hearing Preparation
104	Pre-Hearing Meetings
104	Hearing Procedures
104	Joint Hearing
105	The Order of the Hearing – Introductions and Explanation of Procedure
105	Investigator Presents the Final Investigation Report
105	Testimony and Questioning
106	Refusal to Submit to Questioning; Inferences

107	Deliberation, Decision-making and Standard of Proof
108	Notice of Outcome
109	Statement of the Rights of the Parties
109	Sanctions
111	Withdrawal or Resignation While Charges Pending
112	Appeals
115	Long-Term Remedies/Other Actions
116	Failure to Comply with Sanctions and/ or Responsive Actions
116	Recordkeeping
117	Disabilities Accommodations in the Resolution Process
118	Interim Resolution Process for Alleged Violations of the Anti-Harassment and Non-Discrimination Policy (Process B)
118	Initial Assessment
120	Resolution Process Pool
122	Counterclaims
123	Advisors
124	Resolution Options
127	Resolution Timeline
127	Appointment of investigators
127	Ensuring Impartiality
128	Investigation Timeline
128	Delays in the Investigation Process and Interactions with Law Enforcement
128	Steps in the Investigative Process
130	Determination
130	Student Process
134	Employee Process
135	Additional Details of the Resolution Process
137	Sanctions
142	Withdrawal or Resignation While Charges are Pending
142	Appeals
143	Long-Term Remedies/Actions
144	Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions
144	Recordkeeping
144	Statement of the Rights of the Parties
144	Disabilities Accommodation in the Resolution Process
145	Revision of this Policy and Procedures
146	Appendix A: Statement of Rights of the Parties
150	New Jersey Campus Sexual Assault Victim's Bill of Rights
154	Appendix B: Statement on Consensual Relations Between Faculty and Students, Athletic Staff and Student-Athletes and Employees and Subordinates
155	Appendix C: Rider University Anti-Harassment and Non-Discrimination Statement
156	Telephone Numbers – Lawrenceville Campus
156	Telephone Numbers – Princeton Campus

# **SECTION ONE: SECURITY REPORT**

## **Lawrenceville Campus**

2083 Lawrenceville Road  
Lawrenceville, NJ 08648  
609-896-5000  
[www.rider.edu](http://www.rider.edu)

## **Princeton Campus**

101 Walnut Lane  
Princeton, NJ 086540  
609-921-7100  
[www.rider.edu](http://www.rider.edu)

## **Emergency (either campus):**

On-Campus: dial x7777 or 609-896-7777

## **From the Rider University Director of Public Safety**

On behalf of the Department of Public Safety, welcome to Rider University. We hope you find this report helpful as it regards your safety and security on campus.

As a community, we recognize that safety is everyone's responsibility. We appreciate the opportunity to share with you information regarding Public Safety policies, programs, and services as well as campus crime statistics for the past three calendar years.

The safety and well-being of all members of the Rider community – students, faculty, staff and visitors are of utmost importance to the University and a primary responsibility of the Department of Public Safety. The Department is responsible for the protection of life and property, the enforcement of University policies, the prevention and detection of on-campus crimes and other violations, emergency response management, and other safety services.

Founded in 1865, Rider University is a student-centered community of learners regionally recognized as an academically enriching institution. With campuses located in Lawrenceville and Princeton, New Jersey, Rider is an independent, residential university comprised of four academic units: the College of Business Administration; the College of Education and Human Services; the College of Liberal Arts and Sciences; the College of Continuing Studies; and Westminster College of the Arts. Rider offers more than 68 undergraduate programs in the fine and performing arts, humanities, sciences, social sciences, education and business, as well as 24 graduate programs principally in business, education, and music.

This annual security report focuses on Rider's 280-acre Lawrenceville campus located on Route 206 and on its 23-acre Princeton campus located at 101 Walnut Lane. The Lawrenceville campus comprises 44 buildings, athletic and recreation fields, on-site parking, and a lake. The Princeton campus comprises 15 buildings and on-site parking. Rider University also offers programs at the Bancroft School, Haddonfield, New Jersey; and the Bank of America campus in Pennington, New Jersey. Criminal offense statistics for these locations are included in the Non-Campus Building/Property column of the Lawrenceville portion of this report.

Thank you for taking the time to review this report. If you have questions or would like further information about safety and security at Rider University, please contact the Department of Public Safety at 609-896-5029.

Sincerely,

James G. Waldon  
Director of Public Safety

## **What is an Annual Security Report?**

The Rider University Department of Public Safety is responsible for preparing and distributing an annual campus security report as per the Campus Security Act, which requires colleges and universities to publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements.

Rider's Department of Public Safety works closely with several other University departments, among them the Dean of Students, Office of Community Standards and the Office of Residence Life, as well as local police in compiling this report each year.

The Department encourages members of the Rider University community to use this report as a guide for safe practices both on and off campus.

This report is available for the Lawrenceville and Princeton campuses on Rider's Web site at [www.rider.edu/SecurityandFireSafetyReports](http://www.rider.edu/SecurityandFireSafetyReports). Paper copies are available via the Department by calling 609-896-5029 or by emailing Director James G. Waldon at [jwaldon@rider.edu](mailto:jwaldon@rider.edu).

## **Rider University Department of Public Safety**

The mission of the **Department of Public Safety** is to provide members of the University community with a safe and pleasant environment in which to live, work, and learn. This involves the protection of life and property, the enforcement of University policies, the prevention and detection of on-campus crimes and other violations, emergency response management, and other safety services. Public Safety's jurisdiction consists of on campus property and grounds.

The Public Safety Department is located in West House on the Lawrenceville campus, and in Bristol Chapel on the Princeton campus. The Department is staffed by a Director of Public Safety, Captain of Patrol Services, Sr. Detective/Manager of Investigations, Commander of Emergency Services and Public Safety Officers who patrol the Lawrenceville campus on foot, in vehicles, and on bicycle 24 hours a day, 365 days a year. The Princeton campus has public safety officers who patrol on foot and via a golf cart.

The Department of Public Safety is available at all times to assist members of the University community. The Department can be contacted at 609-896-5029 (non-emergencies) and 609-896-7777 (emergencies) or by dialing x5029 or x7777 via any Lawrenceville or Princeton campus phone. The communications officer receiving the call will dispatch the appropriate Public Safety officers to the scene. All calls are electronically recorded and preserved, as are dispatch transmissions and patrol responses. In addition, there are 49 code-blue emergency phones on the Lawrenceville campus and seven code-blue emergency phones on the Princeton campus that provide direct connection to the Department.

The Department of Public Safety is organized in three divisions Patrol Services, Investigations & Emergency Services. Public Safety Officers are non-sworn University employees who do not have police powers. Officers who have not previously graduated from an accredited law enforcement academy prior to joining the Department are required to complete a 40 hour training program in campus law enforcement and security sponsored by the New Jersey College and University Public Safety Association. Officers are qualified in first aid, CPR for the Health Care Provider, fire response, fema and participate in ongoing training throughout the year.

The Department's Communications Desk is staffed with trained communications officers who answer calls for service, dispatch officers and other emergency services, register motor vehicles on campus, handle switchboard calls late at night, and monitor intrusion detection and fire alarm systems.

The Department also employs students on the Lawrenceville campus who assist with student escorts and patrol the parking lots and academic and residence quads for suspicious activity or problems that they then report immediately to Public Safety staff for response.

## **Campus Policing and Security Policies**

The Department's policies and standard operating procedures are outlined in the Patrol Guide and Emergency Operations Plan, both of which are available in the Department's offices.

The Department of Public Safety maintains excellent working relationships with Lawrence Township Police and Princeton Police, as well as county and state police agencies. Information is disseminated between these agencies and the Department in an on-going effort to maintain safe campus environments. Lawrence Township Police and Princeton Police have appointed Liaison Officers who meet regularly with the Director of Public Safety to discuss crime and other serious incidents, as well as crime prevention, in and around the University community. The local police and Rider have agreed to cooperate in the investigation of possible criminal activity or conduct.

Serious matters are promptly reported to local police. In addition, the Department assists victims, upon request, in contacting the police. The Department reviews all reported incidents and coordinates with local police in classifying and compiling reportable offenses as defined in *The Handbook for Campus Crime Reporting*.



Local police officers work at various University events throughout the year in addition; mutual aid agreements have been established with a variety of local agencies and institutions, among them the Lawrence Township Police Department, the Princeton Police Department, Lawrence Road Fire Department, Lawrence Township and Mercer County Office of Emergency Management, Mercer County Sheriff's Office, and area schools.

## **Reporting and Responding to Incidents, Criminal Actions and Emergencies**

The Department of Public Safety encourages prompt and accurate reporting of violations of criminal law, the University's Student Code of Social Conduct, and the Anti-Harassment and Non-Discrimination Policy to Public Safety. The Department also encourages prompt and accurate reporting of all crimes to the appropriate police agencies when the victim of a crime elects to, or is unable to, make such a report. Public Safety officers respond to on-campus locations as appropriate and are available to take reports at the office.

Violations of Rider's Student Code of Social Conduct are adjudicated by the appropriate hearing authority as enforced by the Office of Community Standards. Further information is available in the Student Code of Social Conduct, which is available via Rider's web site ([https://www.rider.edu/sites/default/files/docs/student\\_code\\_of\\_social\\_conduct.pdf](https://www.rider.edu/sites/default/files/docs/student_code_of_social_conduct.pdf)) the Office of Community Standards. Depending on the nature of the incident involved, prosecution may take place, in accordance with New Jersey criminal law, independent of University action.

Resident students may first confer with the Office of Residence Life staff for incidents occurring in the residence halls. Fraternity/sorority residents may first confer with their Community Director and/or Community Assistant for incidents occurring in the Greek houses. This does not preclude the ability to notify and file a report with the Department of Public Safety and/or local police, or to report a violation of the Anti-Harassment and Non-Discrimination Policy to the Title IX Coordinator or Associate Vice President for Student Affairs and Dean of Students.

Rider's Anti-Harassment and Non-Discrimination Policy is included in its entirety at the back of this booklet.

There are various ways in which members of the Rider community and guests can report crimes and other serious incidents:

A formal complaint report results when an incident report is prepared that includes victim and witness statements and results in an investigation, and if appropriate, the identification of suspects and the filing of campus charges. Where appropriate, suspects who are not students may be identified as Personae Non Grata. Violations of the University's Student Code of Social Conduct are adjudicated through the Office of Community Standards as outlined in The Source. Incidents involving faculty or staff may be referred to Human Resources.

1. An informational report may be taken when an individual does not wish to pursue formal charges or an investigation but wishes to have an accounting of the incident on file.
2. A confidential report may be taken when an individual does not want his or her identity publicly revealed in the reporting of a crime or other serious incident.
3. A silent witness form is available via the Department's Web site ([www.rider.edu/info/publicsafety/witness.htm](http://www.rider.edu/info/publicsafety/witness.htm)). It allows individuals to notify the Department anonymously of any crime or other serious incident that occurs on campus.

Campus Security Authorities who are notified of crimes or other serious incidents are required to notify the Department of Public Safety. Campus Security Authorities are defined as an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. Pastoral and professional counselors, if and when they deem appropriate, may inform individuals whom they are counseling of appropriate procedures to report

crimes on a voluntary, confidential basis. Pastoral and professional counselors who act outside of their primary role would then be required to adhere to the same reporting requirements as a Campus Security Authority.

## **Monitoring and Recording Criminal Activity at Off-campus (Non-campus) Locations**

Rider University works closely with local law enforcement agencies regarding off-campus (non-campus) crimes and other serious incidents involving Rider students or student organizations.

Any findings of student misconduct are handled by the Dean of Students Office and the Office of Community Standards for any disciplinary action if appropriate. The University's Student Code of Social Conduct and Anti-Harassment and Non-Discrimination Policy may apply to any student conduct that occurs on University premises, at University sponsored activities, and also to off-campus (non-campus) conduct that adversely affects the University community or the pursuit of its objectives, including, but not limited to, any off-campus (non-campus) conduct that constitutes a violation of any law or municipal ordinance or any off campus conduct that poses a threat to the health, safety or welfare of any members of the University community or any residents of the neighboring communities. Timely warning notices may also be issued as appropriate.

## **Immediate Emergency Response and Evacuation Procedures**

Rider University develops, reviews, and revises campus policies regarding emergency preparedness, emergency response and evacuation procedures, and campus community notifications. These policies are contained within the University's Emergency Operations Plan and are maintained in various offices to include Public Safety, Facilities Management, and the President's Office. In addition, copies of the Emergency Operations Plan have been provided to Lawrence Township, Princeton, and the Mercer County Office of Emergency Management.

## **Emergency Notification**

There may be incidents in which Rider University immediately notifies the campus community and the appropriate law enforcement agency, as warranted, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus and/or the surrounding community. Rider University senior officials may need to consult with internal and/or external resources to confirm that there is a significant emergency or dangerous situation. This will be done in a timely fashion.

Upon confirmation of a significant emergency or dangerous situation, the Director of Public Safety, the Vice President for Strategic Initiatives and Planning, and the Associate Vice President for Student Affairs and Dean of Students or their designees will determine the content of the notification and the appropriate segment(s) of the University community to receive a notification. They will then initiate the notification, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Notifications are issued in a variety of ways, depending on the nature of the situation or emergency. This is discussed in greater detail in the section below entitled Disseminating Information.

## **Timely Warning Notices**

Rider University firmly believes in the use of timely warning notices to notify the University community of Clery Act crimes committed on campus or in the surrounding area that pose a serious or continuing threat to students and employees. Timely warning notices are issued in a timely fashion to aid in the prevention of similar crimes. Members of the Rider community are

encouraged to immediately report crimes and other serious incidents to the Department of Public Safety so that a timely warning notice can be issued when appropriate.

The Director of Public Safety, the Vice President for Strategic Initiatives and Planning and the Associate Vice President for Student Affairs and Dean of Students or their designees determine when and how to issue a timely warning notice and are responsible for writing and initiating the notification.

Notifications can be made several ways, depending on the nature and timing of the incident(s) involved. This is discussed in greater detail in the section that follows entitled Disseminating Information. Timely warnings will withhold the names and other personally identifying information or personal information of victims as confidential, but a suspect's personally identifying information could be released.

## **Disseminating Information**

Emergency notifications and timely warnings are issued primarily via Rider Alert, the University's electronic notification system which is available to students, faculty and staff. RiderAlert utilizes cellphone calling, texting and email. Emails are also issued via Rider's list-serves through the University Communications Office. The University's website and hotline may be updated with appropriate information and building signage may also be deployed depending on the nature of the situation.

Rider University is committed to ensuring that appropriate information is disseminated as quickly and accurately as possible in an emergency situation. To that extent, communication systems are tested on a regular basis. In addition, annual tests are conducted through scheduled drills or exercises designed for assessment and evaluation of emergency plans and capabilities. Results of those tests are documented, to include date, time, and whether they were announced or unannounced. Emergency response and evacuation procedures are posted year-round on Rider's Web site ([www.rider.edu/offices-services/public-safety/emergency-response-tips](http://www.rider.edu/offices-services/public-safety/emergency-response-tips)).

## **Daily Crime Log**

The Department of Public Safety maintains a written, easily understood Daily Crime Log as required by the Campus Security Act.

The Daily Crime Log records, by the date the crime was reported, any crime that occurred on campus or within the Department's patrol jurisdiction, in public areas immediately adjacent to or running through campus, and in certain non-campus facilities and remote classrooms. The log includes the nature, date, time, and general location of each crime reported to the Department as well as the disposition of the complaint, if known at the time the log is written. The Department makes an entry or an addition to an entry to the Daily Crime Log within two business days of receiving a report, except in certain circumstances as prescribed by the Campus Security Act.

Rider's Daily Crime Log is available for public inspection and contains the most recent 60 day period. Any portion of the Daily Crime Log older than 60 days will be made available within two business days of a request for public inspection.

## **Facilities Access and Security Maintenance**

The Lawrenceville and Princeton campuses are open campuses with entrances open 24 hours a day.

Public Safety officers conduct routine building checks during their patrols. Non-residential buildings are locked by an officer every night and are accessible when locked with University identification or issued key. Surveillance cameras record activity in the majority of campus parking lots and other public areas.

Overnight guests must register through the Residence Advisor or House Manager on duty for the respective residential building.

Access to exterior doors of most residential facilities is controlled by a system of electronically encoded photo ID cards. These cards, issued to students, faculty and staff, are also required for entry to the Rider Pub (Lawrenceville campus) and coffeehouse (Princeton campus) and certain campus events. It is also required for access to various University services including the Library, cashier's and bursar's offices, and residential dining facilities. The issuance and operation of the card access system is a shared responsibility of Residence Life, Public Safety and the Office of Information Technologies.

Access to remaining residential facilities is controlled by issued keys. Facilities Management is responsible for maintenance of the campus key lock system. The Department of Public Safety should be contacted in the event of an ID card, key or lock problem after normal business hours.

The Department of Public Safety works closely with the Office of Residence Life in monitoring and promoting safe campus living. Public Safety officers conduct routine security walkthroughs in residence halls and Greek houses and respond to incidents and emergencies.

The Department also works closely with Facilities Management in an on-going effort to help ensure the safety of all other buildings. Sodium vapor lights designed to enhance visibility illuminate all parking areas, buildings, and walkways. The Department conducts routine campus lighting surveys which are forwarded to Facilities Management for needed repairs/replacement. Members of the University community are encouraged to report any lighting deficiencies on the Lawrenceville campus to Facilities Management at 609-896-5080 and on the Princeton campus at 609-921-7100 x8272. In addition, the Department maintains an on-call list of Facilities Management personnel in the event of any facilities related emergencies that occur after normal business hours.

## **Crime Prevention Education and Awareness**

Crime prevention is a high priority for the Department and the entire University. The Department encourages community members to be aware of their surroundings, both on and off campus, and to take responsibility for their own safety and security and that of others. Toward that end, the Department offers several crime prevention and education programs and services. They include the following:

1. **Security surveys and vulnerability assessments:** The Department routinely conducts security surveys and vulnerability assessments to identify areas of campus that present vulnerabilities to the safety of the University community. The Department works with appropriate offices, including Facilities Management, in addressing concerns.
2. **Park, Walk and Talk Program:** Establishing personal contact with members of the University community in a non-crisis situation helps foster communication and recognition between the community and the Department of Public Safety. Public Safety officers routinely visit residence halls, Greek houses, and University offices for discussion and exchange of ideas. Public Safety officers performed 2,709 hours of Park, Walk, and Talk in 2019.
3. **Buddy Program:** A Public Safety officer is assigned to each residence hall and Greek house to serve as a liaison to the Department. These "buddies" meet regularly with their assigned building to discuss quality of life issues as they relate to personal safety and crime prevention.
4. **Operation Identification:** The Department tags personal or University property free of charge. This on-going service aids in deterring theft and helps law enforcement officials trace stolen property. The Rider community is urged to take advantage of this fast, easy way to protect personal belongings and University property.

5. **Escort Service:** Escorts are available free of charge to students and other community members who are visiting another building or returning from off-campus events late at night. The Lawrenceville campus has trained student employees or Public Safety officers who will provide such services on foot or in a vehicle when available. On the Princeton campus a Public Safety officer will provide such services on foot. Community members are encouraged to contact the Department at 609-896-5050 to request this service. Public Safety personnel provided 4,833 escorts in 2019.
6. **Educational Programs:** Programs such as fire safety demonstrations, crime prevention programs, and self-protection seminars are available to the University community free of charge and are conducted throughout the year. Anyone interested in these or similar programs is asked to contact the Department of Public Safety at 609-896-5029.
7. **Crime Prevention Brochures:** A series of brochures is available from the Department free of charge and are made available to new students and employees during orientation. Topics include home and office security, personal safety and security, operation identification, and credit card safety.
8. **New Student Orientation:** Public Safety officers meet with new students and their parents during orientation to provide an overview of the Department's programs and services and basic safety tips.
9. **New Employee Orientation:** Public Safety officers meet regularly with new employees to provide an overview of the Department's programs and services as well as fire safety and other basic safety tips.

## **Substance Abuse Policy**

Rider University believes that individual responsibility is extremely important in social choices. Substance abuse is prevalent on college campuses today and often hinders community members' ability to lead lives of productive work, enlightened living, and community involvement. The University policy regarding alcohol and other drugs provides penalties for abuses but places major responsibility on the student for responsible decision making.

The University's policies and Student Code of Social Conduct governing the use of alcohol and other drugs apply to all Rider students and their guests. The primary responsibility for knowing and abiding by the provisions of the University's policies rests with the individual student.

## **Alcohol Policy**

Rider University seeks to maintain safe and healthy campus environments that are conducive to the academic and social activities of its students. Rider's alcohol policy fosters this safe and healthy environment and reflects the need for mutual respect and personal responsibility among the members of the Rider community, all of whom are expected to be acquainted with, and to abide by, the University's policies, federal and state laws, and local ordinances related to the sale and consumption of alcohol. The primary law enforcement agencies that enforce violations of these laws are the Lawrence Township Police Department and the Princeton Police Department.

Rider's alcohol policy prohibits the consumption, possession, and/or purchase of alcoholic beverages by any person under 21 years of age. A student who is 21 years of age or older may consume alcoholic beverages responsibly in the Rider Pub, in his/her private living unit or Greek house room provided the student complies with all other aspects of Rider's alcohol policy. Possessing, using, and/or transporting beer balls, kegs and/or other containers of alcohol intended for group consumption are prohibited. Sanctions for violations of the alcohol policy include, among others, parental notification, fines, mandatory alcohol education or consultation, community restitution, removal from housing, suspension, and/or dismissal from the University.

Rider's alcohol policy is published in its entirety on the website at [https://www.rider.edu/sites/default/files/docs/student\\_code\\_of\\_social\\_conduct.pdf](https://www.rider.edu/sites/default/files/docs/student_code_of_social_conduct.pdf).

## **Drug Policy**

Rider University does not tolerate the use or possession of any illegal substance on its campuses. The making, growing, distributing, sharing, selling and/or possession of illegal substances as defined by New Jersey statutes are violations of Rider's Student Code of Social Conduct. Additional violations as outlined relate to possession of drug paraphernalia, being in the presence of illegal substances, and being under the influence of illegal substances. The University recognizes the right of law enforcement agencies to enforce statutes pertaining to illegal substances on its campuses, including executing search and arrest warrants. The primary law enforcement agencies that enforce violations of these laws are the Lawrence Township Police Department and the Princeton Police Department. Sanctions for violations of the drug policy include, among others, fines, probation, removal from housing, suspension, and/or dismissal from the University.

Rider's drug policy is published in its entirety in the Student Code of Social Conduct; which is available via Rider's website at [https://www.rider.edu/sites/default/files/docs/student\\_code\\_of\\_social\\_conduct.pdf](https://www.rider.edu/sites/default/files/docs/student_code_of_social_conduct.pdf).

## **Alcohol/Drug Education and Awareness**

Rider University annually conducts a variety of prevention focused alcohol and drug education and awareness programs. These are coordinated by the University's full-time Alcohol/Drug and Sexual Assault Prevention Education Coordinator and supported by various offices throughout the University including the Student Health Center, Counseling Center, Residence Life, Student Affairs and Public Safety. Topics covered during these programs include, among others, risk reduction techniques, alcohol poisoning awareness, alcohol use and abuse, intervention strategies, sober alternatives, Rider's alcohol, drug and Good Samaritan policies and New Jersey's Good Samaritan Law. Rider's University Drug and Alcohol Abuse Prevention Program can be accessed at the following web address: <http://www.rider.edu/student-life/health-wellness/alcoholdrug-sexual-assault-prevention-education-program/annual-notification>.

- Summer orientation programming for new first year and transfer undergraduate students and their parents. Fall orientation programming for new first year and transfer undergraduate students.
- All new first year and transfer undergraduate students must complete an online education program regarding alcohol, drugs and sexual assault. Failure to do so results in a hold on their ability to course select.
- Presentations and programming in the residence halls, during freshman seminar, at Greek 101 programs and academic classes. Weekly wellness event tables in the dining hall.
- Campus-wide events such as Octsoberfest, Rider Cash Cab, Alcohol Awareness Week, LaLaNoBooza, Student Health and Awareness Fair, and Safer Spring Break Awareness Event.
- All new and returning Residence Life staff and Orientation Leaders are trained to raise awareness of student alcohol and/or drug issues, risk reduction strategies and Rider's alcohol and drug policies.
- Students found in violation of Rider's alcohol or drug policies are required to attend an alcohol/drug education seminar and/or one-to-one consultation with Rider's Prevention Education Coordinator.
- Rider's Employee Assistance Program, provided through Business Health Services, provides support and education regarding such issues as alcohol and drug use and abuse.

## **Missing Student Notification Policy**

The law considers a student missing if her/his whereabouts is unknown for 24 hours. Any student believed to be missing for 24 hours should be reported to Public Safety or the Dean of Students Office. An official report of any missing student must be immediately reported to Public Safety.

Students living on campus have the option to designate a person or persons to be notified within 24 hours if they are determined to be missing. This information is handled in a confidential manner, accessible only to authorized campus and law enforcement officials, and may not be disclosed outside of a missing person investigation. Designated contact person(s) information is gathered from resident students upon check-in via the Office of Residence Life.

If, upon investigation of an official missing person report, Public Safety determines that a student is missing:

- The Dean of Students or designee must, within 24 hours, notify the custodial parent/guardian and any other designated contact person(s) if the student is under the age of 18 and is non-emancipated (remaining under parental care, custody and financial support).
- The Dean of Students or designee must, within 24 hours, notify the designated contact person(s) of any student 18 years of age or older.

Regardless of whether a student has designated a contact person, is over or under the age of 18, or is an emancipated minor, Public Safety must, within 24 hours, inform the local law enforcement agency (police) of a missing student, unless the local law enforcement agency is the entity that made the determination that the student is missing.

## **New Jersey Campus Sexual Assault Victim's Bill of Rights**

Rider University recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. The University supports the New Jersey statute that articulates requirements for policies, procedures and services designed to ensure that the needs of victims are met and that the state's colleges and universities create and maintain communities that support human dignity.

The New Jersey Campus Sexual Assault Victim's Bill of Rights is available in its entirety as part of the University's Anti-Harassment and Non-Discrimination Policy, which is included in its entirety at the back of this booklet and posted on Rider's website at [https://www.rider.edu/sites/default/files/docs/student\\_code\\_of\\_social\\_conduct.pdf](https://www.rider.edu/sites/default/files/docs/student_code_of_social_conduct.pdf). As per the Bill of Rights, it is the victim's right to decide whether or not to pursue the matter with law enforcement authorities.

## **Anti-Harassment and Non-Discrimination Policy**

As a community of educators and learners, Rider University is committed to fostering an environment dedicated to learning and mutual respect as reflected in the University's Mission, Statement of Community Values, and Anti-Harassment and Non-Discrimination Policy. All students, faculty, administrators and staff at the University have the right to expect an environment that allows them to enjoy the full benefits of their work or learning experience. The University, therefore, does not condone violations of its Anti-Harassment and Non-Discrimination Policy and treats all allegations about violations very seriously. As outlined in the Policy, the University prohibits all forms of discrimination, harassment, sexual assault, sexual misconduct, sexual harassment, dating violence, domestic violence and stalking.

**The University's Anti-Harassment and Non-Discrimination Policy governs the treatment of harassment and discrimination cases at Rider University including sexual harassment, sexual misconduct, sexual assault (including rape and acquaintance rape), domestic violence, dating violence and stalking.** The Policy applies to such conduct that occurs on University premises, at University sponsored activities, and off-campus conduct that violates the Policy and the University believes poses a threat to the health, safety or welfare of any members of the University community or any residents of neighboring communities. The Policy applies to all students and employees, and to third-parties on University premises or at University sponsored activities.

The Policy is included in its entirety at the back of this booklet and is available on Rider's website at [https://www.rider.edu/sites/default/files/docs/student\\_code\\_of\\_social\\_conduct.pdf](https://www.rider.edu/sites/default/files/docs/student_code_of_social_conduct.pdf). Copies are also available in the Dean of Students, Public Safety, Student Health Center, Counseling Center and Human Resources offices.

## **Reporting and Responding to Sexual Assault**

See the University's Anti-Harassment and Non-Discrimination Policy at the back of this booklet for information regarding reporting complaints of harassment, discrimination, sexual harassment, sexual misconduct, sexual assault (including rape and acquaintance rape), domestic violence, dating violence and stalking. Contact information is provided for reporting complaints along with detailed information regarding responsible employees, requesting confidentiality from the University, on and off-campus resources and assistance, protective measures and accommodations and informal and formal procedures the University follows for responding to and resolving student and employee complaints of policy violations. Also included in the Policy is more detailed information regarding the University's prevention and awareness programs for new and continuing students and employees regarding sexual assault, domestic violence, dating violence and stalking.

## **What to Do if Someone You Know is Sexually Assaulted**

The terms sexual assault, acquaintance rape and date rape are often used interchangeably. Sexual assault is a general term that describes all forms of unwanted sexual activity. It includes, but is not limited to, rape or attempted rape.

Assailants can be strangers, acquaintances, friends or family members. Assailants commit sexual assault by way of violence, threats, coercion, manipulation, pressure or tricks. Whatever the circumstances, no one asks or deserves to be sexually assaulted. Do not blame yourself for what happened to you.

Sexual assault in any form is a crime and a violation of Rider's Anti-Harassment and Non-Discrimination Policy, which is included in its entirety at the back of this booklet. Victims of sexual assault are encouraged to talk to someone about what happened so that they can get the help and support they need and the University can respond appropriately.

### ***IMMEDIATELY following a sexual assault:***

- **Get to a safe place.**
- **Call someone you trust.** No matter how late it is, you should not be alone. Call a friend, a family member or someone else you trust and ask them to stay with you.
- **Get immediate medical attention for possible injuries, sexually transmitted diseases, and pregnancy.** Even if you think that you do not have any physical injuries, you should still have a medical examination and discuss the possibility of sexually transmitted infections with a medical provider. If you are female, you can prevent pregnancy by taking emergency contraceptive pills within 72 hours of the assault.



- **Contact the Department of Public Safety (609-896-5029)** if you would like to be transported to a hospital for examination.
- **Do not clean up.** It may be difficult to keep from cleaning yourself up, but if you do, you may destroy evidence that could be useful should you decide to report the assault to the police.
- **Preserve all physical evidence.** Do not bathe, shower, douche, eat, drink, smoke, or urinate, if possible. Save all of the clothing you were wearing at the time of the assault. Place each item of clothing in a separate paper bag. Do not use plastic bags. Do not disturb anything in the area where the assault occurred. Evidence can be collected at an emergency room and you can decide later whether or not you want to report the incident to the police. If the crime happened in your room or apartment, do not clean or straighten up until all evidence has been collected. Even if you are not sure about reporting the assault, it makes sense to preserve the option of reporting until you make a final decision.
- Write down as much as you can remember about the circumstances of the assault, including a description of the assailant, her or his identity if you know it, and the use of threats or force.
- Consider reporting the assault to the University and law enforcement authorities. Reporting a sexual assault may be an important step in the recovery process and may help to prevent another assault. Reporting an incident to a University official does not mean you must also report the incident to law enforcement authorities. As per the New Jersey Campus Sexual Assault Victim's Bill of Rights, it is the victim's choice whether or not to report the matter to law enforcement authorities. See Rider's Anti-Harassment and Non-Discrimination Policy at the back of this booklet for further information.

**Contact information for reporting the assault to the University:**

**Robert Stoto**  
**Vice President for Human Resources/Title IX Coordinator**  
**Moore Library, Room 108**  
**(609) 895-5683**  
**[rstoto@rider.edu](mailto:rstoto@rider.edu)**

**Cindy Threatt**  
**Associate Vice President for Student Affairs and Dean of Students**  
**Bart Luedeke Center, Room 110**  
**(609) 896-5101**  
**[cthreatt@rider.edu](mailto:cthreatt@rider.edu)**

**Department of Public Safety**  
**West House, Lawrenceville campus**  
**Bristol Chapel, Princeton campus**  
**Both campuses: (609) 896-5029 (non-emergency)**  
**(609) 896-7777 (emergency)**

**Silent Witness Form (anonymous reporting) is available via Rider's Web site at [www.rider.edu/info/publicsafety/witness.htm](http://www.rider.edu/info/publicsafety/witness.htm).**

- **Contact your local rape crisis program, Rider's Counseling Center** (Lawrenceville campus: 609-896-5157; Princeton campus: 609-921-7100 x8275) or other offices/services listed below for support, information, and to talk to someone who understands the trauma of rape, your rights under the law, and knows how to help.
- **Call Womanspace** at 609-394-9000 or 800-572-SAFE and speak to a Rape Crisis Counselor. You can ask the counselor to activate the Mercer County Sexual Assault Response Team (SART) if you desire. The SART consists of a Sexual Assault Advocate and a Sexual Assault Nurse Examiner (SANE). **You do not have to reveal your identity to the counselor.**

If the Sexual Assault Response Team (SART) is activated, an Advocate and the SANE nurse will meet you at the Mercer County hospital of your choice. You also have the option of asking to have a police officer meet you at the hospital if you would like law enforcement to be notified. You DO NOT have to have law enforcement involved in order to have the advocate and SANE nurse meet you at the hospital. If you do not want police involved, they come to the hospital only to ensure that the evidence is sent to the NJ State Police Crime Lab after it is collected at the hospital. If you do not want to have police involvement right away, the evidence kit will still be kept, untested, for five years.

**The following area hospitals are part of a program that allows SANE nurses to respond to and perform forensic exams after a sexual assault:**

- **Capital Health, Regional (Helene Fuld)**  
750 Brunswick Ave., Trenton NJ 08638; (609) 896-6000
- **Capital Health**  
1 Capital Way, Pennington, NJ 08534; (609) 303-4000
- **Penn Medicine Princeton Medical Center**  
1 Plainsboro Rd., Plainsboro, NJ 08536; 1(609) 853-7000
- **Robert Wood Johnson University Hospital**  
1 Hamilton Health Place, Hamilton, NJ 08690; (609) 584-6666

**What is a SANE nurse?** Being examined at a hospital may be part of the process of dealing with a sexual assault. It is important to feel safe during this examination. Having someone trained to perform these particular examinations and who understands the trauma of rape can provide this sense of safety.

- **Sexual Assault Nurse Examiners (SANE)** are emergency room RNs who have completed specialized training to assist sexual assault victims. They perform the physical examination, collect evidence from your body, provide you with emergency contraception, treat minor injuries, work cooperatively with law enforcement agencies and the courts, and most of all support your needs.
- **SANE** nurses strive to preserve their patients' dignity and ensure that survivors are not re-traumatized by the evidence collection process.
- **SANE** nurses are also trained in identifying patterned injury, documenting injuries, maintaining chain-of-evidence, and providing expert witness testimony.

## **Available Services and Contact Information**

***Victims and their friends have the following options available to them:***

**Department of Public Safety:** located in West House at the south entrance of the Lawrenceville campus and in Bristol Chapel on the Princeton campus and is staffed 24 hours a day, every day. The emergency number is 609-896-7777 and the non-emergency number is 609-896-5029. Officers provide support and assistance. They will prepare an incident report and assist in contacting the police if the victim chooses.

**Student Health Center:** on the Lawrenceville campus is located on Poyda C 1st floor or by calling 896-5060 weekdays. On the Princeton campus it is located in Taylor Hall or by calling 609-921-7100 x8222 weekdays. The nurse provides a safe and supportive environment and immediate medical attention for any physical injury. The nurse will also call Womanspace at the victim's request.

**Counseling Center:** on the Lawrenceville campus is located in Zoerner House or by calling 609-896-5157 weekdays. On the Princeton campus it is located in Williamson Hall or by calling 609-

921-7100 x8275 weekdays. Victims can make an appointment with a professional counselor for a private and confidential session.

**Student Affairs:** Student Affairs is located in the Bart Luedeke Center on the Lawrenceville campus or by calling 609-896-5101 weekdays. On the Princeton campus it is located in Scheide Student Center or by calling 609-921-7100 x8263 weekdays. Staff provides support and assistance and can direct the victim to the appropriate resources.

**Lawrence Township Police Department:** is located near the Lawrenceville campus on Route 206 or by calling 609-896-1111 or 911 in an emergency. A police officer can meet with a victim in the Public Safety office or will come to her or his on-campus location, usually accompanied by a Public Safety officer. The police will explain their role and how they can be of assistance.

**Princeton Police Department:** is located at 1 Valley Road or by calling 609-921-2100 or 911 in an emergency. A police officer can meet with a victim in the Public Safety office or will come to the victim's on-campus location, usually accompanied by a Public Safety officer. The police will explain their role and how they can be of assistance.

**Womanspace:** is a 24-hour crisis and information hotline available at (609) 394-9000. Trained and sensitive counselors and advocates are available on the phone and in person to help the victim through the process and, at the victim's request, will accompany the victim to the hospital, police station, or Public Safety office. All contact with Womanspace is confidential.

Additional resources are listed at the back of this booklet as part of Rider's Anti-Harassment and Non-Discrimination Policy.

## **Disclosures to Victims of Sexual or Other Violence**

Rider University will disclose to the alleged victims of sexual assault, dating violence, domestic violence, stalking and other violent crimes the results of any disciplinary hearing conducted by the University, as per either the Student Code of Social Conduct or the Anti-Harassment and Non-Discrimination Policy, against the student who is the alleged perpetrator of the crime or offense. If the victim is deceased as a result of the crime or offense, the University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## **Campus Security Statistics**

### ***Crime Definitions from the Uniform Crime Reporting Handbook***

The Campus Security Act requires that institutions provide definitions for the reportable offenses that occurred in their Geography. The definitions are provided under Uniform Crime Reporting (UCR) or National Incident Based Reporting System (NIBRS) as appropriate.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.) [Count one offense per victim]

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. [Count one offense per each incident]

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned. [Count one offense per incident]

**Criminal Homicide-Manslaughter by Negligence:** The killing of another person through gross negligence. [Count one offense per victim]

**Criminal Homicide-Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. [Count one offense per victim]

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. [Count one offense per victim]

**Destruction, Damage, or Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it. [Count one offense per incident]

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. [Count one offense per victim]

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. [Count the number of arrests \*]

**Intimidation (Hate Crime Handbook):** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. [Count one offense per victim]

**Larceny Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded. [Count one offense per incident]

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. [Count the number of arrests\*]

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. [Classify as motor vehicle theft all cases where automobiles (including golf carts) are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.] [Count one offense per each stolen vehicle]

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. [Count one offense per incident]

## **Sex Offenses**

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. [Count one offense per victim]

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. [Count one offense per victim]

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/ her temporary or permanent mental incapacity. [Count one offense per victim]

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. [Count one offense per victim]

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. [Count one offense per victim]

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. [Count one offense per victim]

**Weapon Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. [Count the number of arrests\*]

\*When counting multiple offenses, the FBI's Uniform Crime Reporting Hierarchy Rule is used. This requires that institutions count only the most serious offense when more than one offense is committed during a single incident. While this applies to all categories above, it is particularly relevant for weapon law, drug abuse, and liquor law violations.

## **New Jersey Statutes**

The Campus Security Act requires institutions to provide the local jurisdiction definition for dating violence, domestic violence, stalking, sexual assault and consent. The definitions below are taken from Title 2C of the New Jersey Criminal Code.

**Consent:** a. In General. The consent of the victim to conduct charged to constitute an offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense. b. Consent to Bodily Harm. When conduct is charged to constitute an offense because it causes or threatens bodily harm, consent to such conduct or to the inflictions of such harm is a defense if: (1) The bodily harm consented to or threatened by the conduct consented to is not serious; or (2) The conduct and the harm are reasonable foreseeable hazards of joint participation in a concerted activity of a kind not forbidden by law; or (3) The consent establishes a justification for the conduct under chapter 3 of the code\*. c. Ineffective Consent. Unless otherwise provided by the code or by the law defining the offense, assent does not constitute consent if: (1) It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense; or (2) It is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature of harmlessness of the conduct charged to constitute an offense; or (3) It is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense. \*Chapter 3 of the code (entitled General Principles of Justification) primarily covers Use of Force matters.

**Dating Violence:** The State of New Jersey does not have a specific law regarding dating violence. It is part of the domestic violence law.

**Domestic Violence:** The occurrence of one or more of the following acts inflicted upon a person protected under this act by an adult or an emancipated minor: Homicide, Assault, Terroristic threats, Kidnapping, Criminal restraint, False imprisonment, Sexual Assault, Criminal sexual contact, Lewdness, Criminal mischief, Burglary, Criminal trespass, Harassment, and Stalking. When one or more of these acts is inflicted by an unemancipated minor upon a person protected under this act, the occurrence shall not constitute "domestic violence," but may be the basis for the filing of a petition or complaint pursuant to the provisions of section 11 of P.L. 1982, c77 (C2A:4A-

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

**Sexual Assault:** An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances: (1) The victim is less than 13 years old; (2) The victim is at least 13 but less than 16 years old; and (a) The actor is related to the victim by blood or affinity to the third degree, or (b) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household; (3) The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape; (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon or object; (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion; (6) The actor uses physical force or coercion; (7) The victim is one whom the actor knew or should have known was physically helpless, mentally defective or mentally incapacitated. Aggravated sexual assault is a crime of the first degree. b. An actor is guilty of sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least 4 years older than the victim. c. An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances: (1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury; (2) The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status; (3) The victim is at least 16 but less than 18 years old and: (a) The actor is related to the victim by blood or affinity to the third degree; or (b) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim; or (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household; (4) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim. Sexual assault is a crime of the second degree.

Accompanying definitions: a. "Actor" means a person accused of an offense proscribed under this act; b. "Victim" means a person alleging to have been subjected to offenses proscribed to this act; c. "Sexual penetration" means vaginal intercourse, cunnilingus, fellatio or anal intercourse between persons or insertion of the hand, finger or object into the anus or vagina either by the actor or upon the actor's instruction. The depth of insertion shall not be relevant as to the question of commission of the crime.

**Stalking:** As used in this act: (1) "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats implied by conduct or a combination thereof directed at or toward a person. (2) "Repeatedly" means on two or more occasions. (3) "Emotional distress" means significant mental suffering or distress. (4) "Cause a reasonable person to fear" means to cause fear which a reasonable victim, similarly situated, would have under the circumstances. b. A person is guilty of stalking, a crime of the fourth degree, if he: purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress. c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior. d. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree. e. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state of the United States. f. This act shall not apply to conduct which occurs during organized group picketing.

## **Geography Terms**

**On Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the institution that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**On Campus Residence Halls:** "Dormitories or other residential facilities for students on campus" is a subset of the on-campus category. Institutions must disclose the total number of on-campus crimes, including those in dorms or other residential facilities for students on campus, and must also make a separate disclosure limited to the number of crimes occurring in student dorms or residential facilities on campus.

**Non-Campus Building or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. In addition to offering classes at its main Lawrenceville campus Rider University offers classes at the Bancroft School located in Haddonfield, New Jersey, the Bank of America campus located in Pennington, New Jersey; and the Education Center located in Edison, New Jersey. Also included in this category are hotels where athletic teams, student groups and clubs stayed for a period longer than one night. These facilities are non-residential; therefore, the categories of Disciplinary Actions/Judicial Referrals and On-Campus Residence Halls are not applicable. Statistics for these locations are recorded in the Lawrenceville statistics.

**On Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## **Hate Crimes**

Colleges and universities must report by geographic location and by category of prejudice the following offenses and any crime involving bodily injury reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias: criminal homicide, sex offenses, robbery, burglary, motor vehicle theft, larceny-theft, aggravated assault, simple assault, intimidation, arson, and property damage, destruction, and vandalism. Included in the bodily injury category are all applicable crimes with the exception of aggravated assault which is a separate crime category. Categories of bias are: race, gender, gender identity, religion, national origin, sexual orientation, ethnicity, or disability.

Rider University did not have any reported hate crimes in calendar years 2017 and 2018, however for 2019, one on-campus in a residence hall destruction/damage/vandalism of property characterized by racial bias that occurred on the Lawrenceville campus. We did not have any reported hate crimes on the Princeton campus for the calendar years 2017, 2018 and 2019 in any of the following geographies: on-campus, residential facilities, non-campus building or property and public property.

## **New Jersey Sex Offender Internet Registry**

For information concerning sex offenders in the state of New Jersey, go to the **New Jersey Sex Offender Internet Registry** at [www.NJSP.org/sex-offender-registry/](http://www.NJSP.org/sex-offender-registry/)

## Criminal Offenses – Lawrenceville Campus

Rider University Lawrenceville Campus Criminal Offenses 2017-2019	Criminal Homicide						Sex Offenses					
	Murder & Non-Negligent Manslaughter			Manslaughter by Negligence			Rape			Statutory Rape		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	0	0	0	2	1	2	0	0	0
Residential Facility	0	0	0	0	0	0	1	0	2	0	0	0
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0	0	0	0	0	0	0

Rider University Lawrenceville Campus Criminal Offenses 2017-2019	Sex Offenses											
	Fondling			Incest			Dating Violence			Domestic Violence		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	4	4	3	0	0	0	0	0	0	10	11	7
Residential Facility	4	2	2	0	0	0	0	0	0	7	7	5
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0	0	0	1
Unfounded	0	0	0	0	0	0	0	0	0	0	0	1



**PLEASE NOTE FOR BOTH CAMPUSES:**

The "Residential Facility" category is a subset of the "On-Campus" category. It is the portion of the "On-Campus" total that was reported to have occurred in the residence halls and Greek houses.

Not all individuals involved in reported incidents are ultimately found responsible for criminal offenses or university violations.

Criminal offenses include those reported and not reported to the police.

The "Unfounded" category are those reported crimes that are investigated and found by sworn or commissioned law enforcement personnel to be false or baseless.

Rider University Lawrenceville Campus Criminal Offenses 2017-2019												
	Stalking			Robbery			Aggravated Assault			Burglary		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	3	3	2	1	2	0	1	1	1	2	16	8
Residential Facility	1	2	1	1	0	0	1	1	1	2	15	7
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0	0	0	0	0	0	0

Rider University Lawrenceville Campus Criminal Offenses 2017-2019						
	Motor Vehicle Theft			Arson		
	2019	2018	2017	2019	2018	2017
On-Campus	0	0	1	2	2	8^
Residential Facility	0	0	0	2	2	8^
Non-Campus Building or Property	0	0	0	0	0	0
Public Property	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0

\* These incidents involved the unauthorized use of golf carts.

^ These incidents occurred in a 2-week period in a single residence hall and involved flyers being set on fire.

## **Criminal Offenses – Princeton Campus**

Rider University Princeton Campus Criminal Offenses 2017-2019	Criminal Homicide						Sex Offenses					
	Murder & Non-Negligent Manslaughter			Manslaughter by Negligence			Rape			Statutory Rape		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	0	0	0	1	0	0	0	0	0
Residential Facility	0	0	0	0	0	0	1	0	0	0	0	0
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0	0	0	0	0	0	0

Rider University Princeton Campus Criminal Offenses 2017-2019	Sex Offenses											
	Fondling			Incest			Dating Violence			Domestic Violence		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	1	0	1	0	0	0	0	0	0	0	1	2
Residential Facility	0	0	1	0	0	0	0	0	0	0	1	2
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0	0	0	0	0	0	0

**PLEASE NOTE FOR BOTH CAMPUSES:**

The "Residential Facility" category is a subset of the "On-Campus" category. It is the portion of the "On-Campus" total that was reported to have occurred in the residence halls and Greek houses.

Not all individuals involved in reported incidents are ultimately found responsible for criminal offenses or university violations.

Criminal offenses include those reported and not reported to the police.

The "Unfounded" category are those reported crimes that are investigated and found by sworn or commissioned law enforcement personnel to be false or baseless.

Rider University Princeton Campus Criminal Offenses 2017-2019												
	Stalking			Robbery			Aggravated Assault			Burglary		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	0	0	0	0	1	0	1	0	1
Residential Facility	0	0	0	0	0	0	0	1	0	0	0	1
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0	0	0	0	0	0	0

Rider University Princeton Campus Criminal Offenses 2017-2019						
	Motor Vehicle Theft			Arson		
	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	0	0	0
Residential Facility	0	0	0	0	0	0
Non-Campus Building or Property	0	0	0	0	0	0
Public Property	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0

## Liquor, Drug, Weapon Violations – Lawrenceville Campus

Rider University Lawrenceville Campus Liquor, Drug, Weapon Violations 2017-2019	Liquor Law Violations						Drug Law Violations					
	Arrests			Disciplinary Actions / Judicial Referrals			Arrests			Disciplinary Actions / Judicial Referrals		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	58	92	122	14	18	16	13	14	13
Residential Facility	0	0	0	58	88	107	14	17	12	13	14	12
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	8	0	0	0	0
Unfounded	0	0	0	0	0	0	0	0	0	0	0	0

Rider University Lawrenceville Campus Liquor, Drug, Weapon Violations 2017-2019	Weapon Law Violations					
	Arrests			Disciplinary Actions / Judicial Referrals		
	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	1	0	0
Residential Facility	0	0	0	1	0	0
Non-Campus Building or Property	0	0	0	0	0	0
Public Property	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0

### PLEASE NOTE FOR BOTH CAMPUSES:

The “Residential Facility” category is a subset of the “On-Campus” category. It is the portion of the “On-Campus” total that was reported to have occurred in the residence halls and Greek houses.

Not all individuals involved in reported incidents are ultimately found responsible for criminal offenses or university violations.

“Arrests” are defined as persons processed by arrest, citation or summons.

“Disciplinary actions/judicial referrals” are defined as persons to campus officials for disciplinary action.

Criminal offenses include those reported and not reported to the police.

The “Unfounded” category are those reported crimes that are investigated and found by sworn or commissioned law enforcement personnel to be false or baseless.

## **Liquor, Drug, Weapon Violations – Princeton Campus**

Rider University Princeton Campus Liquor, Drug, Weapon Violations 2017-2019	Liquor Law Violations						Drug Law Violations					
	Arrests			Disciplinary Actions / Judicial Referrals			Arrests			Disciplinary Actions / Judicial Referrals		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	0	3	0	0	0	1	0	0	1
Residential Facility	0	0	0	0	2	0	0	0	1	0	0	1
Non-Campus Building or Property	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	8	0	0	0	0
Unfounded	0	0	0	0	0	0	0	0	0	0	0	0

Rider University Princeton Campus Liquor, Drug, Weapon Violations 2017-2019	Weapon Law Violations					
	Arrests			Disciplinary Actions / Judicial Referrals		
	2019	2018	2017	2019	2018	2017
On-Campus	0	0	0	0	0	0
Residential Facility	0	0	0	0	0	0
Non-Campus Building or Property	0	0	0	0	0	0
Public Property	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0

### **PLEASE NOTE FOR BOTH CAMPUSES:**

The “Residential Facility” category is a subset of the “On-Campus” category. It is the portion of the “On-Campus” total that was reported to have occurred in the residence halls and Greek houses.

Not all individuals involved in reported incidents are ultimately found responsible for criminal offenses or university violations.

“Arrests” are defined as persons processed by arrest, citation or summons.

“Disciplinary actions/judicial referrals” are defined as persons to campus officials for disciplinary action.

Criminal offenses include those reported and not reported to the police.

The “Unfounded” category are those reported crimes that are investigated and found by sworn or commissioned law enforcement personnel to be false or baseless.

# **SECTION TWO: FIRE SAFETY REPORT**

## **Lawrenceville Campus**

2083 Lawrenceville Road  
Lawrenceville, NJ 08648  
609-896-5000  
[www.rider.edu](http://www.rider.edu)

## **Princeton Campus**

101 Walnut Lane  
Princeton, NJ 086540  
609-921-7100  
[www.rider.edu](http://www.rider.edu)

## **Emergency (either campus):**

On-Campus: dial x7777 or 609-896-7777

## **From the Rider University Director of Public Safety**

In 2008, the Higher Education Act was renewed. This law includes additional campus public safety measures, to include the reporting of fire safety information. The fire safety information incorporates statistics on each on-campus student housing facility regarding the number of fires and their causes, number of injuries and deaths, and the value of property damage. Additionally, institutions must report information on student housing fire safety systems, fire drills, evacuation policies and procedures, fire safety education and training, and plans for future fire safety improvements. This law also requires institutions to keep, maintain, and make public a log of all fires in on-campus housing facilities, including the date, time, and location of each fire.

Rider's Department of Public Safety works closely with several other University departments, among them Facilities Management, the Dean of Students Office and the Office of Residence Life in compiling this fire safety report each year.

This report is available on Rider's Web site at [www.rider.edu](http://www.rider.edu). Paper copies are available via the Department by calling (609) 896-5029 or by emailing Director James G. Waldon at [jwaldon@rider.edu](mailto:jwaldon@rider.edu).

Thank you for taking the time to review this report. If you have questions or would like further information about fire safety at Rider University, please contact the Department of Public Safety Coordinator at (609) 895-5724 or by emailing Director James G. Waldon at [jwaldon@rider.edu](mailto:jwaldon@rider.edu).

Sincerely,

James G. Waldon  
Director of Public Safety

## **Reporting and Responding to Incidents**

Violations of criminal law and/or the University's Student Code of Social Conduct, should be reported directly to the Department of Public Safety. This includes any fire related incidents or matters to include active or extinguished fires. Public Safety officers respond to on-campus locations as appropriate and are available to take reports at the office. The Student Code of Social Conduct contains rules and regulations.

Violations of Rider's Code of Social Conduct are adjudicated by the appropriate hearing authority as enforced by the Office of Community Standards. Further information is available in the Student Code of Social Conduct; which is available via Rider's website ([https://www.rider.edu/sites/default/files/docs/student\\_code\\_of\\_social\\_conduct.pdf](https://www.rider.edu/sites/default/files/docs/student_code_of_social_conduct.pdf)). The Office of Community Standards. Depending on the nature of the incident involved, prosecution may take place, in accordance with New Jersey criminal law, independent of University action.

## **University Smoking Policy**

Rider University subscribes to a smoke-free work and study environment. In compliance with both University policy and New Jersey State law (N.J.S.S. 26:3D-17), smoking or ignition of any tobacco or other product or substance is prohibited in all buildings on campus, including but not limited to classroom buildings, administrative office buildings, the Bart Luedeke Student Center (including the Pub), dining facilities, residence halls and Greek houses. In addition, smoking is prohibited within 25 feet of all building entrances, within 25 feet of operable first floor windows, and within 25 feet of any building louvers or grilles providing outside air intake for equipment. At the Princeton campus, smoking is only permitted in the gazebo.

## **Residence Life Regulations**

Policies concerning student room furnishings, maintenance and room modifications, smoking, electrical appliances, open flames, residential fire and safety, and general housing regulations can be found in the Student Code of Social Conduct. Resident students may first confer with Residence Life staff for incidents occurring in the residence halls. Fraternity/sorority residents may first confer with their Community Director and/or Community Assistant for incidents occurring in the Greek houses.

This does not preclude the ability to notify and file a report with the Department of Public Safety.

## **Residence Fire and Safety Regulations**

1. The following regulations pertain to the overloading of power strip cords:
  - a. The only extension cords allowed are power strips which have a minimum wire size of 14 AWG (American Wire Gauge) that have a surge protector.
  - b. Refrigerators, televisions, or any other appliances rated 300 or more watts shall be directly plugged into the wall receptacle or into a power strip with a built-in fuse.
  - c. No more than two power strips are to be connected to any dual (two-socket) receptacle.
  - d. Power strip cords placed under or supported by heavy objects or wrapped around nails or attached with tacks are prohibited. Power strip cords are not to be placed under carpets. They must not be placed on or attached to heating elements such as radiators or pipes.
2. **Appliances in student rooms:** The increasing availability of many new electrical appliances has caused an increasing concern on the part of the staff and students about the danger of overloading the electrical facilities. The following guidelines and regulations were prepared by a committee to control this situation in the residences and reduce the danger of overloading:
  - a. All electrical appliances and equipment used by the students in the residence halls must conform to all safety regulations and meet Underwriter's Limited (UL) Standards.
  - b. The following types of electrical appliances are not permitted in student rooms in the residences: any appliance with an open heating element, hot plates, microwaves, slow cookers, unenclosed instant water heating elements, fry pans, broilers, waffle irons, toaster ovens, George Foreman grills, heaters and air conditioners. Due to an upgrade in electrical capacity, microwaves will be allowed in student rooms in the Moore Hall, Hill and Ziegler additions, Kroner, Gee, Wright and Olson pods, West Village and Switlik. Microwaves must not exceed 1100 watts and 13.6 amps. In order to limit electrical capacity overload, only one microwave per unit will be allowed.
  - c. Refrigerators which use more than 5 amps of current are forbidden. All permissible refrigerators are to be kept in suitable condition in order not to present a health, safety or fire hazard. Any refrigerator not complying with the above regulations is strictly prohibited. Only one refrigerator permitted per student room, unless permission is given by the director of housing.
  - d. Two student rooms are serviced by a single circuit. The total available power is approximately 15 amps or 1700 watts per circuit. Students must take appropriate precautions to prevent the simultaneous use of high wattage appliances which result in circuit overloads.



3. **Halogen lamps** (or any other bulb over 75 watts), candles, incense and similar open-flame producing items are prohibited per International Fire Code 2006, New Jersey Edition.
4. **Lamps with plastic globes** (commonly called Medusa lamps) are not permitted.
5. **Ceiling fans** and lights may not be installed.
6. There must be an 18-inch clearance surrounding sprinkler heads and three-foot clearance surrounding smoke detectors.
7. Items must never be hung from sprinkler pipes or sprinkler heads.

## **Fire Event Log**

The Department of Public Safety maintains a written, easily understood Fire Event Log as required by the Higher Education Opportunity Act.

The Fire Event Log records, by the nature, date, time, and general location, any fire that occurred on any on-campus student housing facility. This log is available for public inspection and is located at the Public Safety communications desk. In addition, annual reports containing this information are submitted to the campus community and the U.S. Secretary of Education.

## **Fire Safety Systems**

Smoke detectors and sprinkler systems are installed in all residential facilities in individual rooms and common areas. They are connected to building fire alarm control panels which are monitored 24/7 by the Department of Public Safety. Facilities Management, with input from other University departments, is responsible, either directly or through contractual services, for the selection, installation, inspection, and maintenance of the fire safety systems. Facilities Management works with various departments to determine future improvements in fire safety. There are no plans at this time for future improvements. Environmental Health and Safety personnel conduct monthly inspections of the fire extinguishers located inside the residential and non-residential facilities. Fire systems issues should be brought to the attention of Facilities Management during normal operating hours at (609) 896-5080. Public Safety should be contacted after normal operating hours or in the event of any emergency.

<b>Residential Fire Safety Systems – Calendar Year 2019</b>				
<b>Lawrenceville Campus Residential Facilities</b>	<b>Fire Alarm Monitoring Done On Site (by Rider Dispatch)</b>	<b>Full Sprinkler System</b>	<b>Smoke Detection</b>	<b>Carbon Monoxide Detectors</b>
<b>Centennial House</b>	X	X	X	X
<b>Conover</b>	X	X	X	X
<b>Gee</b>	X	X	X	X
<b>Hill</b>	X	X	X	X
<b>House #3 (Phi Sigma Sigma)</b>	X	X	X	X
<b>House #7 (Zeta Tau Alpha)</b>	X	X	X	X

House #8 (Alpha Xi Delta)	X	X	X	X
House #10 (Delta Phi Epsilon)	X	X	X	X
Kroner	X	X	X	X
Lake House	X	X	X	X
Lincoln	X	X	X	X
Olson	X	X	X	X
Omega House	X	X	X	X
Poyda	X	X	X	X
Ridge House	X	X	X	X
Switlik	X	X	X	X
University House	X	X	X	X
West Village (Buildings A & B)	X	X	X	X
Wright	X	X	X	X
Ziegler/Moore	X	X	X	X

Residential Fire Safety Systems – Calendar Year 2019				
Lawrenceville Campus Residential Facilities	Fire Extinguisher Devices	Cooking Suppression System	Evacuation Policies in Place	Number of Evacuation (Fire) Drills Each Calendar Year
Centennial House	X	NA	X	4
Conover	X	NA	X	4
Gee	X	NA	X	4
Hill	X	NA	X	4
House #3 (Phi Sigma Sigma)	X	X	X	4
House #7 (Zeta Tau Alpha)	X	X	X	4
House #8 (Alpha Xi Delta)	X	X	X	4
House #10 (Delta Phi Epsilon)	X	X	X	4
Kroner	X	NA	X	4
Lake House	X	NA	X	4
Lincoln	X	NA	X	4
Olson	X	NA	X	4
Omega House	X	NA	X	4
Poyda	X	NA	X	4
Ridge House	X	X	X	4
Switlik	X	NA	X	4

University House	X	X	X	4
West Village (Buildings A & B)	X	NA	X	4
Wright	X	NA	X	4
Ziegler/Moore	X	NA	X	4

Residential Fire Safety Systems – Calendar Year 2019				
Princeton Campus Residential Facilities	Fire Alarm Monitoring Done On Site (by Rider Dispatch)	Full Sprinkler System	Smoke Detection	Carbon Monoxide Detectors
Dayton	X	X	X	X
Ithaca	X	X	X	X
Seabrook	X	X	X	X

Residential Fire Safety Systems – Calendar Year 2019				
Princeton Campus Residential Facilities	Fire Extinguisher Devices	Cooking Suppression System	Evacuation Policies in Place	Number of Evacuation (Fire) Drills Each Calendar Year
Dayton	X	NA	X	4
Ithaca	X	NA	X	4
Seabrook	X	NA	X	4

NOTE: Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms. As per New Jersey fire code, residences that have commercial kitchens must have cooking suppression systems. Only some of the houses on the Lawrenceville campus and none of the residence halls on either campus have commercial kitchens.

The street address for all Lawrenceville campus residential facilities is 2083 Lawrenceville Road, Lawrenceville, NJ 08648-3099. The street address for all Princeton campus residential facilities is 101 Walnut Lane, Princeton, NJ 08540.

## **Fire Prevention Education and Awareness**

The Department of Public Safety conducts fire drills as required by the New Jersey Fire Code in all residential facilities. All occupants are required to evacuate the building during a drill or actual emergency until the all clear signal is given. Violators are subject to disciplinary action or may be identified as Persona Non Grata. Fire safety violations and penalties are described in greater detail in the Student Code of Social Conduct.

The Department also provides a fire prevention smoke out training program as part of annual Office of Residence Life training. Participants are taught safe evacuation techniques in a controlled environment. A predetermined hallway is filled with stage smoke from a smoke machine, maintained and operated by the Department, to simulate a smoke-filled condition in a building.

The Department annually conducts fire drills as required by the New Jersey Fire Code in all non-residential buildings. Building marshals for each building assist the Department during fire drills and actual emergencies. They are knowledgeable individuals in each of the buildings who communicate

to their building occupants during an emergency and coordinate evacuation and/or sheltering-in-place, depending on the nature of the emergency. New employees attend fire safety training during New Employee Orientation.

Four fire drills for all residential facilities and one fire drill for all academic buildings were conducted in 2017 in accordance with the New Jersey Fire Code.

## **Fire Statistics**

The following statistics indicate the number of fires and the cause of each fire, the number of injuries related to a fire that result in treatment at a medical facility, the number of deaths related to a fire, and the value of property damage caused by each fire in a residential facility on the Lawrenceville and Princeton campuses. The cause of a fire is classified in one of the following categories; Unintentional Fire, Intentional Fire and Undetermined Fire. Unintentional Fire is defined as a fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be. Intentional Fire is defined as a fire that is ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire. Undetermined Fire is defined as a fire in which the cause cannot be determined.

## **Evacuation Procedures**

### ***FIRE — Administration Buildings***

1. What to do when a smoke or fire alarm sounds:
  - a. Proceed to the nearest EXIT. Leave the building immediately. **DO NOT** use the elevators. If smoke or fire is present, use another EXIT. If smoke is present, keep low or as close to the floor as possible.

Reported Fires in Residential Facilities – Calendar Year 2019						
Lawrenceville Campus	Total # of Fires in Building	Date & Time of Fire	Cause of Fire	# of Deaths Related to Fire	# of Injuries Requiring Treatment at a Medical Facility	Property Damage Sustained in Fire
Centennial House	0	-	-	-	-	-
Conover	0	-	-	-	0	0
Gee	0	-	-	-	-	-
Hill	0	-	-	-	-	-
House #3 (Phi Sigma Sigma)	0	-	-	-	-	-
House #7 (Zeta Tau Alpha)	0	-	-	-	-	-
House #8 (Alpha Xi Delta)	0	-	-	-	-	-
House #10 (Delta Phi Epsilon)	0	-	-	-	-	-
Kroner	0	-	-	-	-	-
Lake House	0	-	-	-	-	-
Lincoln	0	-	-	-	-	-

Olson	0	-	-	-	-	-
Omega House	0	-	-	-	-	-
Poyda	0	-	-	-	-	-
Ridge House	0	-	-	-	-	-
Switlik	0	-	-	-	-	-
University House	0	-	-	-	-	-
West Village (Buildings A & B)	0	-	-	-	-	-
Wright		-	-	-	-	-
Ziegler/Moore	2	2/1/19 1:29 AM 3/6/19 1:00 PM	Intentional  Intentional	0  0	0  0	\$3.00  \$3.00
<b>YEARLY TOTALS</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>0</b>	<b>\$108.00</b>

**NOTE:** This report reflects Calendar Year 2019 (January 1 – December 31).  
The street address for all Lawrenceville campus residential facilities is  
2083 Lawrenceville Road, Lawrenceville, NJ 08648-3099.

Reported Fires in Residential Facilities – Calendar Year 2019						
Princeton Campus	Total # of Fires in Building	Date & Time of Fire	Cause of Fire	# of Deaths Related to Fire	# of Injuries Requiring Treatment at a Medical Facility	Property Damage Sustained in Fire
Dayton	0	-	-	-	-	-
Ithaca	0	-	-	-	-	-
Seabrook	0	-	-	-	-	-
<b>YEARLY TOTALS</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

**NOTE:** This report reflects Calendar Year 2019 (January 1 – December 31).  
The street address for all Princeton campus residential facilities is  
101 Walnut Lane, Princeton, NJ 08540.

- b. Report to the building's designated assembly point. Stay at the assembly point to be accounted for and given further instructions. **DO NOT** re-enter the building until a uniformed member of the Emergency Response Team has given an "all clear."
- c. When leaving a room or entering a stairwell, feel the doorknob, or touch the door with the back of your hand. If it is hot to the touch **DO NOT** open the door. If the door is not hot, brace yourself and open the door slightly. If intense heat or smoke is present, **DO NOT** open the door any further, close the door and stay inside the room or use another stairwell.
- d. If you are unable to evacuate your room, **DIAL 7777 FROM CAMPUS PHONES OR 911 FROM PUBLIC PHONES FOR ASSISTANCE**. If possible, seal the bottom edge of the door with a coat or jacket (wet if possible). If your window opens, hang an object (e.g. coat, shirt) out of the window to attract attention. Follow any instructions given by the Emergency Response Team.

## 2. What to do when smoke or fire is seen:

- a. Initiate a fire alarm by activating the nearest **FIRE ALARM PULL STATION**. Pull Stations are generally located: at the ends of hallways by EXIT doors, entrances into stairwells, or by doors leading directly to the outside. If possible, confine the fire by closing the door to the room. Only attempt to extinguish the fire if you are trained to use a fire extinguisher.
- b. Evacuate the building, then **DIAL 7777 FROM CAMPUS PHONES OR 911 FROM PUBLIC PHONES** to report a fire and give the following information:
  - Your name, telephone number, and the location you are calling from.
  - The location of the emergency (e.g. Library, first floor)
  - Describe the situation (e.g. smell of smoke, open flames)
  - If possible, tell them what is burning (e.g. wastebasket, stove)
  - Hang up only after the Emergency Operator has done so, or told you to.
3. **Proceed to the nearest EXIT. DO NOT use the elevators. If smoke or fire is present, use another EXIT. If smoke is present, keep low or as close to the floor as possible. Report to the building's designated assembly point. Before leaving your room or if unable to evacuate your room, follow the procedure listed in Section 1 C and D.**
4. **Stay at the assembly point to be accounted for and given further instructions. DO NOT re-enter the building until a uniformed member of the Emergency Response Team has given an "all clear."**

Building Marshals should appoint an **accountability monitor** and choose an **assembly point** for their section or department.

An **accountability monitor** is a person who is responsible for making sure all of the occupants of their area are accounted for at the assembly point. The accountability monitor reports anyone missing to the Public Safety officers. This person should be someone who is familiar with the coming and going of personnel and visitors in your section or department (i.e. who's on vacation, out sick, at a meeting).

The **assembly point** is a predetermined point outside the building. It is at this point that all occupants of your section or department will report to upon leaving the building and will be accounted for by the accountability monitor. Choose an assembly point that is nearby and a safe distance from the building.

Faculty should have an evacuation plan with a predetermined assembly point for their classrooms and review the plan with their students.

The emergency evacuation plan should be discussed among the staff. Review the routes of exit from your office and discuss ways to assist any fellow coworkers or students with special needs.

## **STOP, DROP AND ROLL**

If your clothing catches on fire:

1. **STOP — Don't Run**
2. **DROP — to the ground**
3. **ROLL — over and over to smother the flames**

*Your own common sense is the finest safety device ever developed.  
Above all — use your head.*

## **Fire Emergency Plan**

1. **WHAT TO DO WHEN A SMOKE OR FIRE ALARM SOUNDS:**

- a. Proceed to the nearest **EXIT**. Leave the building immediately. **DO NOT** use the elevators. If smoke or fire is present, use another EXIT. If smoke is present, keep low or as close to the floor as possible.
- b. Report to the building's designated assembly point. Stay at the assembly point to be accounted for and given further instructions. **DO NOT** re-enter the building until a uniformed member of the Emergency Response Team has given an "all clear."
- c. When leaving a room or entering a stairwell, feel the doorknob, or touch the door with the back of your hand. If it is hot to the touch, **DO NOT** open the door. If the door is not hot, brace yourself and open the door slightly. If intense heat or smoke is present, **DO NOT** open the door any further, close the door and stay inside the room, or use another stairwell.
- d. If you are unable to evacuate your room, seal the bottom edge of the door with clothing, towels, bedding, etc. (wet if possible). If possible, hang an object (e.g. coat, towel, sheet, shirt, etc.) out of the window to attract attention. **DIAL 7777 FROM CAMPUS PHONES OR 911 FROM PUBLIC PHONES FOR ASSISTANCE.** Follow any instructions given by the Emergency Response Team.

## 2. WHAT TO DO WHEN SMOKE OR FIRE IS SEEN:

- a. Initiate a Fire Alarm by activating the nearest **FIRE ALARM PULL STATION**. Pull Stations are generally located: at the ends of hallways by EXIT doors, entrances into stairwells, or by doors leading directly to the outside. **DO NOT** attempt to extinguish the fire. If possible, confine the fire by closing the door to the room.
- b. Evacuate the building, then **DIAL 7777 FROM CAMPUS PHONES OR 911 FROM PUBLIC PHONES** to report a fire and give the following information:
  - Your name, telephone number, and the location you are calling from.
  - The location of the emergency (e.g. Gee Hall, room #A225).
  - Describe the situation (e.g. smell of smoke, open flames)
  - If possible, tell them what is burning (e.g. wastebasket, stove)
  - Hang up only after the Emergency Operator has done so, or told you to.
- c. Proceed to the nearest **EXIT**. **DO NOT** use the elevators. If smoke or fire is present, use another **EXIT**. If smoke is present, keep low or as close to the floor as possible. Report to the building's designated assembly point. Before leaving your room or if unable to evacuate your room, follow the procedure listed in Section 1 C and D.
- d. Stay at the assembly point to be accounted for and given further instructions. **DO NOT** re-enter the building until a uniformed member of the Emergency Response Team has given an "all clear."

**CHECK THE BACK OF RESIDENCE HALL DOORS FOR YOUR DESIGNATED ASSEMBLY POINT.**

## Residential Facilities Assembly Points

### *Lawrenceville Campus*

1. **Centennial House** — across the roadway to the Fine Arts patio (Chapel)
2. **Conover** — behind Olson Hall, at the A wing side (Olson A Lounge)
3. **Gee** — across the residential roadway in the open, grassy area (Lincoln A Lounge)
4. **Hill** — in the grassy area by Ziegler A wing (Ziegler A Lounge)
5. **House 3 (Phi Sigma Sigma)** — across the roadway in grassy area in the rear of House 5 (House 2 Lounge)
6. **House 7 (Zeta Tau Alpha)** — grassy area near the chapel (Chapel)
7. **House 8 (Alpha Xi Delta)** — grassy area near the chapel (Chapel)
8. **House 9 (Centennial)** — across the roadway to the Fine Arts patio (Chapel)
9. **House 10 (Delta Phi Epsilon)** — across the roadway to the Fine Arts patio (Chapel)
10. **Kroner** — behind Wright Hall (Wright B Lounge)
11. **Lake House** — grassy area in front of House 5 near Centennial Lake (House 3 Lounge)
12. **Lincoln** — across the residential roadway at the volleyball court (Gee A Lounge)
13. **Olson** — across the residential roadway by the Hill C wing (Gee B Lounge)
14. **Omega House** — grassy area across the roadway (House 4 Lounge)
15. **Poyda** — in the grassy area by Centennial Lake (Ridge House Lounge)
16. **Ridge House** — across the roadway in the grassy area at the rear of University House (House 4 Lounge)
17. **Switlik** — by Hill Hall, A wing side (Olson B Lounge)
18. **University House** — grassy area in front of University House near Centennial Lake (House 5 Lounge)
19. **West Village (Bldgs. A & B)** — grassy area between Poyda and House 5
20. **Wright** — in the grassy area by the volleyball court (Kroner A Lounge)
21. **Ziegler/Moore** — in the grassy area behind Ziegler (Wright A Lounge)

*Inside assembly points are indicated in parenthesis*

### ***Princeton Campus***

**FOR PRINCETON CAMPUS RESIDENTS, THE DESIGNATED ASSEMBLY POINT IS THE GREAT PLAINS (the large grassy area between the residence halls). The Dining Commons is the alternate assembly point.**

### **Evacuation for People with Disabilities**

**After an evacuation is ordered:** Check on people with special needs during an evacuation. A buddy system, in which people with disabilities arrange for volunteers to alert them and assist them in an emergency, is a good method.



Always **ask** someone with a disability how you can help **before** attempting any rescue technique or giving assistance. Ask how he or she can best be assisted or moved and whether there are any special considerations or items that need to come with the person.

**DO NOT USE ELEVATORS**, unless authorized to do so by police, public safety, or fire personnel. Elevators can fail during a fire.

If the situation is life threatening, call Public Safety at 7777 and state your name, location, and area involved.

There are evacuator chairs located in different buildings on campus to assist in the evacuation of persons who may not be able to walk down stairs or need further assistance.

# **SECTION THREE:** **ANTI-HARRASSMENT AND** **NON-DISCRIMINATION POLICY**

Title IX  
Discrimination  
Harassment  
Non-Consensual Sexual Contact  
Non-Consensual Sexual Penetration  
Sexual Harassment  
Intimate Partner Violence  
Stalking

## [Contents](#)

Preamble .....	45
1. Rationale for Policy .....	
2. Applicable Scope .....	
3. Definitions .....	
4. Title IX Coordinator .....	
5. Independence and Conflict-of-Interest.....	
6. Administrative Contact Information .....	

7. Notice/Complaints of Discrimination, Harassment, and/or Retaliation .....	
8. Supportive Measures .....	
9. Emergency Removal.....	
10. Promptness .....	
11. Privacy .....	
12. Jurisdiction of Rider University .....	
13. Time Limits on Reporting .....	
14. Online Harassment and Misconduct.....	
15. Policy on Nondiscrimination .....	
16. Policy on Disability Discrimination and Accommodation .....	
17. Policy on Discriminatory Harassment .....	
a. Discriminatory Harassment/Hostile Environment .....	
b. Sexual Harassment.....	
Student Sanctions: .....	
Employee Sanctions: .....	
Student Sanction Levels .....	
Employee Sanction Levels.....	
c. Force, Coercion, Consent, and Incapacitation .....	
d. Other Prohibited Conduct.....	
18. Retaliation .....	
19. Mandated Reporting.....	
20. When a Complainant Does Not Wish to Proceed .....	
21. Federal Timely Warning Obligations.....	
22. False Allegations and Evidence .....	
23. Amnesty for Complainants and Witnesses .....	
24. Federal Statistical Reporting Obligations.....	
INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY UNDER THE REGULATIONS APPEARING AT 34 CFR § 106.45(KNOWN AS “PROCESS A”) .....	
1. Overview .....	
2. Notice/Complaint.....	
3. Initial Assessment .....	

4. Counterclaims .....	
5. Right to an Advisor .....	
6. Resolution Processes .....	
7. Formal Grievance Process Pool.....	
8. Formal Grievance Process: Notice of Investigation and Allegations .....	
9. Resolution Timeline .....	
10. Appointment of Investigators .....	
11. Ensuring Impartiality .....	
12. Investigation Timeline.....	
13. Delays in the Investigation Process and Interactions with Law Enforcement .....	
14. Steps in the Investigation Process .....	
15. Role and Participation of Witnesses in the Investigation .....	
16. Recording of Interviews .....	
17. Evidentiary Considerations in the Investigation .....	
18. Referral for Hearing .....	
19. Hearing Decision-maker Composition .....	
20. Evidentiary Considerations in the Hearing .....	
21. Notice of Hearing .....	
22. Alternative Hearing Participation Options.....	
23. Pre-Hearing Preparation .....	
24. Pre-Hearing Meetings .....	
25. Hearing Procedures.....	
26. Joint Hearings.....	
27. The Order of the Hearing – Introductions and Explanation of Procedure.....	
28. Investigator Presents the Final Investigation Report.....	
29. Testimony and Questioning .....	
30. Refusal to Submit to Questioning; Inferences .....	
31. Recording Hearings .....	
32. Deliberation, Decision-making, and Standard of Proof .....	
33. Notice of Outcome.....	
34. Statement of the Rights of the Parties (see Appendix A) .....	
35. Sanctions .....	

36. Withdrawal or Resignation While Charges Pending .....	
37. Appeals.....	
38. Long-Term Remedies/Other Actions .....	
39. Failure to Comply with Sanctions and/or Responsive Actions .....	
40. Recordkeeping .....	
41. Disabilities Accommodations in the Resolution Process .....	
INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY (PROCESS B) .....	
1. Initial Assessment .....	
2. Resolution Process Pool.....	
3. Counterclaims .....	
4. Advisors.....	
5. Resolution Options.....	
6. Resolution Timeline .....	
7. Appointment of Investigators.....	
8. Ensuring Impartiality .....	
9. Investigation Timeline.....	
10. Delays in the Investigation Process and Interactions with Law Enforcement .....	
11. Steps in the Investigation Process .....	
12. Determination.....	
Student Process .....	
Employee Process .....	
13. Additional Details of the Resolution Process .....	
14. Sanctions .....	
15. Withdrawal or Resignation While Charges are Pending .....	
16. Appeals.....	
17. Long-Term Remedies/Actions.....	
18. Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions .....	
19. Recordkeeping .....	
20. Statement of the Rights of the Parties (see Appendix A) .....	
21. Disabilities Accommodation in the Resolution Process.....	

Revision of this Policy and Procedures .....	
APPENDIX A: STATEMENT OF RIGHTS OF THE PARTIES .....	
New Jersey Campus Sexual Assault Victim’s Bill of Rights.....	
APPENDIX B: STATEMENT ON CONSENSUAL RELATIONS BETWEEN FACULTY AND STUDENTS, ATHLETIC STAFF AND STUDENT-ATHLETES AND EMPLOYEES AND SUBORDINATES .....	154
APPENDIX C: RIDER UNIVERSITY ANTI-HARASSMENT AND NON-DISCRIMINATION STATEMENT....	

## **POLICY: The Anti-Harassment and Non-Discrimination Policy**

### **Preamble**

On August 14, 2020, the 2020 Title IX regulations (34 CFR § 106.45) of the U.S. Department of Education became effective. These regulations mandate recipients of federal funding to adopt specific definitions and procedures related to the Department's definition of Sexual Harassment. Incidents that fall under the jurisdiction of the Title IX regulations will be resolved under a Formal Grievance Procedure referred to as "Process A". Sexual harassment that falls outside the jurisdiction of the Title IX regulations, protected class harassment, discrimination, and other prohibited conduct will be resolved under "Process B", except that a Process B allegation may be resolved under Process A where there also is a Process A allegation.

Rider University is committed to addressing all forms of sexual violence and protected class discrimination and harassment, regardless of the process that incident may fall under.

### **1. Rationale for Policy**

Rider University is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination and harassment based on a protected category, and retaliation for engaging in a protected activity. To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, Rider University has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. Rider University values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

## **2. Applicable Scope**

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from or different treatment in activities, such as admission, athletics, or employment. At other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, it can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged violation of this policy is reported, the allegations are subject to resolution using Rider University's "Process A" or "Process B," as determined by the Title IX Coordinator, and as detailed below.

When the Respondent is a member of the Rider University community, a formal complaint may be filed and a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the Rider University community. This community includes, but is not limited to, students,<sup>1</sup> student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

## **3. Definitions**

- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any.
- *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class, or retaliation for engaging in a protected activity.
- *Complaint (formal)* means a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a

---

<sup>1</sup> For the purpose of this policy, Rider University defines "student" as any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with Rider University.



protected activity against a Respondent and requesting that Rider University investigate the allegation.

- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when Rider University is in normal operation
- Decision-maker is the person, panel, and/or Chair who hears evidence, determines relevance, and makes the Final Determination of whether this Policy has been violated and/or assigns sanctions
- *Directly Related Evidence* is evidence connected to the complaint, but which is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the investigation report, or Decision-maker. *Compare to Relevant Evidence, below.*
- *Education program or activity* means locations, events, or circumstances where Rider University exercises substantial control over both the Respondent and the context in which the sexual harassment, discrimination, and/or retaliation occurs and also includes any building owned or controlled by a student organization that is officially recognized by Rider University.
- *Final Determination*: A conclusion by the preponderance of the evidence that the alleged conduct occurred and whether it did or did not violate policy.
- *Finding*: A conclusion by the preponderance of the evidence that the conduct did or did not occur as alleged (as in a “finding of fact”).
- *Formal Grievance Process* means “Process A,” a method of formal resolution designated by Rider University to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations (34 CFR § 106.45).
- *Grievance Process Pool* includes any investigators, hearing officers, Decision-makers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).

- *Hearing Decision-maker or Panel* refers to those who have decision-making and sanctioning authority within Rider University's Formal Grievance process.
- *Investigator* means the person or persons charged by a Rider University with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report of relevant evidence and file of directly related evidence.
- *Mandated Reporter* means an employee of Rider University who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator or other officials designated in this policy.
- *Notice* means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- *Official with Authority (OWA)* means an employee of Rider University explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of Rider University.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Process A* means Formal Grievance process as defined above.
- *Process B* means the administrative resolution procedures that only apply when Process A does not, as determined by the Title IX Coordinator (or designee).
- Relevant Evidence is evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint
- *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Rider University's educational program.
- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class, or retaliation for engaging in a protected activity.

- *Resolution* means the result of an informal or Formal Grievance Process.
- *Sanction* means a consequence imposed by Rider University on a Respondent who is found to have violated this policy.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence, and domestic violence. See Section 17.b., for greater detail.
- *Show Cause Meeting* is a meeting a Respondent may request related to an emergency removal to show cause why the action/removal should not be implemented or should be modified.
- *Title IX Coordinator* is at least one official designated by Rider University to ensure compliance with Title IX and the University's Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.
- *Title IX Team* refers to the Title IX Coordinator, Deputy Title IX Coordinator, Title IX Compliance Officer, and any member of the Grievance Process Pool.

#### **4. Title IX Coordinator**

The Vice President of Human Resources serves as the Title IX Coordinator and ADA/504 Coordinator and oversees implementation of Rider University's Affirmative Action and Equal Opportunity plan, disability compliance, and this policy. The Title IX Coordinator has the primary responsibility for coordinating Rider University's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination, harassment, and retaliation prohibited under this policy.

#### **5. Independence and Conflict-of-Interest**

The Title IX Coordinator manages the Title IX Team and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally. A concern about bias related to any member of the Title IX team can be sent to the Title IX Coordinator at [rstoto@rider.edu](mailto:rstoto@rider.edu).

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the Office of the President of Rider University at [president@rider.edu](mailto:president@rider.edu) which will designate an administrator to review. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to the Office of the President of Rider University at [president@rider.edu](mailto:president@rider.edu). Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

#### **6. Administrative Contact Information**

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to:

Robert Stoto  
VP of Human Resources  
Title IX Coordinator/ADA Coordinator  
Affirmative Action Officer  
Human Resource Office  
Moore Library 108  
(609) 895-5673  
[rstoto@rider.edu](mailto:rstoto@rider.edu)  
[www.rider.edu/titleix](http://www.rider.edu/titleix)

Cindy Threatt  
Associate Vice President of Student Affairs and Dean of Students  
Deputy Title IX Coordinator  
Bart Luedeke Center 110  
(609) 896 -5101  
[cthreatt@rider.edu](mailto:cthreatt@rider.edu)  
[www.rider.edu/titleix](http://www.rider.edu/titleix)

Thomas Johnson  
Title IX Compliance Officer  
Bart Luedeke Center, 113 B  
(609) 896 – 5000 ext 7309  
[tjohnson@rider.edu](mailto:tjohnson@rider.edu)  
[www.rider.edu/titleix](http://www.rider.edu/titleix)

Rider University has determined that the following administrators are Officials with Authority to address and correct harassment, discrimination, and/or

retaliation. In addition to the Title IX Team members listed above, these Officials with Authority listed below may also accept notice or complaints on behalf of Rider University. List all Officials with Authority here:

President  
Cabinet Level Officials  
College Deans  
Director of Public Safety  
Captain, Department of Public Safety  
Commander, Department of Public Safety  
Senior Detective/Manager of Investigations, Department of Public Safety  
Dean of Students  
Associate Deans of Students  
Student Affairs Administrator on Call

Rider University has also classified most employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. The section below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

All Rider University employees (faculty, administrators and staff) are considered mandated reporters EXCEPT for those listed below. Mandated reporters also include students who are employed by Residence Life as Community Assistants and Community Directors. The following are NOT mandated reporters.

- Counseling Center and Student Health Center staff.
- Facilities (non-management) staff
- Contracted food, custodial, bookstore, SRC fitness center, credit union and printing/copying staff are NOT Rider employees and are therefore NOT considered mandated reporters.

Mandated Reporters are University employees who have the duty to promptly report incidents of harassment, discrimination, and sexual violence as described in this Policy. When a Mandated Reporter learns about an alleged violation of the Policy, the mandated reporter shall report the incident to the Title IX Coordinator or other designated officials, who shall take immediate and appropriate steps to investigate, respond, and offer remedies.

To the extent possible, information reported to mandated reporters will be shared only with people responsible for handling the University's response to the report.

Mandated reporters will not pressure a Complainant to request confidentiality and will not pressure a Complainant to make a full report if the Complainant is not ready to do so.

Inquiries may be made externally to:

Office for Civil Rights (OCR)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

Office of the Attorney General  
Division on Civil Rights  
Central Regional Office  
140 East Front Street: 6th Floor  
PO Box 090  
Trenton, NJ 08625  
609-292-4605  
Fax: 609-984-3812

Employees wish to file a complaint may also contact: [Equal Employment Opportunity Commission](#) (EEOC)

## **7. Notice/Complaints of Discrimination, Harassment, and/or Retaliation**

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- 1) File a complaint with, or give verbal notice to, the Title IX Coordinator, Deputy Title IX Coordinator, Title IX Compliance Officer or any official with authority (see list above). Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail, to the office address listed for the Title IX Coordinator or any other official listed.

2) Report online, using the reporting form posted at <https://www.rider.edu/offices-services/public-safety/silent-witness-form>. Anonymous reports are accepted but can give rise to a need to investigate to determine if the parties can be identified. If not, not further formal action is taken, though measures intended to protect the community may be enacted. Rider University tries to provide supportive measures to all Complainants, which may be impossible with an anonymous report that does not identify the Complainant. Because reporting carries no obligation to initiate a formal response, and because Rider University respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows Rider University to discuss and/or provide supportive measures.

3) Contact the Department of Public Safety at 609-896-5029

A Formal Complaint means a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that Rider University investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail; by using the contact information in the section immediately above; or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by Rider University) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that Rider University investigates the allegations.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator (or designee) will contact the Complainant to ensure that it is filed correctly.

### **8. Supportive Measures**

Rider University will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered without fee or charge to the parties to restore or preserve access to Rider University’s education program or activity, including measures designed to protect the safety

of all parties and/or Rider University's educational environment, and/or to deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, Rider University will inform the Complainant, in writing, that they may file a formal complaint with Rider University either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are considered with respect to the supportive measures that are planned and implemented.

Rider University will maintain the privacy of the supportive measures, if that privacy does not impair Rider University's ability to provide the supportive measures. Rider University will act to ensure as minimal an academic/occupational impact on the parties as possible. Rider University will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no communication or no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related
- Adjustments
- Persona Non Grata (PNG) orders
- [Timely warnings](#)
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders, no communication orders, or other restrictions will be referred to appropriate student or employee conduct processes for enforcement.



## **9. Emergency Removal**

Rider University can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator (or designee) and may be done in consultation with member of the Student Welfare Committee or Employee Assistant Program.

In all cases in which an emergency removal is imposed, the student, employee, or two (2) representatives from a student organization will be given notice of the action and the option to request a Show Cause Meeting with the Title IX Coordinator (or designee) prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This show-cause meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. This meeting must be requested no later than two (2) days after delivery of the notification of emergency removal, or objections to the emergency removal shall be deemed waived. At the sole discretion of the Title IX Coordinator (or designee), such time period may be extended for good cause. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator (or designee) for the show cause meeting. The Respondent and Complainant will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator (or designee) has sole discretion under this policy to implement, modify, or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

Rider University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator (or designee), these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator (or designee), alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

#### **10. Promptness**

All allegations are acted upon promptly by Rider University once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Rider University will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in Rider University procedures will be delayed, Rider University will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

#### **11. Privacy**

Every effort is made by Rider University to preserve the privacy of reports.<sup>2</sup> Rider University will not share the identity of any individual who has made a

---

<sup>2</sup> For the purpose of this policy, privacy and confidentiality have distinct meanings.

**Privacy** means that information related to a complaint will be shared with a limited number of Rider University employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in Rider University's response to notice under this policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in Rider University's FERPA policy. The privacy of employee records will be protected in accordance with Human Resources policies.

report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Rider University reserves the right to determine which Rider University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to members of the following offices and divisions: Human Resources, Division of Student Affairs, Department of Public Safety, and the Student Welfare Committee. Information will be shared as necessary with Investigators, Hearing Panel members/Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

Rider University may contact parents/guardians of students to inform them of situations in which there is a significant and articulable health and/or safety risk, but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically below.

---

**Confidentiality** exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. Rider University has designated individuals who have the ability to have privileged communications as Confidential Resources. When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clergy Act. Other information may be shared as required by law.

## **12. Jurisdiction of Rider University**

This policy applies to the education program and activities of Rider University, to conduct that takes place on the campus or on property owned or controlled by Rider University, at Rider University-sponsored events, and in buildings owned or controlled by Rider University's recognized student organizations. The Respondent must be a member of Rider University's community in order for this policy to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive a person of access to Rider University's educational program. Rider University may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator (or designee) determines that the conduct affects a substantial Rider University interest.

Regardless of where the conduct occurred, Rider University will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial Rider University interest includes:

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or other individual;
- c. Any situation that significantly impinges upon the rights, property, or material interests of oneself or others, significantly breaches the peace, and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests or mission of Rider University.

If the Respondent is unknown or is not a member of the Rider University community, the Title IX Coordinator (or designee) will assist the Complainant in identifying appropriate campus and local resources and support options. If criminal conduct is alleged, Rider University can assist in contacting local or campus law enforcement if the individual wants to file a police report.

Further, even when the Respondent is not a member of Rider University community, supportive measures, remedies, and resources may be provided to the Complainant by contacting the Title IX Coordinator.

In addition, Rider University may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from Rider University property and/or events.

All vendors serving Rider University through third-party contracts are subject to the policies and procedures of their employers or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator (or designee) can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator (or designee) may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to Rider University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

### **13. Time Limits on Reporting**

There is no time limitation on providing notice/complaints. However, if the Respondent is no longer subject to Rider University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may, by way of example only, document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, Rider University will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint. Typically, this Policy is only applied to incidents that occurred after August 14, 2020. For incidents that occurred prior to August, 14, 2020, previous versions of this Policy will apply. Those versions are available from the Title IX Coordinator.

### **14. Online Harassment and Misconduct**

The policies of Rider University are written and interpreted broadly to include online and cyber expressions of any of the behaviors prohibited below, when those behaviors occur in or have an effect on Rider University's education

program and activities or when they involve the use of Rider University networks, technology, or equipment.

Although Rider University may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to Rider University, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the Rider University community.

#### **15. Policy on Nondiscrimination**

Rider University adheres to all federal, state, and local civil rights laws and regulations prohibiting discrimination in private institutions of higher education.

Rider University does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of:

1. Race
2. Religion
3. Color
4. Sex
5. Pregnancy
6. Residence
7. Religion
8. Creed
9. Ethnicity
10. National origin (including ancestry)
11. Citizenship status
12. Physical or mental disability (including perceived disability)
13. Age
14. Marital status
15. Familial status
16. Sexual orientation
17. Gender identity

18. Gender expression
19. Veteran or military status (including disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, and Armed Forces Service Medal veteran)
20. Predisposing genetic characteristics
21. Domestic violence victim status
22. or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus, with the Equal Employment Opportunity Commission, and/or other human/civil rights agencies.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the Rider University community whose acts deny, deprive, or limit the educational or employment, and/or opportunities of any member of the Rider University community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above is in violation of Rider University's policy on nondiscrimination.

When brought to the attention of Rider University, any such discrimination will be promptly and fairly addressed and remedied by Rider University according to the appropriate grievance process described below.

#### **16. Policy on Disability Discrimination and Accommodation**

Rider University is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal, state, and local laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by Rider University, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

The Vice President of Human Resources has been designated as Rider University's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the procedures below. For details relating to disability accommodations in Rider University's resolution process, see page 41 (Process A) and page 97 (Process B).

#### **a. Students with Disabilities**

Rider University is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of Rider University.

All accommodations are made on an individualized basis. A student requesting any accommodation should first contact the Director of Student Accessibility and Support Services, who coordinates services for students with disabilities.

The Director of Student Accessibility and Support Services reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s) in accordance with Rider University's applicable policies.

#### **b. Employees with Disabilities**

Pursuant to the ADA, Rider University will provide reasonable accommodation(s) to all qualified employees with known disabilities when their disability affects the performance of their essential job functions, except when doing so would be unduly disruptive or would result in undue burden to Rider University.

An employee with a disability is responsible for submitting a request for an accommodation to the Vice President of Human Resources and providing necessary documentation. The Vice President of Human Resources will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties in accordance with Rider University's applicable policies.



## 17. Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. This policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom. ...”

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under Rider University policy. Speech or conduct legitimately protected by academic freedom will not be considered a violation of Rider University policy, though supportive measures will be offered to those impacted. All policies encompass actual and/or attempted offenses.

### a. Discriminatory Harassment/Hostile Environment

Discriminatory harassment constitutes a form of discrimination that is prohibited by Rider University policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

Rider University will act to remedy all forms of harassment when the harassment rises to the level of creating a “hostile environment.”

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual’s educational or employment access, benefits, or opportunities.<sup>3</sup> This discriminatory effect results from harassing verbal, written, graphic, and/or physical conduct that is severe or pervasive **and** objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, Rider University may also impose sanctions on the Respondent through application of the appropriate grievance process below.

Rider University reserves the right to address offensive conduct and/or discriminatory harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature and not based on a protected status. Addressing such conduct may result in the imposition of discipline under Rider University policy such as the Student Code of Social Conduct or through any relevant employment policy. Such behavior may also be addressed through respectful conversation, remedial actions, education, and/or other alternative resolution mechanisms.

---

<sup>3</sup> This definition of hostile environment is based on Federal Register / Vol. 59, No. 47 / Thursday, March 10, 1994: [Department of Education Office for Civil Rights, Racial Incidents and Harassment Against Students At Educational Rider Universitys Investigative Guidance](#).

#### b. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of New Jersey regard sexual harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Rider University has adopted the following definition of sexual harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual harassment, as an umbrella category, includes the offenses of quid pro quo, sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual in nature that satisfies one or more of the following:

1) Quid Pro Quo:

- an employee of Rider University,
- conditions the provision of an aid, benefit, or service of Rider University,
- on an individual's participation in unwelcome sexual conduct; and/or

2) Sexual Harassment:

- unwelcome conduct<sup>4</sup>,
- determined by a reasonable person,
- to be so severe, and
- pervasive, and,
- objectively offensive,
- that it effectively denies a person equal access to Rider University's education program or activity.

---

<sup>4</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

3) Sexual assault, defined as:

- Any sexual act<sup>5</sup> directed against another person<sup>6</sup>,
- Without the consent of the Complainant,
- Including instances in which the Complainant is incapable of giving consent

4) Sex Offenses, Non-forcible:

i) Incest:

- 1) Non-forcible sexual intercourse,
- 2) between persons who are related to each other,
- 3) within the degrees wherein marriage is prohibited by New Jersey law.

ii) Statutory Rape:

- 1) Non-forcible sexual intercourse,

---

<sup>5</sup> A 'sexual act' is specifically defined by federal regulations to include one or more of the following:

Forcible Rape:

- Penetration,
- no matter how slight,
- of the vagina or anus with any body part or object, or
- oral penetration by a sex organ of another person,
- without the consent of the Complainant.

Forcible Sodomy:

- Oral or anal sexual intercourse with another person,
- forcibly,
- and/or against that person's will (non-consensually), or
- not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age<sup>#</sup> or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object:

- The use of an object or instrument to penetrate,
- however slightly,
- the genital or anal opening of the body of another person,
- forcibly,
- and/or against that person's will (non-consensually),
- or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Forcible Fondling:

- The touching of the private body parts of another person (buttocks, groin, breasts),
- for the purpose of sexual gratification,
- forcibly,
- and/or against that person's will (non-consensually),

or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

<sup>6</sup> This would include having another person touch you sexually, forcibly, or without their consent.

2) with a person who is under the statutory age of consent under applicable law.

5) Dating Violence, defined as:

- violence,
- on the basis of sex,
- committed by a person,
- who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
  - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - iii. Dating violence does not include acts covered under the definition of domestic violence.

6) Domestic Violence\*, defined as:

- violence,
- on the basis of sex,
- committed by a current or former spouse or intimate partner of the Complainant,
- by a person with whom the Complainant shares a child in common, or
- by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of New Jersey or
- by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of New Jersey

\*To categorize an incident as Domestic Violence under this policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

7) Stalking, defined as:

- engaging in a course of conduct,

- on the basis of sex,
- directed at a specific person, that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or
  - iii. Suffer substantial emotional distress.

For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to,
  - acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (ii) Reasonable person means a reasonable person under similar circumstances
  - and with similar identities to the Complainant.
- (iii) Substantial emotional distress means significant mental suffering or
  - anguish that may but does not necessarily require medical or other professional treatment or counseling.

See Appendix B for Rider University's Statement on Consensual Relationships between Faculty and Students, Athletic Staff and Student-Athletes, and Employees and Subordinates

Rider University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this Policy. When applying sanctions, the imposition of a higher-level sanction does not preclude sanctions for any lower level violation.

Student Sanctions:

- a. Discrimination (Level 1 to 4)
- b. Discriminatory Harassment (Level 1 to 4)
- c. Sexual Harassment (Level 1 to Level 4)
- d. Sex Assault (Level 1 to Level 3)
- e. Sex Offenses, Non-Forcible (Level 1 to Level 3)
- f. Dating Violence (Level 1 to Level 3)
- g. Domestic Violence (Level 1 to Level 3)
- h. Stalking (Level 1 to Level 3)

#### Employee Sanctions:

- a. Discrimination (Level 1 to 4)
- b. Discriminatory Harassment (Level 1 to 4)
- c. Sexual Harassment (Level 1 to Level 4)
- d. Sex Assault, Forcible (Level 1 to Level 3)
- e. Sex Offenses, Non-Forcible (Level 1 to Level 3)
- f. Dating Violence (Level 1 to Level 3)
- g. Domestic Violence (Level 1 to Level 3)
- h. Stalking (Level 1 to Level 3)

#### Student Sanction Levels

##### **Level 1**

1. The student may be expelled from the University indefinitely and possibly permanently.
2. The student must be dismissed for a minimum of one year.
3. As with any other separation from the University, students wishing to return to Rider must re-apply for admission to the Dean of Students. Students found responsible at this level are not entitled to a refund of tuition or housing costs.

##### **Level 2**

1. The student may be dismissed from the University for a period not to exceed one year.
2. If the option in “a” above is not warranted, then the hearing authority must remove the student from residency on campus and impose restrictions on that student’s access to campus areas. In the case of a commuter, the student shall be restricted from entry into non-academic buildings.
3. As with any other separation from the University, suspended students wishing to return to Rider must re-apply for admission to the Dean of Students. In the case of removal from residency, students must apply for housing to the director of residence life. Students found responsible at this level are not entitled to a refund of tuition or housing costs.
4. The student may be put on disciplinary probation for a specific time period. The hearing authority may impose any other consequence(s), other than dismissal, which it considers applicable including but not limited to, delay of diploma, non-attendance at commencement ceremonies, disallowance from entry to campus buildings or areas, loss of group recognition, recommended loss of Greek charter, personal counseling, community restitution, financial restitution, assigned tasks, etc.

5. In every case at this level, except when dismissal is mandated, a fine of not less than \$75 but not greater than \$200 must be imposed. The fine may be per person when appropriate.

### **Level 3**

1. The student's residency status may be terminated or altered, and they may be restricted from areas on campus. A commuter student may be restricted from some campus buildings or areas. In the case of removal from residency, the student(s) must apply for housing to the director of residence life. In the case of a commuter student, they shall be restricted from non-academic areas and unable to attend campus-wide events.
2. Students found responsible at this level are not entitled to a refund of housing costs.
3. In addition to option "a," a student may be put on disciplinary probation for a period of time.
4. If the options in "a" and "b" above are not warranted, then the hearing authority shall impose a consequence of community restitution hours, or social restrictions for a specified time, during which certain privileges may be revoked including, but not limited to, ability to participate in extracurricular activities, ability to attend or sponsor events such as intramurals or Greek Week, ability to use campus facilities, etc. It may also impose any other consequence(s) which it considers applicable including, but not limited to, non-attendance at commencement ceremonies, assigned tasks, participation in counseling, etc. Note: A violation of the Alcohol Policy at this level requires participation in the Alcohol Education Program.
5. In every case, at this level a fine of not less than \$30 but not greater than \$100 must be imposed. The fine may be per person when appropriate.

### **Level 4**

1. The student may have social restrictions imposed for a specified period during which certain privileges may be revoked which include, but are not limited to, participation in intramurals, Greek Week, or other social events, ability to visit other buildings or use certain facilities, etc.
2. If the options in "a" above are not warranted, then the hearing authority must include a warning to the student regarding future violations. It may also impose any other consequence(s), excluding those in "a" above, which it considers applicable, including, but not limited to, restitution, assigned tasks, community restitution hours, participation in counseling. Note: A violation of the Alcohol Policy at this level requires participation in Alcohol Education Program.
3. In every case at this level, a fine of not less than \$20 but not greater than \$50 must be imposed. The fine may be per person when appropriate.

## Employee Sanction Levels

### **Level 1**

1. The employee may be terminated from their position at Rider University and not be eligible for rehire.
2. The employee may be demoted from their position; and/or.
3. The employee may be suspended without pay for a minimum of one month

### **Level 2**

1. The employee may be suspended without pay for no more than one month; and/or.
2. The employee may be deemed ineligible for promotion/tenure for a period of time

### **Level 3**

1. The employee may receive a written warning that will be placed in their personnel file
2. The employee may be subject to a performance improvement plan

### **Level 4**

1. The employee may be assigned to complete coaching, training, or other educational initiatives as deemed appropriate.
2. The employee may receive a verbal warning

## c. Force, Coercion, Consent, and Incapacitation

As used in the offenses above, the following definitions and understandings apply:

**Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.



**Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Consent is:**

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. For example, if a person consents to intercourse using a specific safe sex product, it is not reasonable to assume they have consented to intercourse without the safe sex product. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent at a hearing is not a burden placed on either party involved in an incident. Instead, Rider University must determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar and previous patterns that may be evidenced.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, and how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

#### d. Other Prohibited Conduct

In addition to the forms of sexual harassment described above, which are covered by Title IX, Rider University additionally prohibits the following offenses as forms of discrimination that may be within or outside of Title IX when the act is based upon the Complainant’s actual or perceived membership in a protected class.

- Sexual Exploitation, defined as: an individual taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
  - Invasion of sexual privacy
  - Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity; or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
  - Prostituting another person
  - Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection
  - Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
  - Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections
  - Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
  - Knowingly soliciting a minor for sexual activity
  - Engaging in sex trafficking
  - Knowing creation, possession, or dissemination of child pornography
- Threatening or causing physical harm; extreme verbal, emotional, or psychological abuse; or other conduct which threatens or endangers the health or safety of any person;
  - Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities, including disparate treatment;
  - Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;

- Hazing, Within the context of a person(s) attempting to join, or retain “membership” in a group or organization: any action or situation which recklessly or intentionally risks the mental, psychological or physical well-being of a student with or without the consent of the student; which requires or encourages violation of public law or University policy; or which may tend to ridicule, mistreat, degrade, humiliate or harass any individual. Hazing also is a violation of New Jersey law and could result in criminal prosecution.
- Bullying, defined as:
  - Repeated and/or severe
  - Aggressive behavior
  - Likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally

Violation of any other Rider University policies may constitute an offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed offenses range from reprimand through expulsion/termination.

### **18. Retaliation**

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator (or an Official with Authority as designated above) and will be promptly investigated. Rider University will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

Rider University and any member of Rider University’s community are prohibited from taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Filing a complaint within Process B could be considered retaliatory if those charges could be applicable under Process A, when the Process B charges are made for the purpose of interfering with or circumventing any right or privilege provided within Process A that is not provided by Process B. Therefore, Rider University vets all complaints carefully to ensure this does not happen, and to ensure that complaints are routed to the appropriate process.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

### **19. Mandated Reporting**

All Rider University employees (faculty, staff, administrators) are expected to report actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately, although there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment in a way that identifies the parties. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at Rider University for a Complainant or third-party (including parents/guardians when appropriate):

#### **a. Confidential Resources**

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- Counseling Services Office, Zoerner House, 609-896-5157,
- Student Health Services, Poyda Hall, 609-896-5060
- Clergy affiliated with the university
- Womanspace

1530 Brunswick Ave, Lawrenceville, NJ 08648  
609-394-9000

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, professional credentials, or official designation, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Campus counselors and/or the Employee Assistance Program are available to help free of charge and may be consulted on an emergency basis during normal business hours.

Rider University employees who are confidential and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

#### **b. Mandated Reporters and Formal Notice/Complaints**

All employees of Rider University (including student employees employed by Residence Life as Community Assistants and Community Directors), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from Rider University.

Supportive measures may be offered as the result of such disclosures without formal Rider University action.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

## **20. When a Complainant Does Not Wish to Proceed**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, and/or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether Rider University proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process, usually upon completion of an appropriate risk assessment.

The Title IX Coordinator's decision should be based on results of the risk assessment that show a compelling risk to health and/or safety that requires Rider University to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. Rider University may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and Rider University's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When Rider University proceeds, the Complainant (and/or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation.

Note that Rider University's ability to remedy and respond to notice may be limited if the Complainant does not want Rider University to proceed with an investigation and/or grievance process. The goal is to provide the Complainant

with as much control over the process as possible, while balancing Rider University's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow Rider University to honor that request, Rider University may offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date, unless the Title IX Coordinator signs the formal complaint themselves. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by Rider University, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

## **21. Federal Timely Warning Obligations**

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Rider University must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

Rider University will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger. When possible, Rider University will make a good faith effort to notify the Complainant before issuing a timely warning.

## **22. False Allegations and Evidence**

Deliberately false and/or malicious accusations under this policy, are a serious offense and will be subject to appropriate disciplinary action. This does not include allegation that are made in good faith but ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence after being directed to preserve such



evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under appropriate Rider University policies.

### **23. Amnesty for Complainants and Witnesses**

Rider University community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to Rider University officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the Rider University community that Complainants choose to report misconduct to Rider University officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, Rider University maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident. Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution and is rarely applicable to a Respondent with respect to a Complainant.

**Students:** Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual assault to the Department of Public Safety).

Rider University maintains a policy of amnesty for students who offer help to others in need. Although policy violations cannot be overlooked, Rider University may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

**Employees:**<sup>7</sup> Sometimes, employees are hesitant to report harassment or discrimination they have experienced for fear that they may get in trouble themselves. Rider University may, at its discretion, offer employee Complainants

---

amnesty from policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

#### **24. Federal Statistical Reporting Obligations**

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- b) Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- c) VAWA<sup>8</sup>-based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and
- d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be reported to the Department of Public Safety regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities may include: student affairs/student conduct staff, [campus law enforcement/public safety/security], local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

---

<sup>8</sup> VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040.

**INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE ANTI-HARASSMENT  
AND NON-DISCRIMINATION POLICY UNDER THE REGULATIONS APPEARING AT 34 CFR  
§ 106.45(KNOWN AS “PROCESS A”)**

1. Overview

Rider University will act on any formal notice/complaint of Sexual Harassment as defined in the Anti-Harassment and Non-Discrimination Policy (“the Policy”) that is received by the Title IX Coordinator<sup>9</sup> or any other Official with Authority by applying these procedures, known as “Process A.”

The procedures below apply only to qualifying allegations of sexual harassment (including quid pro quo, sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, staff, administrators, or faculty members.

If other policy definitions are invoked, such as protected class harassment or discrimination as defined above, please see a description of the procedures applicable to the resolution of such offenses, known as “Process B”.

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the Title IX Coordinator in accordance with the applicable regulations.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another) when alleged violations of the policy are being addressed at the same time. All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the Student Code of Social Conduct (for students), or by relevant employment policies for employees.

2. Notice/Complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, the Title IX Coordinator will initiate a prompt initial assessment to determine the next steps the University needs to take.

The Title IX Coordinator will initiate at least one of three responses:

---

<sup>9</sup> Anywhere this procedure indicates “Title IX Coordinator,” Rider University may substitute a trained designee.

- 1) Offering supportive measures because the Complainant does not want to submit a formal complaint; and/or
  - 2) An informal resolution; and/or
  - 3) A Formal Grievance Process including an investigation and a hearing.
- Rider University uses the Formal Grievance Process to determine whether or not the Policy has been violated. If so, Rider University will promptly implement effective remedies designed to ensure that Rider University is not deliberately indifferent to harassment or discrimination, their potential recurrence, and/or their effects.

### 3. Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator<sup>10</sup> engages in an initial assessment, typically within one to five business days. The steps in an initial assessment can include:

- The Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
  - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint themselves because a risk assessment indicates a compelling threat to health and/or safety.
- If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
  - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assesses their request(s), and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
  - If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for

---

<sup>10</sup> If circumstances require, the Office of the President (or its designee) or Title IX Coordinator will designate another person to oversee the process below should an allegation be made about the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill their duties.

informal resolution, which informal mechanism may serve the situation best or is available, and may seek to determine if the Respondent is also willing to engage in informal resolution.

- If a Formal Grievance Process is preferred by the Complainant, the Title IX Coordinator determines if the misconduct alleged falls within the scope of the 2020 Title IX regulations:
  - If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
    - an incident, and/or
    - a pattern of alleged misconduct, and/or
    - a culture/climate issue, based on the nature of the complaint.
  - If alleged misconduct does not fall within the scope of the 2020 Title IX regulations, the Title IX Coordinator determines that the regulations do not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, which resolution process is applicable, and will refer the matter accordingly, including referring the matter for resolution under Process B, if applicable. Please note that dismissing a complaint under the 2020 Title IX regulations is solely a procedural requirement under the applicable regulations, and does not limit Rider University’s authority to address a complaint with an appropriate process and remedies.

#### **a. Risk Assessment**

In some cases, the Title IX Coordinator may determine that a risk assessment should be conducted in coordination with the Title IX Team, Student Welfare Committee, and/or by the Employee Assistance Program as part of the initial assessment. A risk assessment can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to an individual or the community’s physical health/safety;
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether the scope of the investigation should include an incident, and/or pattern of misconduct, and/or climate of hostility/harassment;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;

- Whether it is reasonable to try to resolve a complaint through informal resolution, and if so, what approach may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent; and/or
- Whether a Clery Act Timely Warning/Persona Non-Grata Order is needed.

**b. Dismissal (Mandatory and Discretionary)<sup>11</sup>**

Rider University must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy above, even if proved; and/or
- 2) The conduct did not occur in an educational program or activity controlled by Rider University (including buildings or property controlled by recognized student organizations), and/or Rider University does not have control of the Respondent; and/or
- 3) The conduct did not occur against a person in the United States; and/or
- 4) At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of Rider University.

Rider University may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- 2) The Respondent is no longer enrolled in or employed by Rider University; or
- 3) Specific circumstances prevent Rider University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

Upon any dismissal, Rider University will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the Parties.

---

<sup>11</sup> These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR Part 106.45.

This dismissal decision is appealable by any party under the procedures for appeal below.

#### 4. Counterclaims

Rider University is obligated to ensure that the grievance process is not abused for retaliatory purposes. Rider University permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith, but are, on occasion, made for purposes of retaliation, instead. Counterclaims made with retaliatory intent will not be permitted. Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this Policy.

#### 5. Right to an Advisor

The Parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process if they so choose. The Parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.<sup>12</sup>

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

Rider University may permit the Parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

##### **a. Who Can Serve as an Advisor**

---

<sup>12</sup> “Available” means the party cannot insist on an Advisor who simply doesn’t have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The Parties may choose Advisors from inside or outside of the Rider University community.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

#### **b. Advisor's Role in Meetings and Interviews**

The Parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help their party prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

Rider University cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, Rider University is not obligated to provide an attorney.

#### **c. Advisors in Hearings/Rider University-Appointed Advisor**

Under U.S. Department of Education regulations for Title IX, a form of indirect questioning is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, Rider University will appoint a trained Advisor for the limited purpose of conducting any questioning of the other party(ies) and witnesses.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct questioning, Rider University will appoint an Advisor who will do so, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses may also be conducted by the Decision-maker(s) during the hearing.

#### **d. Pre-Interview Meetings**

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and Rider University's policies and procedures.



#### **e. Advisor Violations of Rider University Policy**

All Advisors are subject to the same Rider University policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by Rider University. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address Rider University officials in a meeting or interview unless invited to do so (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee<sup>13</sup> during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding as part of questioning or when addressed by the Chair or Hearing Facilitator.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing will be ended, or other appropriate measures implemented. The Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

#### **f. Sharing Information with the Advisor**

The Parties may wish to have Rider University share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish.

In order to share information directly with their Advisor, the parties must either complete and submit a consent form to the Title IX Coordinator authorizing Rider University to share such information or provide similar documentation demonstrating consent to a release of information to the Advisor before Rider University is able to share records with an Advisor.

If a party requests that all communication be made through their Advisor, Rider University will comply with this request at the discretion of the Title IX

---

<sup>13</sup> Subject to the state law provisions or the policy above.

Coordinator. A party will be copied on any communication the University sends to their Advisor.

#### **g. Privacy of Records Shared with Advisor**

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by Rider University. Rider University may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by Rider University's privacy expectations.

#### **h. Expectations of an Advisor**

Rider University generally expects an Advisor to adjust their schedule to allow them to attend Rider University meetings when planned but Rider University may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay or inconvenience.

Rider University may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

#### **i. Expectations of the Parties with Respect to Advisors**

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor should be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

### 6. Resolution Processes

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in

accordance with Rider University policy.

Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose as part of an Informal Resolution, discussed below. Rider University encourages parties to discuss any sharing of information with their Advisors before doing so.

The Formal Grievance Process is Rider University's primary resolution approach unless Informal Resolution is elected by all parties and the University. Three options for Informal Resolution are detailed in this section, and the Formal Grievance Process is detailed starting in the next section.

#### **a. Informal Resolution**

Informal Resolution can include Three different approaches:

- **Accepted Responsibility.** When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or
- **Negotiated Resolution.** When the Title IX Coordinator negotiates a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties and/or their Advisors.
- **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.

To initiate Informal Resolution, a Complainant must submit a formal complaint, as defined above. A Respondent who wishes to initiate Informal Resolution, they should contact the Title IX Coordinator to so indicate. The parties may agree as a condition of engaging in Informal Resolution that statements made and evidence shared during the Informal Resolution process will not be considered in the Formal Resolution process unless all parties consent.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, Rider University will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by Rider University.

Rider University will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

#### **a. Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria in that section above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and Rider University are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of Rider University policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

#### **b. Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and Rider University. Negotiated Resolutions are not appealable.

### 7. Formal Grievance Process Pool

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of this Policy to all students, parents/guardians of students, employees, prospective students, and prospective employees. External, trained

third-party neutral professionals may also be used to serve in pool roles.

#### **a. Pool Member Roles**

Members of the Pool are trained annually, and can serve in in the following roles, at the direction of the Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to a party
- To serve in a facilitation role in informal resolution if appropriately trained in appropriate resolution modalities (e.g., mediation, restorative practices)
- To perform or assist with initial assessment
- To investigate complaints
- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a Decision-maker regarding the complaint
- To serve as an Appeal Decision-maker

#### **b. Pool Member Training**

The Pool members receive annual training jointly. This training includes, but is not limited to:

- The scope of Rider University's Discrimination and Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, timely and impartial manner by individuals who receive annual training in conducting investigations of sexual harassment, trauma-informed practices, and impartiality
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity

- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Rider University with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias against Respondents and/or for Complainants, and on the basis of sex, race, religion, and other protected characteristics
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegation
- Recordkeeping

Specific training is also provided for Appeal Decision-makers, intake personnel, Advisors (who are Rider University employees), and Chairs. All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are publicly posted here: [www.rider.edu/ahnd/training](http://www.rider.edu/ahnd/training)

#### 8. Formal Grievance Process: Notice of Investigation and Allegations

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Formal Grievance Process. The NOIA is also copied to the Complainant, who is will be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,

- A statement that Rider University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about Rider University's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that Rider University's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- The name(s) of the Investigator(s), along with a process, in advance of the interview process, to identify to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official Rider University records, or emailed to the parties' Rider University-issued email or designated accounts. Email is the University's official means of communication and will be the common method utilized to deliver notice. Once mailed, emailed, or received in-person, notice will be presumptively delivered.

#### 9. Resolution Timeline

Rider University will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal if any, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

#### 10. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

#### 11. Ensuring Impartiality

Any individual materially involved in the administration of the resolution process including the Title IX Coordinator, Investigator(s), and Decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the resolution process, the parties may raise a concern regarding bias or conflict of interest involving any member of the Title IX Team, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the Office of the President of Rider University at [president@rider.edu](mailto:president@rider.edu) which will appoint an administrator to review the concern.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

In compliance with applicable regulations, Rider University presumes that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

#### 12. Investigation Timeline

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of



witnesses, police involvement, etc.

Rider University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

#### 13. Delays in the Investigation Process and Interactions with Law Enforcement

Rider University may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions, emergencies and other unforeseen events.

Rider University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Rider University will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Rider University will implement supportive measures as deemed appropriate.

Rider University action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

#### 14. Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and witnesses (including experts if appropriate), and to fully review and respond to all evidence on the record. Recordings of interviews are not provided to the parties, but the parties will have the ability to review the transcript/summary of the interview once the investigation report is compiled.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant

- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Assist the Title IX Coordinator, if needed, with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Work with the Title IX Coordinator, as necessary, to repace the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
  - Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant

evidence. Appendices including relevant physical or documentary evidence will be included

- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Prior to the conclusion of the investigation, provide the Parties and their respective Advisors (if so desired by the Parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which Rider University does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The Parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
- The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties and advisors are also provided with a file of any directly related evidence that was not included in the report

#### 15. Role and Participation of Witnesses in the Investigation

Witnesses (as distinguished from the parties) who are employees of Rider University are expected to cooperate with and participate in Rider University's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness, efficiency, or other reasons dictate a need for remote interviewing. Rider University will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for questioning at a hearing, their written statement may not be used as evidence.

#### 16. Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties should be made aware<sup>14</sup> of the audio and/or video recording.

#### 17. Evidentiary Considerations in the Investigation

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; or 2) questions and evidence about the Complainant's sexual predisposition; or 3) questions and evidence about the Complainant's prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Within the boundaries stated above, the investigation can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

#### 18. Referral for Hearing

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator

---

<sup>14</sup> Consent of the interviewer and interviewee is required in "dual-party recording" states.

will refer the matter for a hearing.

The hearing cannot be held less than ten (10) business days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the Decision-maker – unless all parties and the Decision-maker agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision-maker or Decision-Makers from the Pool depending on whether the Respondent is an employee or a student. Allegations involving student-employees in the context of their employment will be directed to the appropriate Decision-maker depending on the context and nature of the alleged misconduct.

#### 19. Hearing Decision-maker Composition

Rider University will designate a single Decision-maker or a three-member panel from the Pool, at the discretion of the Title IX Coordinator. The single Decision-maker will also Chair the hearing. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision-maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision-makers. Those who are serving as Advisors for any party may not serve as Decision-makers in that matter.

The Title IX Coordinator may not serve as a Decision-maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this facilitator role. The hearing will convene at a time and venue determined by the Chair or designee.

#### 20. Evidentiary Considerations in the Hearing

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition; 3) questions or evidence about the Complainant's prior sexual behavior, unless such questions

and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Within the boundaries stated above, the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process, and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision-maker(s) render(s) a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

#### 21. Notice of Hearing

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Once mailed, emailed, or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Description of any technology that will be used to facilitate the hearing
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker(s) on the basis of demonstrated bias or

conflict of interest. This must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.

- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Chair may reschedule the hearing in their discretion.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and Rider University will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.<sup>15</sup>
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-maker(s) will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Whether parties can/cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by Rider University and remain within the 60-90 business day goal for resolution.

## 22. Alternative Hearing Participation Options

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Chair at least five (5) business days prior to the hearing.

---

<sup>15</sup> The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or the Chair know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

### 23. Pre-Hearing Preparation

After any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, the Chair or Hearing Facilitator will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or have proffered a written statement or answered written questions, unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and/or instruct that the investigation be re-opened to consider that evidence.

The parties will be given a list of the names of the Decision-maker(s) at least ten (10) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than five (5) business days prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

The Parties may choose to provide a written response to the investigative report, which must be submitted at least five (5) business days prior to the start of the hearing. The response may consist of a written statement not to exceed 2500



words. If a party has objections to evidence included or excluded from the investigation report, it should be included in this response as well. New evidence or rebuttal evidence will not be considered at this time. The Chair will review the objections to relevance and at least 48hrs prior to the hearing will issue a decision regarding whether to include or exclude the evidence in question. The Chair will ensure any evidence deemed newly relevant at this time is shared with both parties.

#### 24. Pre-Hearing Meetings

At the Chair's discretion or at the request of a party, pre-hearing meetings may be scheduled with their advisor to explain the hearing protocol.

#### 25. Hearing Procedures

At the hearing, the Decision-maker(s) has the authority to hear and make determinations on all alleged policy violations that have occurred in concert with the alleged Sexual Harassment, even though those collateral allegations may not specifically fall within the Anti-Harassment and Non-Discrimination Policy and may fall under applicable university policy.

Participants at the hearing may include the Chair, any additional panelists, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives when an organization is the Respondent<sup>16</sup>, Advisors to the parties, any called witnesses, the Title IX Coordinator and anyone providing authorized accommodations, interpretation, and/or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties, and the witnesses and will then be excused.

#### 26. Joint Hearings

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

---

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

#### 27. The Order of the Hearing – Introductions and Explanation of Procedure

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s) on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Chair AND/OR hearing facilitator then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

#### 28. Investigator Presents the Final Investigation Report

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the parties (through their Advisors). The Investigator(s) may be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions for Investigators about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

#### 29. Testimony and Questioning

Once the Investigator(s) present(s) the report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors.

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request or agreed to by all parties and the Chair), the proceeding will pause to allow the Chair to consider the question, and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may invite explanations or persuasive statements regarding relevance with the Advisors, if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Chair may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

### 30. Refusal to Submit to Questioning; Inferences

Cross-examination is an all or nothing proposition, meaning that if any relevant question is refused, no statements of that party or witness are admissible. Only if a party or witness is willing to submit to cross-examination, and answers all questions, will their statements prior to and at the hearing be fully admissible. If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The Decision-maker(s) must disregard all such statements. Evidence provided that is something other than a statement by the party or witness may be considered.

Whether a party or witness does or does not answer questions from the Decision-maker, their statements will be admissible as long as they are willing to submit to cross-examination questions, even if they are not asked such

questions. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If collateral charges of policy violations other than sexual harassment are considered at the same hearing, the Decision-maker(s) may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for questioning is afforded to all parties through their Advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's Advisor of choice refuses to comply with Rider University's established rules of decorum for the hearing, Rider University may require the party to use a different Advisor. If a Rider University-provided Advisor refuses to comply with the rules of decorum, Rider University may provide that party with a different Advisor to conduct questioning on behalf of that party.

### 31. Recording Hearings

Hearings (but not deliberations) are recorded by Rider University for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of Rider University will be permitted to listen to the recording or review a transcript of the recording in a controlled environment determined by the Title IX Coordinator, upon request. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

### 32. Deliberation, Decision-making, and Standard of Proof

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence is the standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker(s) may – at their discretion – consider the statements, but they are not binding. The Decision-maker(s) will review the statements and any pertinent conduct history provided and will determine appropriate sanction(s) in consultation with other appropriate administrators, as required.

### 33. Notice of Outcome

The Title IX Coordinator will work with the Chair to prepare a Notice of Outcome letter. The Notice of Outcome may then be reviewed by legal counsel for the university. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within 5 business days of receiving the Decision-maker(s)' deliberation statement.

The Notice of Outcome will be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official Rider University records, or emailed to the parties' Rider University-issued email or otherwise approved account. Once mailed, emailed, or received in-person, notice will be presumptively delivered.

The Notice of Outcome will articulate the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by Rider University from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent Rider University is permitted to share such information under state or federal law; any sanctions issued which Rider University is permitted to share according to state or federal law; and whether remedies will be provided to the Complainant designed to ensure access to Rider University's educational or employment program or activity.

The Notice of Outcome will also include information on when the results are considered by Rider University to be final, any changes that occur prior to

finalization, and the relevant procedures and bases for any available appeal options.

#### 34. Statement of the Rights of the Parties (see Appendix A)

#### 35. Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

##### **a. Student Sanctions**

The following are the usual sanctions<sup>17</sup> that may be imposed upon students:

- Expulsion – Permanent termination of student status.
- Suspension – Temporary separation of student from University. Such action may be deemed appropriate as a consequence for more serious or repetitious violation of campus regulations. Suspension shall not be construed as a permanent separation from the community and conditions of readmission (if any are ordered) shall be stated in the hearing

---

<sup>17</sup> Rider University policies on transcript notation will apply to these proceedings.

authority's decision. Students suspended for violations of University policy are considered eligible for readmission to the University, and must apply for readmission through the Dean of Students Office prior to their anticipated return date.

- Removal from Residence – Requirement that the housing contract of the individual with the University be voided and that the individual be removed from the residence halls within five days of the date of the hearing. Note: Removal from residency may occur at the discretion of the Associate Dean of Residential Programs, consistent with the University Housing agreement, for failure to comply with all applicable rules and regulations of the University exclusive of any community standards process.
- Alteration of Residence Status – Requirement that the residence location of the student be changed by the Residence Life Office within five days of the date of the hearing.
- Disciplinary Probation – Time period during which any future violations will likely result in either removal from residency or suspension from the University depending on the offense and the student's community standards history.
- Social Restrictions – Restrictions from specific privilege(s), extracurricular activities, campus event(s), contact with person or organization, etc.
- Campus Restrictions – Restrictions from being present in campus buildings or areas.
- Community Restitution – Activities or actions designed to return to the community a portion of the goodwill that was taken away by the commission of the violation. Service to the community should be designed to better the social and/or physical environment of the University and its surrounding community.
- Financial Restitution – Reimbursement for damage to or misappropriation of property. Restitution may take the form of appropriate services to compensate for damages.
- Fines – Monetary amounts imposed within the limits defined.
- Referral to Appropriate Counseling Services.
- Administrative Directive – A statement, written, oral, or as part of a University policy, from an administrator of the University to be complied with by student(s). May require refraining from conduct or completing an act.

- Alcohol Education Program – Includes alcohol education class, an online program, and other educational activities to be determined by the Alcohol/Drug & Sexual Assault Prevention Education Coordinator (ASAP).
- Warning – Notice to the student, in writing, that continuation or repetition of the conduct found wrongful within a period of time as stated in the warning, may be cause for more severe disciplinary action.
- Withholding Diploma: Rider University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for an alleged violation.
- Revocation of Degree: Rider University reserves the right to revoke a degree previously awarded from Rider University for fraud, misrepresentation, and/or other violation of Rider University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Organizational Sanctions: Deactivation, loss of recognition, loss of some or all privileges (including Rider University registration) for a specified period of time.
- Other Actions: In addition to or in place of the above sanctions, Rider University may assign any other sanctions as deemed appropriate.

#### **b. Employee Sanctions**

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- Warning – Verbal or Written
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Demotion
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, Rider University may assign any other sanctions as deemed appropriate.

#### 36. Withdrawal or Resignation While Charges Pending

Students:



Should a Respondent decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from Rider University, the resolution process ends with a dismissal, as Rider University no longer has disciplinary jurisdiction over the withdrawn student.

However, Rider University will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to Rider University in any capacity. Such exclusion applies to all campuses of Rider University. They may also be barred from Rider University property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to Rider University unless and until all sanctions, if any, have been satisfied.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends with dismissal, as Rider University no longer has disciplinary jurisdiction over the resigned employee. The University also reserves the right to place a letter in the personnel file of the individual indicating they are not to be rehired.

However, Rider University will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for rehire with Rider University, and the records retained by the Title IX Coordinator will reflect that status.

All Rider University responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

### 37. Appeals

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within 5 days of the delivery of the Notice of Outcome.

A panel, consisting of one or three people will be chosen from the Pool and will be designated by the Title IX Coordinator. No appeal panelists will have been involved in the process previously, including in any dismissal appeal that may have been heard earlier in the process. A voting Chair of the Appeal panel will be designated.

The Request for Appeal will be forwarded to the Appeal Chair or designee for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

**a. Grounds for Appeal**

Appeals are limited to the following grounds:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Chair and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Chair will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request for an appeal with the approved grounds and then be given 5 business days to submit a response to the portion of the appeal that was approved and involves them. All responses, if any, will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeal Chair and either denied or approved. If

approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses, if any, in 5 business days, which will be circulated for review and comment by all parties. If not approved, the parties will be notified accordingly, in writing.

Neither party may submit any new requests for appeal after this time period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds for appeal, and the subsequent responses will be shared with the Appeal Panel/Chair, and the Chair/Panel will render a decision in no more than 5 business days, barring exigent circumstances. All decisions are by majority vote and apply the preponderance of the evidence.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which Rider University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent Rider University is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' Rider University-issued email or otherwise approved account. Once mailed, emailed, or received in-person, notice will be presumptively delivered.

#### **b. Sanctions Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a show cause meeting on the justification for doing so must be permitted within 48 hours of implementation.

#### **c. Appeal Considerations**

- Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.

- An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Chair/Decision-makers(s) may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-maker(s) for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where an error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal Chair/Panel may order a new investigation with new investigators and/or a new hearing with a new Decision-maker(s).
- The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to Rider University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

### 38. Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term communication and/or contact limitations between the parties

- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found. When no policy violation is found, the Title IX Coordinator will address any remedies owed by Rider University to the Respondent to ensure no effective denial of educational access.

Rider University will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair Rider University's ability to provide these services.

#### 39. Failure to Comply with Sanctions and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Chair/Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from Rider University.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

#### 40. Recordkeeping

Rider University will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to Rider University's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. Rider University will make these training materials publicly available on Rider University's website; and
7. Any actions, including any supportive measures, taken in response to a

report or formal complaint of sexual harassment, including:

- a. The basis for all conclusions that the response was not deliberately indifferent;
- b. Any measures designed to restore or preserve equal access to Rider University's education program or activity; and
- c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Rider University will also maintain any and all records in accordance with state and federal laws.

#### 41. Disabilities Accommodations in the Resolution Process

Rider University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to Rider University's resolution process.

Anyone needing such accommodations or support should contact the Director of Student Accessibility Services (or Director of Human Resources, if an employee) who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process

**INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE ANTI-HARASSMENT  
AND NON-DISCRIMINATION POLICY (PROCESS B)<sup>18</sup>**

- Process B is applicable when the Title IX Coordinator determines Process A is inapplicable, or offenses subject to Process A have been dismissed under Process A dismissal provisions.
- If Process A is applicable, Process A must be applied in lieu of Process B.

**INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY**

Rider University will act on any formal or informal allegation or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination that is received by the Title IX Coordinator<sup>19</sup> or a member of the administration, faculty, or other employee, with the exception of confidential resources, as articulated in the Policy above.

The procedures described below apply to all allegations of harassment, discrimination, and/or retaliation on the basis of protected class status involving students, staff, faculty members, or third parties.

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing, discriminatory, or retaliatory conduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through the procedures elaborated in the respective student, faculty, and staff, handbooks.

1. Initial Assessment

---

<sup>19</sup> All references herein to a Title IX Coordinator also include a designee of the Title IX Coordinator.

Following intake, receipt of notice, or a complaint of an alleged violation of Rider University's nondiscrimination Policy, the Title IX Coordinator<sup>20</sup> engages in an initial assessment, which is typically one to five business (1-5) days in duration. The steps in an initial assessment can include:

- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they are aware of their right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine which of three options to pursue: A Supportive Response, an Informal Resolution, or an Administrative Resolution.
  - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. An Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.
  - If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
  - If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:
    - Incident, and/or
    - A potential pattern of misconduct, and/or
    - A culture/climate issue.
- The Title IX Coordinator may determine that a risk assessment should be conducted with assistance by the Title IX Team, Student Welfare Committee, and/or Employee Assistance Program as part of the initial assessment. A risk assessment can aid in ten critical and/or required determinations, including:
  - Interim suspension of a Respondent who is a threat to health/safety;
  - Whether the Title IX Coordinator should pursue Administrative Resolution absent a willing/able Complainant;
  - Whether to put the investigation on the footing of incident and/or pattern and/or climate;
  - To help identify potentially predatory conduct;

---

<sup>20</sup> If circumstances require, the President or Title IX Coordinator will designate another person to oversee the process below should an allegation be made about the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill their duties.



- To help assess/identify grooming behaviors;
- Whether a Complaint is amenable to Informal Resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Whether a Clery Act Timely Warning/Persona-Non-Grata order is needed.

Based on the initial assessment, Rider University will initiate one of these responses:

- Supportive Response – measures to help restore the Complainants education access, as described in the policy.
- Informal Resolution – typically used for less serious offenses and all parties agree to Informal Resolution, or when the Respondent is willing to accept responsibility for violating policy.
- Administrative Resolution – investigation of policy violation(s) and recommended finding (faculty/staff employee cases only), subject to a determination by the Title IX Coordinator or Decision Maker and the opportunity to appeal to an Appeal Panel/Appeal Decision-Maker.

The investigation and the subsequent Administrative Resolution determine whether the nondiscrimination policy has been violated. If so, Rider University will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the Title IX Coordinator. At any point during the initial assessment or formal investigation, if the Title IX Coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified.

The Complainant may request that the Title IX Coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

## 2. Resolution Process Pool

The resolution process relies on a pool of officials (“Pool”) for implementation. Members of the Pool are announced in an annual distribution of this Policy to all students and their parents/guardians, employees, prospective students, and prospective employees.

Members of the Pool are trained annually in all aspects of the resolution process and can serve in any of the following roles, at the direction of the Title IX Coordinator:

- To provide sensitive intake for and initial advice pertaining to the allegations
- To act as optional process Advisors to the parties
- To investigate allegations
- To serve as a Decision-maker
- To serve on an Appeal Panel or as an Appeal Decision-maker

The Title IX Coordinator, in consultation with the Title IX Team, carefully vets Pool members for potential conflicts of interest or disqualifying biases and appoints the Pool, which acts with independence and impartiality.

Pool members receive annual training organized by the Title IX Coordinator, including a review of Rider University policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety, and promote accountability.

The Pool members receive annual training jointly. This training includes, but is not limited to:

- The scope of Rider University's Discrimination and Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, timely and impartial manner by individuals who receive training in conducting investigations of sexual harassment, trauma-informed practices, and impartiality
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- Types of evidence
- Deliberation

- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Rider University with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially, by avoiding prejudgment of the facts at issue, conflicts of interest, and bias against Respondents and/or for Complainants, and on the basis of sex, race, religion, and other protected characteristics
- Any technology to be used
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment and discrimination allegations

Specific training is also provided for Appeal Decision-makers, intake personnel, and Advisors. All Pool members are required to attend this annual training. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

External, trained third-party neutral professionals may also be used to serve in pool roles.

### 3. Counterclaims

Counterclaims by the Respondent may be made in good faith or may instead be motivated by a retaliatory intent. Rider University is obligated to ensure that any process is not abused for retaliatory purposes.

Rider University permits the filing of counterclaims, but uses the initial assessment, described above in the Policy section, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation. Counterclaims made with retaliatory intent will not be permitted.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same

investigation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

#### 4. Advisors

##### **a. Expectations of an Advisor**

Rider University generally expects an Advisor to adjust their schedule to allow them to attend meetings when planned, but Rider University may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Rider University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Parties whose Advisors are disruptive or who do not abide by Rider University policies and procedures may face the loss of that Advisor and/or possible Policy violations.

Advisors are expected to consult with their advisees without disrupting Rider University meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

##### **b. Expectations of the Parties with Respect to Advisors**

Each party may choose an Advisor<sup>21</sup> who is eligible and available<sup>22</sup> to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

The parties are expected to inform the Investigators of the identity of their Advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

---

<sup>21</sup> This could include an attorney, advocate, or support person. Witnesses are not entitled to Advisors within the process, though they can be advised externally..

<sup>22</sup> "Available" means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change Advisors at any time.

Upon written request of a party, Rider University will copy the Advisor on all communications between Rider University and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

At the discretion of the Title IX Coordinator, more than one Advisor may be permitted to the parties, upon request. For equity purposes, if one party is allowed another Advisor, the other party must be allowed one to as well.

## 5. Resolution Options

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with Rider University Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose, but are encouraged to discuss with their Advisors first before doing so.

### **a. Informal Resolution**

Informal Resolution is applicable when the Respondent accepts responsibility for violating Policy, or when the Title IX Coordinator can resolve the matter informally by providing remedies to resolve the situation.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the resolution is finalized, Administrative Resolution may be pursued.

### **i. Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent accepts responsibility, the Title IX Coordinator makes a determination that the individual

is in violation of Rider University Policy.

The Title IX Coordinator then determines appropriate sanction(s) or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the conduct, both on the Complainant and the community.

If the Respondent accepts responsibility for all of the alleged policy violations and Title IX Coordinator or designee has determined appropriate sanction(s) or responsive actions, which are promptly implemented, the process is over. The Complainant will be informed of this outcome.

If the Respondent accepts responsibility for some of the alleged policy violations and Title IX Coordinator has determined appropriate sanction(s) or responsive actions, which are promptly implemented, for those violations, then the remaining allegations will continue to be investigated and resolved through Administrative Resolution. The parties will be informed of this outcome. The parties are still able to seek negotiated resolution on the remaining allegations, subject to the stipulations above.

## **ii. Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement any agreement to resolve the allegations that satisfies all parties and Rider University.

### **b. Administrative Resolution**

Administrative Resolution can be pursued for any behavior for which the Respondent has not accepted responsibility that constitutes conduct covered by the Equal Opportunity, Harassment, and Nondiscrimination Policy at any time during the process. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Administrative Resolution Process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,

- The identity of the involved parties (if known),
- The precise misconduct being alleged (if known),
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that Rider University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about Rider University's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that Rider University's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, and how to contact the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official Rider University records, or emailed to the parties' Rider University-issued email or designated accounts. Email is the University's official means of communication and will be the common method utilized to deliver notice. Once mailed, emailed, or received in-person, notice will be presumptively delivered.

## 6. Resolution Timeline

Rider University will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as a estimate of how much additional time will be needed to complete the process.

## 7. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

## 8. Ensuring Impartiality

Any individual materially involved in the administration of the resolution process including the Title IX Coordinator, Investigator(s), and Decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the Office of the President of Rider University at [president@rider.edu](mailto:president@rider.edu) who will designate an administrator to review the concerns.

Rider University operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.



#### 9. Investigation Timeline

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Rider University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

#### 10. Delays in the Investigation Process and Interactions with Law Enforcement

Rider University may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

Rider University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Rider University will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Rider University will implement supportive measures as deemed appropriate.

Rider University action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

#### 11. Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct
- Assist the Title IX Coordinator with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy
  - If there is insufficient evidence to support reasonable cause, the process is closed with no further action
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA) on the basis of the initial assessment. Notice may be one step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOIA accordingly and provide it to the parties.
  - Notice should inform the parties of their right to have the assistance of an Advisor
- When formal notice is being given, it should provide the parties with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline

- Provide regular status updates to the parties throughout the investigation.
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Provide parties with a copy of the draft investigation report when it is completed, including all relevant evidence and analysis
- Provide each party with a full and fair opportunity to respond to the report in writing within 5 business days and incorporate that response into the report
- Investigators may choose to respond in writing in the report to the responses of the parties, and/or to share the responses between the parties for their responses, while also ensuring that they do not create a never-ending feedback loop. Investigators may also conduct additional interviews and evidence collection as they deem necessary based on the responses of the parties.
- Provide the final investigation report to the Title IX Coordinator who will then provide both parties with a copy.

## 12. Determination

### **Student Process**

#### **Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the Title IX Coordinator, a review will occur to determine if there is reasonable cause to believe that the Respondent may have violated the Policy. If reasonable cause does not exist to believe a violation of this Policy has occurred, then the matter may be referred to the Office of Community Standards to review for potential violations of the Student Code of Social Conduct. If reasonable cause does exist to believe a violation of the Policy, the Title IX Coordinator will refer the matter for a hearing and designate a Board Chair. This hearing may also address potential violations of the

Student Code of Social Conduct.

The hearing cannot be less than five (5) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the Title IX Coordinator unless all parties and the Title IX Coordinator agree to an expedited timeline.

Allegations involving student-employees will be directed to the appropriate Decision-maker depending on the context of the alleged misconduct.

### **Hearing Board**

The Title IX Coordinator will designate 1 or 3 individuals to serve as the Hearing Board (the Board). When there are 3 individuals serving on the Board the Title IX Coordinator will designate one decision maker to serve as the Board Chair. The Title IX Coordinator (or designee) may designate an administrator to act as a hearing moderator to be present at a hearing to control the hearing and ensure the hearing follows procedural guidelines. The moderator will be impartial and has no interest or input in the outcome of the hearing.

### **Hearing Notice**

No later than five (5) business days prior to the hearing date, unless both parties and the Title IX Coordinator agree, the Board Chair will provide both the Complainant and Respondent a Notice of Charge letter. The Notice of Charge letter will include the following information:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Board and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any member of the Board on the basis of demonstrated bias or conflict of interest. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or

witness's testimony and any statements given prior to the hearing may not be considered by the Board. For compelling reasons, the Chair may reschedule the hearing.

- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing.
- A copy of all the materials provided to the Board about the matter, unless they have been provided already.<sup>23</sup>
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Board will review during any sanction determination.
- An invitation to contact the Director of Student Accessibility Services to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (3) business days prior to the hearing.
- Whether parties can/cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by Rider University and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

#### **Pre-Hearing Submissions:**

In the absence of good cause as determined by the Board Chair in their sole discretion, the Complainant and Responding Party may not introduce witnesses, documents, or other evidence at the hearing that were not provided during the investigation and response process. Rider University will assist the Complainant and Respondent with attempting to secure the attendance of their proposed witnesses at the hearing.

#### **Pre-Hearing Meeting(s) and Determination of Witnesses:**

The Board Chair (or designee) will seek to schedule one or more pre-hearing meeting(s) with the Complainant and Respondent, either jointly or separately at the sole discretion of the Board Chair (or designee), no less than three (3)

---

<sup>23</sup> The final investigation report may be shared electronically and it will preclude downloading, forwarding, or otherwise sharing.

business days prior to the hearing date. At the meeting(s), the Board Chair (or designee) will review hearing procedures with the Complainant and Respondent. The Board Chair (or designee) will also review the list of proposed witnesses to assist the Complainant and Responding Party in eliminating redundant testimony. The Complainant and Respondent may be accompanied by their respective advisors at any pre-hearing meeting(s).

### **Persons Participating**

Typically, the Complainant and Respondent, their respective advisors, the University's counsel, the Board members and a moderator are the only individuals present at the hearing. The Complainant and Responding Party may have an advisor of their choice present at the hearing and any related meetings. Advisors are not permitted to address the Board, examine witnesses or otherwise directly participate in the hearing on behalf of either party. The University may remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation as defined in the Policy.

Should either the Complainant or Responding Party fail to appear at the scheduled hearing, the Board Chair may postpone the proceedings or the Board may proceed and determine the report on the basis of the evidence presented, provided the absent party was duly notified in advance of the scheduled hearing date as outlined above. The Complainant and Responding Party are not required to be present at the hearing. However, the exercise of that right does not preclude the Board from proceeding and determining responsibility on the basis of the facts and circumstances presented. If requested, the University will make arrangements such that the Complainant and Responding Party are not present in the same room at the same time as part of the hearing.

### **Conduct of the Hearing**

The hearing before the Board will not follow a courtroom model. The Board Chair will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The Investigator(s) may be asked to testify at the hearing at the discretion of the Board Chair. When an investigator does testify in a hearing, they will not provide opinions related to responsibility or the credibility of parties or witnesses. The Complainant and Responding Party will not be expected to repeat undisputed details or non-material circumstances that would merely duplicate the written materials collected as part of the investigation or provided prior to the hearing. The Board in its discretion, may seek to have other persons speak at the hearing. Only the Board Chair and the Board may question the Complainant, Responding Party, and any witnesses. However, the Complainant and Responding Party may ask the Board Chair to pose additional questions or inquire further into specific matters by submitting these requests in writing. If necessary, a brief recess may be granted to allow the

Complainant and Responding Party an opportunity to prepare and submit such requests. The Board Chair is empowered to disallow any questions that are irrelevant or redundant. After all witnesses have been questioned, the Complainant and Responding Party may make a closing statement and request a short recess to prepare their statement(s). If the Board determines that unresolved issues exist that would be clarified by the presentation of additional evidence, the Board Chair may recess the Board hearing and reconvene it for the presentation of additional evidence in a timely manner. A recess may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents or other evidence that should have been presented at the pre-hearing meeting(s).

After both parties have had the opportunity to provide a closing statement, the hearing is concluded. The Board will have up to 10 days to deliberate regarding whether the Respondent is responsible for any violations of the Policy or the Student Code of Social Conduct they may have been charged with.

### **Standard for Responsibility Finding**

All decisions by the Board will be made by majority vote. The Board first determines whether the Respondent is responsible for the alleged violation(s) of the Policy (the “Responsibility Finding”), and then, if appropriate, determine by majority vote the sanction to be imposed Responding Party (the “Sanction Finding”). A finding of responsibility must be supported by a “preponderance of the evidence.” “Preponderance of the evidence” means that the University establishes that it is more likely than not that the Respondent is responsible for committing the act or acts complained of.

### **Employee Process**

Upon completion of the investigation report, the investigator(s) will provide the final report to the Title IX Coordinator. The Title IX Coordinator will designate a Decision-maker to review the investigation report and all relevant evidence. If the Decision-maker deems it necessary to speak with either the Complainant or Respondent regarding the report to ask clarifying questions, they may do so, but then must offer the same opportunity to both parties equally. The Decision-maker may also consult with the investigator(s) about the content of the report and information collected.

After a review of all necessary information, the Decision-maker will draft a recommendation letter regarding whether there exists violations of this Policy or other relevant policies that were listed in the Notice of Allegations using the preponderance of evidence standard. This recommendation letter will include the

rationale for any and all decisions and if applicable recommended actions. This recommendation letter will be provided to the Title IX Coordinator and the appropriate Vice-President/Division Head.

The Vice-President/Division Head will make a determination about whether to accept, reject, or modify the recommendations of the Decision-maker. Any changes to the recommendations by the Decision-maker will be documented and rationale provided in a final decision letter. The notice of outcome, appeal instructions, recommendation letter, and the investigation report will be provided to both the Complainant and Respondent simultaneously.

### 13. Additional Details of the Resolution Process

#### **a. Witness responsibilities**

Witnesses (as distinguished from the parties) who are faculty or staff of Rider University are expected to cooperate with and participate in the investigation and resolution process.

#### **b. Remote processes**

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) and/or Decision-maker determine that timeliness, efficiency, or other causes dictate a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. Where remote technologies are used, Rider University makes reasonable efforts to ensure privacy and ensures that any technology does not work to the detriment of any party or subject them to unfairness.

#### **c. Recording**

No unauthorized audio or video recording of any kind is permitted during the resolution process including investigative interviews. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware audio and/or video recording.

#### **d. Evidence**

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of



misconduct, subject to the limitation in (e) below. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

**e. Sexual history/patterns**

Unless the Title IX Coordinator/Decision-maker determines it is appropriate, the investigation and the finding do not consider: (1) incidents not directly related to the possible violation, unless they evidence a pattern; (2) the irrelevant sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); or (3) irrelevant character evidence.

**f. Previous allegations/violations**

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the Title IX Coordinator/Decision-maker with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s).

**g. Character witnesses**

Character witnesses or evidence may be offered. The investigation and hearing will determine if the character evidence is relevant. If so, it may be considered. If not, it will be excluded.

**h. Notification of outcome**

If the Respondent admits to the violation(s), or is found in violation, the Title IX Coordinator in consultation with other administrators as appropriate] determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The Title IX Coordinator informs the parties of the determination within two to three business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notifications are made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official

Rider University records, or emailed to the parties' Rider University-issued or designated email account. Once mailed, emailed, or received in-person, notice is presumptively delivered.

The Notification of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which Rider University is permitted to share pursuant to state or federal law, and the rationale supporting the essential findings to the extent Rider University is permitted to share under state or federal law.

The notice will detail when the determination is considered final and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings. More information about the appeal procedures can be found below.

#### 14. Sanctions

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- The impact statements submitted by the parties
- Any other information deemed relevant by the Title IX Coordinator/Decision-maker

The sanction(s) will be implemented as soon as is feasible. The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities.

### **a. Student Sanctions**

The following are the sanctions that may be imposed upon students or student organizations singly or in combination:

- Expulsion – Permanent termination of student status.
- Suspension– Temporary separation of student from University. Such action may be deemed appropriate as a consequence for more serious or repetitious violation of campus regulations. Suspension shall not be construed as a permanent separation from the community and conditions of readmission (if any are ordered) shall be stated in the hearing authority's decision. Students dismissed for violations of University policy are considered eligible for readmission to the University and must apply for readmission through the Dean of Students Office prior to their anticipated return date.
- Removal from Residence – Requirement that the housing contract of the individual with the University be voided and that the individual be removed from the residence halls within five days of the date of the hearing. Note: Removal from residency may occur at the discretion of the Associate Dean of Residential Programs, consistent with the University Housing agreement, for failure to comply with all applicable rules and regulations of the University exclusive of any community standards process.
- Alteration of Residence Status – Requirement that the residence location of the student be changed by the Residence Life Office within five days of the date of the hearing.
- Disciplinary Probation – Time period during which any future violations will likely result in either removal from residency or suspension from the University depending on the offense and the student's community standards history.
- Social Restrictions – Restrictions from specific privilege(s), extracurricular activities, campus event(s), contact with person or organization, etc.
- Campus Restrictions – Restrictions from being present in campus buildings or areas.
- Community Restitution – Activities or actions designed to return to the community a portion of the goodwill that was taken away by the commission of the violation. Service to the community should be designed to better the social and/or physical environment of the University and its surrounding community.

- Financial Restitution – Reimbursement for damage to or misappropriation of property. Restitution may take the form of appropriate services to compensate for damages.
- Fines – Monetary amounts imposed within the limits defined.
- Referral to Appropriate Counseling Services.
- Administrative Directive – A statement, written, oral, or as part of a University policy, from an administrator of the University to be complied with by student(s). May require refraining from conduct or completing an act.
- Alcohol Education Program – Includes alcohol education class, an online program, and other educational activities to be determined by the Alcohol/Drug & Sexual Assault Prevention Education Coordinator (ASAP).
- Warning – Notice to the student, in writing, that continuation or repetition of the conduct found wrongful within a period of time as stated in the warning, may be cause for more severe disciplinary action.
- Withholding Diploma and/or Official Transcripts: Rider University may withhold a student's diploma and/or official transcripts for a specified period of time, and/or deny a student participation in commencement activities, if the student has an allegation pending, or as a sanction if the student is found responsible for an alleged violation.
- Revocation of Degree: Rider University reserves the right to revoke a degree previously awarded from Rider University for fraud, misrepresentation, or other violation of Rider University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Organizational Sanctions: Deactivation, loss of recognition, loss of some or all privileges (including Rider University registration), for a specified period of time.
- Other Actions: In addition to or in place of the above sanctions, Rider University may assign any other sanctions as deemed appropriate.

#### **b. Employee Sanctions**

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- Warning – Verbal or Written
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education

- Probation
- Demotion
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, Rider University may assign any other sanctions as deemed appropriate.

### **Student Sanction Levels**

#### **Level 1**

- The student may be expelled from the University indefinitely and possibly permanently.
- The student must be dismissed for a minimum of one year.
- As with any other separation from the University, students wishing to return to Rider must re-apply for admission to the Dean of Students. Students found responsible at this level are not entitled to a refund of tuition or housing costs.

#### **Level 2**

- The student may be dismissed from the University for a period not to exceed one year.
- If the option in “a” above is not warranted, then the hearing authority must remove the student from residency on campus and impose restrictions on that student’s access to campus areas. In the case of a commuter, the student shall be restricted from entry into non-academic buildings.
- As with any other separation from the University, suspended students wishing to return to Rider must re-apply for admission to the Dean of Students. In the case of removal from residency, students must apply for housing to the director of residence life. Students found responsible at this level are not entitled to a refund of tuition or housing costs.
- The student may be put on disciplinary probation for a specific time period. The hearing authority may impose any other consequence(s), other than dismissal, which it considers applicable including but not limited to, delay of diploma, non-attendance at commencement ceremonies, disallowance from entry to campus buildings or areas, loss of group recognition, recommended loss of Greek charter, personal counseling, community restitution, financial restitution, assigned tasks, etc.
- In every case at this level, except when dismissal is mandated, a fine of not less than \$75 but not greater than \$200 must be imposed. The fine may be per person when appropriate.

#### **Level 3**

- The student's residency status may be terminated or altered, and they may be restricted from areas on campus. A commuter student may be restricted from some campus buildings or areas. In the case of removal from residency, the student(s) must apply for housing to the director of residence life. In the case of a commuter student, they shall be restricted from non-academic areas and unable to attend campus-wide events.
- Students found responsible at this level are not entitled to a refund of housing costs.
- In addition to option "a," a student may be put on disciplinary probation for a period of time.
- If the options in "a" and "b" above are not warranted, then the hearing authority shall impose a consequence of community restitution hours, or social restrictions for a specified time, during which certain privileges may be revoked including, but not limited to, ability to participate in extracurricular activities, ability to attend or sponsor events such as intramurals or Greek Week, ability to use campus facilities, etc. It may also impose any other consequence(s) which it considers applicable including, but not limited to, non-attendance at commencement ceremonies, assigned tasks, participation in counseling, etc. Note: A violation of the Alcohol Policy at this level requires participation in the Alcohol Education Program.
- In every case, at this level a fine of not less than \$30 but not greater than \$100 must be imposed. The fine may be per person when appropriate.

#### **Level 4**

- The student may have social restrictions imposed for a specified period during which certain privileges may be revoked which include, but are not limited to, participation in intramurals, Greek Week, or other social events, ability to visit other buildings or use certain facilities, etc.
- If the options in "a" above are not warranted, then the hearing authority must include a warning to the student regarding future violations. It may also impose any other consequence(s), excluding those in "a" above, which it considers applicable, including, but not limited to, restitution, assigned tasks, community restitution hours, participation in counseling. Note: A violation of the Alcohol Policy at this level requires participation in Alcohol Education Program.
- In every case at this level, a fine of not less than \$20 but not greater than \$50 must be imposed. The fine may be per person when appropriate.

### **Employee Sanction Levels**

#### **Level 1**

- The employee may be terminated from their position at Rider University and not be eligible for rehire.

- The employee may be demoted from their position; and/or.
- The employee may be suspended without pay for a minimum of one month

#### **Level 2**

- The employee may be suspended without pay for no more than one month; and/or.
- The employee may be deemed ineligible for promotion/tenure for a period of time

#### **Level 3**

- The employee may be supplied a written warning that will be placed in their personnel file
- The employee may receive a performance improvement plan

#### **Level 4**

- The employee may be assigned to complete coaching, training, or other educational initiatives as deemed appropriate.
- The employee may receive a verbal warning

### 15. Withdrawal or Resignation While Charges are Pending

Students: Rider University does not typically permit a student to withdraw if that student has an allegation pending for violation of this policy. Rider University may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the resolution process to be completed.

Employees: Should an employee resign with unresolved allegations pending, the records of the Title IX Coordinator will reflect that status, and any Rider University responses to future inquiries regarding employment references for that individual may include the former employee's unresolved status.

### 16. Appeals

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within 5 business days of the delivery of the written finding of the Title IX Coordinator or Decision-maker. Any party may appeal the findings only under the grounds described below.

A three-member appeals panel or an Appeal Decision-maker chosen from the Pool will be designated by the Title IX Coordinator from those who have not been involved in the process previously. One member of the Appeal Panel will be designated as the Chair. Any party may appeal, but appeals are limited to the following grounds:

- (A) Procedural irregularity that significantly impacted the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter. A summary of this new evidence and its potential impact must be included in the appeal.
- (C) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

When any party requests an appeal, the Title IX Coordinator will share the appeal request with the other party(ies) or other appropriate persons such as the Investigator(s), who may file a response within three (3) business days. The other party may also bring their own appeal on separate grounds.

If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within 3 business days. These responses or appeal requests will be shared with each party. The Appeal Chair/Panel will review the appeal request(s) within 3 business days of completing the pre-appeal exchange of materials. If grounds are not sufficient for an appeal, or the appeal is not timely, the Appeal Chair/Panel dismisses the appeal.

When the Appeal Chair/Panel finds that at least one of the grounds is met by at least one party, additional principles governing the review of appeals include the following:

- Decisions by the Appeal Chair/Panel are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is compelling justification to do so.
- Appeals are not intended to be full re-hearings (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the investigation and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for the Appeal Chair/Panel to substitute their judgment for that of the original Investigator(s) or Title IX Coordinator/Decision-maker merely because they disagree with the finding and/or sanction(s).
- Appeals granted based on new evidence should normally be remanded to



the Investigator(s) for reconsideration. Other appeals should be remanded at the discretion of the Appeal Chair/Panel.

- Sanctions imposed as the result of an Administrative Resolution are stayed until the appeal process concludes unless the Board determines a sanction must be implemented immediately for the health and safety of the complainant and/or campus community.
- All parties will be informed in writing within 3 business days of the outcome of the appeal without significant time delay between notifications, and in accordance with the standards for Notice of Outcome as defined above.
- Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand.
- In rare cases when a procedural or substantive error cannot be cured by the original Investigator(s) and/or Title IX Coordinator/Decision-maker (as in cases of bias), the Appeal Chair/Panel may recommend a new investigation and/or Administrative Resolution process, including a new resolution administrator.
- The results of a new Administrative Resolution process can be appealed once, on any of the three applicable grounds for appeals.
- In cases in which the appeal results in Respondent's reinstatement to Rider University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

#### 17. Long-Term Remedies/Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification

- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided to the Complainant even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedial requirements owed by Rider University to the Respondent.

#### 18. Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions

All Respondents are expected to comply with conduct sanctions, responsive actions, and corrective actions within the timeframe specified by the Title IX Coordinator.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s) and responsive/corrective action(s), including suspension, expulsion, and/or termination from Rider University and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

#### 19. Recordkeeping

In implementing this policy, records of all allegations, investigations, resolutions, and hearings will be kept indefinitely, or as required by state or federal law or institutional policy, by the Title IX Coordinator in the Title IX case database.

#### 20. Statement of the Rights of the Parties (see Appendix A)

#### 21. Disabilities Accommodation in the Resolution Process

Rider University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the resolution process at Rider University. Any student needing

such accommodations or support should contact the Director of Student Accessibility Service, who will review the request and, in consultation with the person requesting the accommodation, and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process. Employees needing such accommodations or support should contact the Title IX Coordinator.

#### **Revision of this Policy and Procedures**

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation occurring on or after August 14, 2020 and will be reviewed and updated annually by the Title IX Coordinator. Rider University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings. This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This Policy and procedures are effective August 14, 2020.

ATIXA 2020 ONE POLICY, TWO PROCEDURES MODEL  
USE AND ADAPTATION OF THIS MODEL WITH CITATION TO ATIXA IS PERMITTED THROUGH A LIMITED  
LICENSE  
TO RIDER UNIVERSITY  
ALL OTHER RIGHTS RESERVED.  
©2020. ATIXA

#### **APPENDIX A: STATEMENT OF RIGHTS OF THE PARTIES**

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or discrimination made in good faith to Rider University officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by Rider University officials.
- The right to have Rider University policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by Rider University officials from reporting sexual harassment, discrimination, and/or discrimination to both on-campus and off-campus authorities.
- The right to be informed by Rider University officials of options to notify proper law enforcement authorities, such as the local police, and the option(s) to be assisted by Rider University authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well.

- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by Rider University officials.
- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- The right to a Rider University-implemented no-contact order (or Persona Non-Grata order against a non-affiliated third party) when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
  - Relocating an on-campus student's housing to a different on-campus location
  - Assistance from Rider University staff in completing the relocation
  - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - Transportation accommodations
  - Visa/immigration assistance
  - Arranging to dissolve a housing contract and a pro-rated refund
  - Exam, paper, and/or assignment rescheduling or adjustment
  - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
  - Transferring class sections
  - Temporary withdrawal/leave of absence (may be retroactive)
  - Campus safety escorts
  - Alternative course completion options.
- The right to have Rider University maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair Rider University's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.

- The right to ask the Investigator(s) and Decision-maker(s) to identify and question relevant witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Chair, may be asked of any party or witness.
- The right not to have irrelevant prior sexual history or character admitted as evidence.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received relevant annual training.
- The right to a Hearing Panel that is not single-sex in its composition, if a panel is used.
- The right to preservation of privacy, to the extent possible and permitted by law.

- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any Rider University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale of a decision (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by Rider University is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by Rider University.
- The right to a fundamentally fair resolution as defined in these procedures.

## New Jersey Campus Sexual Assault Victim's Bill of Rights

### **NJSA18A:61E-1 et.seq.**

#### Introduction

A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the college community in achieving these ends.

The boundaries of personal freedom are limited by applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. Respect for the individual and human dignity is of paramount importance in creating a community free from violence, sexual assault and non-consensual sexual contact.

The State of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures and services designed to ensure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

#### Bill of Rights

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

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



**Human Dignity Rights:**

- to be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this policy
- to have any allegations of sexual assault treated seriously; the right to be treated with dignity
- to be free from any suggestion that victims are responsible for the commission of crimes against them
- to be free from pressure from campus personnel to:
  - report crimes if the victim does not wish to do so
  - report crimes as lesser offenses than the victim perceives the crime to be
  - refrain from reporting crime
  - refrain from reporting crimes to avoid unwanted personal publicity.

**Rights to Resources on and off Campus:**

- to be notified of existing campus and community based medical, counseling, mental health and student services for victims of sexual assault whether or not the crime is formally reported to campus or civil authorities
- to have access to campus counseling under the same terms and conditions as apply to other students in their institution seeking such counseling
- to be informed of and assisted in exercising:
  - any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus, and/or pregnancy
  - any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.

**Campus Judicial Rights:**

- to be afforded the same access to legal assistance as the accused
- to be afforded the same opportunity to have others present during any campus disciplinary proceeding that is allowed the accused
- to be notified of the outcome of the sexual assault disciplinary proceeding against the accused.

**Legal Rights:**

- to have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported
- to receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities
- to receive full, prompt, and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.

**Campus Intervention Rights:**

- to require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of victims by their alleged assailants
- to be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available.

**Statutory Mandates:**

- Each campus must guarantee that this Bill of Rights is implemented. It is the obligation of the individual campus governing board to examine resources dedicated to services required and to make appropriate requests to increase or reallocate resources where necessary to ensure implementation
- Each campus shall make every reasonable effort to ensure that every student at that institution receives a copy of this document

Nothing in this act or any *Campus Assault Victim`s Bill of Rights* developed in accordance with the provisions of this act, shall be construed to preclude or in any way restrict any public or independent institution of higher education in the State from reporting any suspected crime or offense to the appropriate law enforcement authorities.

**APPENDIX B: STATEMENT ON CONSENSUAL RELATIONS BETWEEN FACULTY AND  
STUDENTS, ATHLETIC STAFF AND STUDENT-ATHLETES AND EMPLOYEES AND  
SUBORDINATES<sup>24</sup>**

Consensual romantic and/or sexual relationships between employees (including faculty and athletic staff) and students with whom they also have an academic, supervisory or evaluative relationship, or between an employee and their subordinate, is fraught with the potential for exploitation and may compromise the University's ability to enforce its policy against sexual harassment. Employees must be mindful that the authority that they exercise in their interactions with students and subordinates may affect the decision of a student or a subordinate to enter into or end a romantic or sexual relationship. Even when both parties initially have consented, the development of a sexual relationship renders both the employee and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between faculty members and students, athletic staff members and student athletes or supervisors and subordinates. In their relationships with students and subordinates, faculty, athletic staff and supervisors are expected to be aware of their professional responsibilities and to avoid apparent or actual conflict of interest, favoritism, or bias. When a sexual or romantic relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision of the student or subordinate.

---

<sup>24</sup> Violation of this policy is a Human Resources/Employee Relations matter and will not be addressed under this resolution process unless the elements of the definition of harassment are met

## **APPENDIX C: RIDER UNIVERSITY ANTI-HARASSMENT AND NON-DISCRIMINATION STATEMENT**

Rider University adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. Rider University does not discriminate in its admissions practices in its employment practices, or in its educational programs or activities on the basis of race, sex/gender, religion, national origin, or other protected class status. As a recipient of federal financial assistance for education activities, Rider University is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender.

Rider University also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by the Anti-Harassment Non-Discrimination Policy.

The policy also prohibits harassment and discrimination based on any protected class. Any member of the campus community, guest, or visitor who acts to deny, deprive, or limit the educational, employment, residential, or social access, opportunities and/or benefits of any member of the Rider University community on the basis of a protected in violation of the Anti-Harassment and Non-Discrimination Policy. Any person may report discriminatory harassment, sexual harassment, or sexual violence (whether or not the person reporting is the person alleged to have experienced the conduct), in person, by mail, by telephone, by video, or by email, using the contact information listed for the Title IX Coordinator (below). A report may be made at any time (including during non-business hours) by submitting emailing [titleix@rider.edu](mailto:titleix@rider.edu).

Robert Stoto  
VP of Human Resources  
Title IX Coordinator/ADA Coordinator  
Affirmative Action Officer  
Human Resource Office  
Moore Library 108  
Lawrenceville, NJ 08648  
(609) 895-5673  
[rstoto@rider.edu](mailto:rstoto@rider.edu)

A person may also file a complaint with the appropriate federal, state, or local agency within the time frame required by law. Depending upon the nature of the

complaint, the appropriate agency may be the federal Equal Employment Opportunity Commission (EEOC), Office for Civil Rights (OCR) of the U.S. Department of Education, the Department of Justice, and/or the [appropriate state agency].

Inquiries may be made externally to:

Office for Civil Rights (OCR)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

Equal Employment Opportunity Commission – Newark Office  
Two Gateway Center  
283-299 Market Street  
Suite 1703  
Newark, NJ 07102  
Phone: 1-800-669-4000  
Fax: 973-645-4524  
TTY: 1-800-669-6820  
ASL Video Phone: 844-234-5122

Office of the Attorney General  
Division on Civil Rights  
Central Regional Office  
140 East Front Street: 6th Floor  
PO Box 090  
Trenton, NJ 08625  
609-292-4605  
Fax: 609-984-3812

**Telephone Numbers – Lawrenceville Campus**

2083 Lawrenceville Road, Lawrenceville, NJ 08648-3099

<b>Main Number</b>	609-896-5000
<b>Department of Public Safety</b>	896-5029
Emergency	896-7777
Human Resources Department	896-5140
Dean of Students	896-5101
Facilities Management	896-5080
Office of Residence Life	
1. Residence Life	896-5102
2. Greek Life	896-5327
3. Community Standards	896-5292
Student Health Services	896-5060
<b>Other:</b>	
Lawrence Township Police	609-896-1111
Fire or other Emergency	911
Employee Assistance Program	1-800-765-3277

### **Telephone Numbers – Princeton Campus**

101 Walnut Lane, Princeton, NJ 08540

<b>Main Number</b>	609-921-7100
<b>Department of Public Safety</b>	896-5029
Emergency	896-7777
Associate Dean of Students	921-7100 x8263
Facilities Management	921-7100 x8272
Office of Residence Life	921-7100 x8263
Student Health Services	921-7100 x8222
<b>Other:</b>	
Princeton Police	609-921-2100
Fire or other Emergency	911





Safety is everyone's responsibility.  
No one has to do everything,  
but everyone can do something.

### **Bystander Interventions**

**DIRECT:** Directly placing yourself into a situation to prevent it from escalating further

**DELEGATE:** Getting someone to intervene for you who can better handle the situation

**DISTRACT:** Diffuse a situation by distracting those involved

### **General Safety Tips – Risk Reduction**

- Be aware of your surroundings.
- Let someone know where you are going. Make sure you have money and a charged cell phone.
- Go places with a group and be sure everyone leaves together.
- Never prop open residence hall doors. Don't allow anyone in the residence hall who you don't know.
- Keep your room doors and windows locked.
- If you engage in sexual activity, listen carefully and be sure to give and receive affirmative consent. You have the right to say NO to any unwanted sexual contact...NO means NO!
- An intoxicated/incapacitated person cannot give consent.