DREW University
2020 Annual Fire Safety and Security Report
This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

It covers the 2019 calendar year and statistics for calendar years 2017, 2018, and 2019.
To the Drew Community:

Thank you for reviewing the Annual Fire Safety and Security Report. This report, published annually, contains important information pertaining to the 2019 calendar year.

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

Our policies and procedures, which are described in this report, are designed to keep those within the Drew community aware and safe. I ask you to read these and become aware of our steps to address safety on campus.

This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly, the Clery Act) which requires institutions of higher education to produce and distribute an annual report containing information on their campus crime statistics, fire safety statistics, and campus policies and procedures. In accordance with that requirement, Drew University's Department of Campus Security, working with partners across campus and local law enforcement, has prepared this report. Students, faculty, staff, and applicants for admission or employment may receive a printed copy from the Department of Campus Security upon request. The Annual Fire Safety and Security Report and can be read by accessing the following link: https://www.drew.edu/Safety/statistics.

Sincerely,

Frank C. Merckx, D.MH.
Vice President of Campus Life and Student Affairs
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Introduction

Drew University Overview

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

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

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

Annual Fire Safety and Security Report Overview

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

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

The Annual Fire Safety and Security Report is maintained by Campus Security, along with a Fire Log and a Crime Log, publicly available for review at Campus Security as required by the Campus Security Act. The Drew Daily Crime and Fire Logs are updated to include offenses within two days of the report of an offense. Both the Annual Fire Safety and Security Report and the Daily Crime and Fire Logs are available for review during business hours at the Drew University Department of Campus Security’s office in the Pepin building.

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

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

About the Campus Security

Campus Security is committed to serving the members of the Drew community and is sensitive to the unique needs of students, as well as their responsibility in supporting a secure living environment. In 2020, Drew University partnered with Saint Elizabeth’s University to provide department leadership through a joint Director of Campus Security position and contracting patrol and response services in the form of an Assistant Director and security officers through Security Solutions Corporation (SSC). The officers provide 24-hour-a-day service to the Drew community, and responsibilities include enforcement of University regulations, enforcement of state and local laws on the Drew campus, and Drew property, working with our partners in facilities and housing on fire safety, and campus traffic regulations.

As the campus also falls under the law enforcement jurisdiction of the Madison Police Department, Drew’s Department of Campus Security works in close cooperation with the Madison Police Department and other local authorities on crime prevention and investigation. Campus Security officers receive ongoing security training through SSC and are required to have security officer licenses.
Campus Security administration is in the Pepin service building, and the office is staffed during business hours from 8:00 AM to 4:00 PM. Campus Security staff can be reached 24 hours a day at (973) 408-3379.

**Reporting Crimes and Emergencies**

Drew University students, faculty, and staff are urged to report all crimes and emergencies as promptly as possible. When an emergency or imminent threat to a person’s safety is involved, or you are the victim of a crime and require police or medical services immediately, please call 911. If it is not an imminent emergency and would like Campus Security staff to assist in responding and reporting, please contact Campus Security at (973) 408-3379. The officers will respond to assist and may request additional coordination with Madison Police or medical services depending on the situation. If you are a victim of a crime, your priority should be to get to a place of safety and to immediately seek assistance.

**For EMERGENCIES call 9-1-1.**

Those who may have experienced sexual assault are urged to call the Morris County Sexual Assault Response Team (SART). The team can be activated by calling the Morris CARES Helpline at (973) 829-0587 or the Morris County Emergency Communications Center at (973) 285-2900.

Reports may also be sent to the Campus Security email at safety@drew.edu or through the Drew University Life Safe application. Victims and witnesses may use the Live Safe application’s anonymous feature to report crimes on a confidential basis for inclusion in the annual security report. Individuals submitting such reports should include information on the nature of the crime as well as the date, time, and location of when it occurred.

**Records of Disciplinary Proceedings**

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

**Location Definitions: Drew University Property**

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

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

Drew University’s core campus is defined as within the limits of Madison Avenue on the east, Loantaka Way on the north, Glenwild Road on the west, and Woodcliff Drive on the south. (See attached map or reference www.drew.edu/map/.) It is located entirely within the jurisdiction of Madison, N.J. and Morris County. It covers an area of approximately 186 acres of woodland as well as developed properties, including administrative buildings, academic buildings, service buildings, residential halls, athletic fields, and parking lots. There are no public properties or public roadways within the campus. The sidewalk areas adjacent to the University property along Madison Avenue, Glenwild Road, and Loantaka Way are the only public properties associated or contiguous to the campus. University-owned non-student faculty/staff residences are located on Woodcliff Drive, and there are private residences located on Loantaka Way between the University and the sidewalk. In addition, the following locations are within the scope of the required statistical collection: buildings and property that are part of the campus; Drew’s non-campus buildings and property; and public property within or immediately adjacent to or accessible from the campus. Clery statistics are compiled for limited public areas adjacent to the campus and all buildings and property contained on the campus. Separate but included statistics are also compiled for residence halls except for non-student housing. Fire statistics and public reports are also maintained for all University properties.

At this time, the University does not have any student organizations with off-campus locations and, therefore, does not have a policy concerning the monitoring of such locations with local law enforcement.

Map with Lined Clery Boundaries
Drew campus with Clery boundary drawn.
Emergency response notification

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

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

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

In 2020, Drew University adopted the Live Safe platform for emergency information and notifications. The application allows all University community members, as well as visitors and members of the public, to download and sign up for emergency alerts, emergency and security information, and to submit notifications of any suspicious or hazardous situations. The system is monitored 24 hours a day by a Campus Security officer, and in the event of emergency notification, users will be alerted via email, text message, and push notification. Also, a banner will be placed on the Drew website indicating the existence of an emergency notification. To ensure the Drew University community is in the know, regular records of all Drew registered students and employees will be uploaded to the system to ensure that email and text message alerts are distributed. More information and links to the Live Safe application can be found at the Emergency Notification section of the Drew website (http://www.drew.edu/1/emergency-information).

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

Timely Warning

The Director of Campus Security, or designee, will also issue a timely warning to the University community for Clery Act crimes against persons and property or dangers that occur on-campus or immediately adjacent to the campus or on longer-term University rented property that are reported to campus security authorities or local police agencies, and are considered by Drew to represent a serious or ongoing threat to students and employees. The Director of Campus Security will determine if a situation rises to the level of the need for campus notification. Again, Drew’s emergency notification system, as described above, will be utilized for the issuance of these warnings. Issuance of notifications may be delayed if it would compromise efforts to respond to the threat.

Emergency Response Plan

The University’s Emergency Response Plan includes information about incident teams, University operating status parameters, incident priorities and performance expectations, shelter-in-place and evacuation guidelines, and local contingency and continuity planning requirements. Individual University departments and offices are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.

The University conducts emergency response exercises each year. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.
When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Drew Campus Security, the Madison Police Department, and Madison Fire and Emergency Medical Services. Typically, these resources will respond and work together to manage the incident. Depending on the nature of the incident, other Drew resources and state, county, local, or federal agencies could also be involved in any response to an incident.

The Drew Department of Campus Security, in cooperation with local law enforcement and fire authorities, has also designed a set of standard operating procedures (SOPs) to guide Drew’s response to serious, immediate threats on-campus, including an active shooter. The objectives are to minimize the risk to uninvolved students, faculty, and staff, clear the area, and assist local authorities in resolving the situation.

**Active Shooter Training**
The video used by Drew for Active Shooter Training can be found at [http://www.drew.edu/1/emergency-information/active-shooter-response-training-video/](http://www.drew.edu/1/emergency-information/active-shooter-response-training-video/).

**Access to Campus and Facilities**
The Drew Campus is open to faculty, staff, our students, and our student’s registered guests. Overnight guests of resident students must be registered with Residence Life. Guest vehicles entering the campus after 7 PM should register with Campus Security. During non-working hours, access to administrative and academic buildings will be limited. Some facilities, including athletics, the library, and creative arts, may have extended hours based on the nature of the use of that facility. The Drew University campus constitutes private property and reserves the right to require faculty, staff, students, and their registered guests or other visitors to leave campus.

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

**Residence Halls**
Residence halls are accessed by key card system or key. During breaks, non-occupied halls are locked. Access to residential halls is restricted to residents and their guests. Non-student guests must be signed in by their hosts.

**Residence Life**
Residence Life staff is on duty in University residence halls when students are in residence and work collaboratively with the Department of Campus Security.

**Inspections/Health and Safety**
To maintain a healthy, safe environment in the residence halls, room inspections are conducted by Residence Life staff several times during a semester. At times, these inspections may be
conducted in collaboration with other University departments or the Madison Fire Marshall. Reports of violations are submitted to Campus Security and/or the Dean of Students Office. Fines may be imposed for violations that can cause a fire or are fire hazards, including possession of party lights, candles or prohibited electrical appliances, as well as for other infractions. Violations observed in plain view, including alcohol in a room whose occupants are underage, drugs, or a prohibited pet, can result in charges. The University contracts with a vendor to conduct routine checks of fire alarm and response systems.

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

Safety and Security
Training
Students and new employees are provided information during orientation on the services and resources available through the Drew Department of Campus Security as well as by the Madison Police Department. During the academic year, faculty, staff, student organizations, University departments, local law enforcement, and agencies present prevention and awareness sessions on sexual assault, date rape drugs, theft, and vandalism as well as educational sessions on personal safety and residence hall security. Campus Security encourages students and employees to be aware of their responsibility for their own security and the security of others while on campus and to be alert to, and report, criminal offenses, or suspicious activity. In addition, information is disseminated through awareness packets, security alert posters, displays and articles, and on occasion, advertisements in the Acorn, the student newspaper.

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

- Never leave purses, keys, backpacks, or other personal property unattended in offices, dining areas, classrooms, or the library.
- Lock your room, apartment, or office door, even if you “just step out for a minute.”
- Do not leave valuables, purses, or money in plain view in parked vehicles.
- If you see suspicious persons or activity in or around University buildings, call Campus Security at (973) 408-3379.
- Remember to use the tips line for leaving confidential information: Tips hotline at (973) 408-3356.
- Report any criminal activity as soon as possible. Timely information helps in our investigations.
- Report students of concern to the Dean of Students Office or to a Residence Life or Campus Security staff member.

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

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

Relationship with Local Law Enforcement Drew works closely with local law enforcement, consistent with the requirements of the Family Educational Rights and Privacy Act (FERPA). At present, Drew University does not have a written Memorandum of Understanding with local law enforcement agencies, but staff communicate with the Madison Police Department and the Morris County Prosecutor’s Office. Madison Police have law enforcement jurisdiction over the Drew campus, and, on occasion, Drew will request their assistance, including in making arrests.

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


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

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

- Notify the individual identified by the student as the missing person contact. Students can designate an emergency contact person by completing the Emergency Contact Registration form at [https://docs.google.com/forms/d/e/1FAIpQLSdvUxzGmPiJ-N2CIOuluHIJ-8a1ZbsYks6vAEa-ndgdOGcw/viewform](https://docs.google.com/forms/d/e/1FAIpQLSdvUxzGmPiJ-N2CIOuluHIJ-8a1ZbsYks6vAEa-ndgdOGcw/viewform).
- If the student is under 18 years old and not emancipated, the University will notify a parent or guardian, as required by law.
- The University will notify appropriate law enforcement officials, even if the student has not registered a contact person.

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

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

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

- Richard Wall, Director of Campus Security, (973) 408-3379
- Frank Merckx, Vice President of Campus Life and Student Affairs & Dean of Students, (973) 408-3390
- William Petrick, Associate Dean of Students, (973) 408-3390
- Stephanie Pelham, Associate Dean of Student Engagement, (973) 408-3961
Relationship and Sexual Violence

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

With the recent enactment of the new Title IX Regulations that went into effect on August 14, 2020, the University has revised its policies and procedures with respect to addressing claims of relationship and sexual misconduct. While the Clery Act and VAWA require that all reports of violations of sexual assault, dating violence, domestic violence, and stalking are addressed in specific ways, Title IX put into place specific rules for procedures when these violations occur in specific jurisdictions. The University has put into place policy that will address any allegation of dating violence, domestic violence, sexual assault, or stalking in the manner outlined in the Title IX policy, regardless of where that violation occurred.

A Note on Language

Clery and VAWA use the language of “victim” whereas the following policies refer to the “complainant”. For purposes of clarity and not to create confusion with existing policies, complainant is used below and is inclusive of the term victim.

Definition of Consent

For the purposes of both the Title IX Policy and the Student Code of Conduct, “consent” is clear, informed, and freely given. It is communicated by mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity by persons of legal age. Consent cannot be effective when it results from threat of physical force, intimidation, or coercion. Those who are incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary), or those who are unconscious, unaware or otherwise physically helpless or mentally disabled are, as a result, unable to provide consent. Effective consent to one form of sexual activity cannot imply consent to other sexual acts. A previous relationship or previous consent, including a dating relationship or previous sexual involvement, does not imply consent to future sexual acts. Consent may be withdrawn by either party at any time by an outward demonstration through words or actions effectively indicating intent to end sexual activity. In New Jersey, a person must be 16 years of age to legally consent to sexual activity. A person cannot give consent to sexual activity with someone who has "the duty to care" for them unless they are over the age of 18. Individuals that fall into "the duty to care" category would include parents or guardians, and those in any type of formal supervisory role.
Definitions of Relationship and Sexual Violence
The following section provides the definitions of relationship and sexual violence covered in the ASSR. For the purposes of Clery statistics, the Clery definitions are used to compile the statistics presented here.

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

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

For the purposes of this definition:

- dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence
A felony or misdemeanor crime of violence committed

- by a current or former spouse or intimate partner of the victim.
- by a person with whom the victim shares a child in common.
- by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
- by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- 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.

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

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.
New Jersey Law Relationship and Sexual Violence Definitions

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

Dating Violence

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

Domestic Violence 2C:25-19

Definitions as used in this act:

a. “Domestic violence” means the occurrence of one or more of the following acts inflicted upon a person protected under this act by an adult or an emancipated minor:

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

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

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

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

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

Sexual Assault

New Jersey law, N.J.S.A. 2C:14-2, defines sexual assault as follows: a. 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 and threatens by word or gesture to use the weapon or object;

(5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;

(6) The actor uses physical force or coercion and severe personal injury is sustained by the victim;

(7) The victim is one whom the actor knew or should have known was physically helpless or incapacitated, intellectually or mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.

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

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

c. An actor is guilty of sexual assault if 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.

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

Stalking
New Jersey law, N.J.S.A. 2C:12-10, defines “stalking” as follows: Definitions; stalking designated a crime;

a. 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, 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 or threats conveyed by any other means of communication or 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 purposely 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 or the United States.

f. This act shall not apply to conduct which occurs during organized group picketing.
Consent

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

(a) the victim was not legally competent to authorize the conduct charged to constitute the offense; or

(b) the victim was by reason of (his/her) (choose appropriate factor) youth, mental disease or defect or intoxication either known by the defendant to be unable or was manifestly unable to make a reasonable judgment as to the nature of harmfulness of the conduct charged to constitute an offense; or

(c) the victim’s consent was induced by force, duress, or deception of a kind that the law defining the offense seeks to prevent.

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

Reporting Incidents of Relationship and Sexual Violence

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

Process for reporting violations

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

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

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

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

- **Deputy Title IX Coordinators:** All individuals are able to obtain resources or report an alleged violation of this policy to the Title IX Coordinator, or any Deputy Coordinator. A list of Deputy Title IX Coordinators can be found on our website at https://www.drew.edu/titleix-eeo-aa/about-us/title-ix-staff/.

The following Officials may provide confidentiality:

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

- **On-Campus Confidential Reporting for Employees**
  - University Chaplain, Seminary Hall, (973) 408-3718

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

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

In matters involving allegations of sexual misconduct, a complainant’s request for confidentiality will be evaluated and typically observed; however, Drew may nonetheless be required to move forward with an investigation in order to address ongoing or potential threats at the discretion of the Title IX Coordinator, or designee. Consistent with federal guidance, these instances will be limited, and Drew will make good faith efforts to limit the disclosure of that information to individuals involved in handling the University’s response and to maintain information in a secure manner. However, a student’s request that his or her identity not be disclosed to a potential respondent, or that an investigation not be commenced, could limit Drew’s ability to respond fully to the incident and could preclude Drew from pursuing disciplinary action against the accused.

Drew will maintain as private any accommodations or protective measures provided to a victim as long as it does not impair the ability to provide such measures. Personally identifiable information about victims will not be included in any publicly available recordkeeping, including the reporting and disclosure of crime statistics.

Retaliation for reporting an incident or for providing information is prohibited under state and federal law and by University Policy and can result in disciplinary action against the person retaliating.

When the University decides in good faith to sign a Formal Complaint, the Title IX Coordinator or designee will weigh the request not to proceed against the University’s obligation to provide a safe, nondiscriminatory environment for the entire community and determine whether the request can be honored.

Some of the factors weighed may include but are not limited to the following:

- an increased risk that someone will commit additional sexual misconduct or other relevant misconduct;
- whether the accused has a history of violent behavior or is a repeat offender;
- whether the accused used a weapon or force;
- whether the reporting individual is a minor;
- whether the University has other means to obtain relevant evidence (e.g., security cameras or personal, physical evidence); and
- sexual assault by multiple actors.

The University will not initiate a Formal Complaint based on information that a person chooses to share during public awareness events that are designed and intended to be safe spaces for survivors to share experiences. These events could include candlelight vigils, “Take Back the Night,” protests, or other public training events. The University may decide, however, to use the information learned at such an event to inform its efforts for additional education and prevention efforts.
Matters reported to confidential counseling services available both off-campus and at Drew, including Drew’s professional Counseling and Health Services, and off-campus resources, will be maintained as confidential and privileged, consistent with state law, and will not result in fact-finding without consent. These resources can provide important support and advice and are listed in the Counseling section and the Contacts and Resources section.

Should an investigation be initiated or a Formal Complaint is signed in response to an alleged violation of University Policy, Drew will request anyone involved in the process to keep information related to a specific complaint private, as permitted by this Policy or applicable law. While privacy will be maintained to the extent possible, the University cannot commit to privacy on an across-the-board basis with respect to matters that result in a fact-finding and/or a hearing. In addition, the University will use its best efforts not to disseminate information about an inquiry or complaint beyond those who have a need-to-know basis for information.

Sexual and Relationship Violence Information
In addition to training and awareness programs explained later in this document, Drew University created the Title IX Policy web page, located on the University’s website, to provide education, policies and procedures, reporting options, complainant and respondent’s common rights, interim measures, sanctions, and on-campus and off-campus resources in the contexts of Title IX and VAWA. The web page URL and link is https://www.drew.edu/titleix-eeo-aa/. Drew’s Title IX Coordinator advertises the web page(s) to students and staff, respectively.

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

Non-Investigatory Measures Available Under the Title IX Grievance Policy

Rights to Changes in Housing, Class, Internship, Transportation, Office, or Work Assignment

- Any student who brings a complaint of sexual assault, relationship violence, or stalking may request a change in housing (a new room assignment in the residence halls), class assignment, internship placement (a change to a different internship site), or transportation depending on the circumstances related to student safety in a complaint.

- Academic relief, including requests for a grade of “incomplete” in a course or taking a course as an independent study, may also be appropriate.
• Such requests may be made to the Title IX Coordinator, who will consult with the appropriate individuals and grant the request if alternative arrangements are reasonably available.

• Any faculty or staff member, including student employees, who brings a complaint of sexual assault, relationship violence, or stalking, may request a change in office location or in work assignment in order to keep both parties safe. Such requests should be made to the Title IX Coordinator and will be granted if alternative arrangements are reasonably available.

The accommodations provided to the complainant described above will be kept confidential to the extent that maintaining such confidentiality will not impair the ability of the University to provide the accommodations.

**Supportive Measures**

Complainants, who report allegations that could constitute covered sexual harassment under this policy have the right to receive supportive measures from Drew regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive, and a request for reconsideration of an imposed supportive measure, should be addressed to the person who imposed the measure. As appropriate, supportive measures may include, but not be limited to:

• counseling
• education
• extensions of deadlines or other course-related adjustments
• modifications of work, class or other set or self-established schedules or situations
• campus escort services
• restrictions on contact between the parties (no contact orders)
• changes in work or housing locations, with or without conditional restrictions including check in/out requirements
• leaves of absence
• increased security and monitoring of certain areas of the campus

**No-Contact Orders (NCOs) and Court Orders**

No-contact orders are administrative notices that communicate the expectation that imposed parties are not to have communication through any means with the other party. While the order does not carry the weight of law, violation of it may result in further disciplinary action being taken against the party who violated it.

Students can contact the Title IX Coordinator, or designee, to discuss any interim measures.

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

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

Emergency Removal
Drew retains the authority to remove a respondent from Drew’s program or activity on an emergency basis, where Drew (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

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

Administrative Leave
Drew retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with Drew’s Employee Handbook.

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

- Reporting an incident of sexual misconduct is important for the safety and protection of anyone who has been assaulted or victimized. Obtaining assistance can also help victims preserve the option of pursuing a legal remedy related to the incident, including criminal prosecution. Reporting an incident can help people regain a sense of personal power and control, while protecting others.
- Seeking support. If an individual feels he or she has been victimized or assaulted, they are encouraged to call a friend or family member. Members of the Drew community are specifically encouraged to contact Drew Campus Security, Health Services, Counseling Services, the Title IX Coordinator, personnel in Campus Life and Student Affairs, or external organizations with expertise in addressing trauma such as the Morris County Sexual Assault Center or JBWS.. Contact information is described further below.
- If the identity of the alleged perpetrator of an assault or other sexual misconduct is unknown, the victim should try to remember and record any helpful details that may
lead to an identification, including personal identifiers such as scars, tattoos, or other marks, jewelry, dress, language, approximate height and weight in comparison to individual’s own, vehicle description, and/or tag number. Write these down as soon as possible and include the date and time.

- If an individual has been the victim of assault or sexual misconduct, in order to preserve the option of pursuing legal remedies, including criminal prosecution, that person should do the following:
  
  o Persons involved in an incident are advised not to disturb the area, room, or vehicle where the incident occurred.
  
  o In the event of a sexual assault, the victim should not bathe, shower, douche, brush individual’s teeth, or eat or drink. (Additional detail about forensic examinations and preservation of physical evidence can be found in the Title IX Policy outlined further below).

- If anyone reports an incident of sexual misconduct, sexual assault, relationship violence or stalking directed against them, whether on campus or off campus, to the Title IX Coordinator, Campus Security officers, or to any other University employee, such as the Coordinator of Residence Life and Student Engagement or Residence Assistants, they can receive a packet of information regarding available resources and processes.

**Medical Attention**

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

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

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

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

If students or staff wish to be transported to the hospital, they are encouraged to contact emergency services via 911. All students and employees will receive full and prompt
cooperation from campus personnel in obtaining appropriate medical attention, including providing free and prompt transportation to the nearest designated hospital for medical assistance and/or forensic examination.

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

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

Employee Assistance
Employees may contact the Employee Assistance Program by calling (800) 311-4327. Information can be found at www.guidanceresources.com. Drew’s Web ID is: GEN311.

Disciplinary Process and the TIX Policy
Policy Background
Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX’s prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student’s ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of “sexual harassment” (including forms of sex-based violence)
- Addresses how this institution must respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

For all reported instances of sexual assault, dating violence, domestic violence, and stalking, the complaints will be processed and adjudicated through the procedures outlined in the Title IX policy.
**Standard of Evidence**

Drew University uses the *preponderance of evidence* standard for all disciplinary proceedings, including those of sexual assault, dating violence, domestic violence, and stalking, heard under this policy.

**Title IX Disciplinary Process**

A formal report or complaint of sexual harassment will be initially evaluated by the Title IX Coordinator or designee, through the steps outlined below. A continuation in the process, or referral to another process, does not constitute a determination that a policy has been violated.

In lieu of seeking a formal complaint and resolution, parties may be able to receive a remedy through an alternative resolution process. Additionally, a complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution’s Informal Resolution Process.

**Filling a Formal Complaint**

The timeframe for the Title IX Process (“Process”) begins with the filing of a Formal Complaint. The Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) business days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator with a written, signed complaint describing the facts alleged.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may still determine a Formal Complaint is necessary. Drew will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Policy, or any University Policy prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

**Note on Multi-Party Situations**

Drew may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

**Determination of Jurisdiction**

The Title IX regulations put forth by the Department of Education requires that, for a case to be considered a violation of Title IX, meets certain jurisdictional requirements, including that the violation take place in the United States and occur within a University controlled area.
However, the Drew University policy will apply to those reports that meet the definitions of sexual assault, dating violence, domestic violence, and stalking outlined regardless of location.

**Allegations Potentially Falling Under Two Policies**
If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Process will be applied in the investigation and adjudication of all of the allegations.

**Dismissals**

**Mandatory Dismissals**
If a case does not meet the Title IX criteria, the parties will be notified of that determination as well as whether the case will continue to be followed up with according to the Drew University policy. As discussed, a case may still be heard according to this policy, but not be considered a Title IX violation. However, it may also be determined that the allegation does not meet the definitions of sexual assault, dating violence, domestic violence, or stalking, and the Title IX coordinator, or designee may make the determination to refer the case to Human Resources, Student Conduct, or to dismiss the allegations altogether.

**Discretionary Dismissal**
The Title IX Coordinator, or designee, may dismiss a Formal Complaint brought under the Title IX Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by Drew; or,
- If specific circumstances prevent Drew from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in “Appeals,” below.

**Notice of Dismissal**
Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

**Notice of Allegations**
The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations.
The parties will be notified via their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

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

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution’s Title IX Process including any informal resolution process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- This policy shall not be used to bring frivolous or malicious charges against students, faculty or staff members. In addition, all parties are expected to provide truthful and accurate statements during the process. Knowingly submitting false statements or information during the process may result in additional disciplinary actions brought by the university.

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means. The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.
Notice of Meetings and Interviews
Drew will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays
Each party may request a one-time delay in the Process of up to five (5) business days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator, or designee, shall have sole judgment to grant further pauses in the Process.

Advisor Choice and Role
Drew will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process, with the exception of cross-examination, as per standard policy and practice of Drew.

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

Drew’s obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and Drew cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Drew will not be obligated to delay a meeting or hearing under this process more than five (5) business days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by Drew.

Investigation
Investigator(s) designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.
Drew has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party to the complaint, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Drew and does not indicate responsibility.

Drew cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. Drew will provide an equal opportunity for each party to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

**Inspection and Review of Evidence**

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any: i. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility; ii. Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties’ time to inspect and review evidence begins.

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

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties’ written responses before completing the Investigative Report.

The institution will provide copies of the parties’ written responses to the investigator to all parties and their advisors, if any.

Drew may provide the parties five (5) business days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) business days to inspect, review, and respond to the party’s
additional evidence through a written response to the investigator. Those written responses may be disclosed to the parties.

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

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance Process.

The parties and their advisors agree not to photograph or otherwise copy the evidence.

**Inclusion of Evidence Not Directly Related to the Allegations**

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties’ inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a “privilege log” that may be reviewed by the parties and their advisors, if any.

**Investigative Report**

Investigator(s) designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, and will provide that Report to the parties at least ten (10) business days prior to the hearing (in an electronic format or a hard copy) for each party’s review and written response. Parties are afforded 10 business days to respond to the report.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations) will be referenced in the Investigative Report.

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

**Hearing**

Drew will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at Drew’s discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through video conference software while located in a private room with their Advisor. This technology will enable participants simultaneously to see and hear each other. At its discretion, Drew may delay or adjourn a hearing based on technological errors not within a party’s control.
All proceedings will be audio recorded. The recording will be made available to the parties for inspection and review, as described below.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn.

**Continuances or Granting Extensions**

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

**Newly Discovered Evidence**

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

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

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

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

**Participants in a Live Hearing**

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

- Complainant and Respondent
  - The parties cannot waive the right to a live hearing.
  - The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a “statement” by that party.
    - For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a “prior statement” that must be excluded if the maker of the statement does not submit to cross-examination
about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint.

- Drew will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party’s participation.
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a “statement” by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s absence from the live hearing or refusal to answer cross examination or other questions.
- The parties shall be subject to Drew’s Rules of Decorum.

- **The Decision-maker**
  - The hearing body will consist of a single decision-maker.
  - The decision-maker will not have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor serve on the appeals body in the case.
  - The decision-maker is prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
  - The decision-maker is trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
  - The parties will have an opportunity to raise any objections regarding a decision-maker’s actual or perceived conflicts of interest or bias at the commencement of the live hearing.

- **Advisor of Choice**
  - The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
  - The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.
  - In addition to selecting an advisor to conduct cross-examination, the parties may select an advisor who may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party.
  - The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the
The institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.

- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party’s advisor may appear and conduct cross-examination on their behalf.
- If neither a party nor their advisor appear at the hearing, Drew will provide an advisor to appear on behalf of the non-appearing party.
- Advisors shall be subject to Drew’s Rules of Decorum, and may be removed upon violation of those Rules.

- **Witnesses**
  - Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation.
  - If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing.
  - Witnesses shall be subject to the Drew’s Rules of Decorum.

**Hearing Procedures**

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- The decision-maker will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The decision-maker will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after the decision-maker conducts its initial round of questioning. During the Parties’ cross-examination, the decision-maker will have the authority to pause cross-examination at any time for the purposes of asking decision-maker’s own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party’s advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the decision-maker. A Party’s waiver of cross-examination does not eliminate the ability of the decision-maker to use statements made by the Party.

**Live Cross-Examination Procedure**

Each party’s advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and
witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the decision-maker will determine if the question is relevant. The relevance policy is found on our website.

Cross-examination questions that are duplicative of those already asked, including by the decision-maker, may be deemed irrelevant if they have been asked and answered.

Review of Recording
The recording of the hearing will be available for review only by the Complainant(s) and Respondent(s) within five (5) business days, unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice.

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

Sanctions
All hearings that result in a finding of responsible for a charge of the policy will result in the imposition of outcomes, or sanctions. These sanctions are designed to hold accountable and educate any individual who has violated University policy. Each are considered on an individual basis, considering the nature of the offense, the impact of the offense, and the conduct related history of the responsible individual. Any finding may include one or more sanction. The potential sanctions related to a violation of the Title IX policy are:

- **Warning:** Written notification to the student that any repetition of the behavior will result in more severe disciplinary action.
- **Probation:** The student is placed under a status whereby any further violation of University regulations is considered in the context of the original violation and with prejudice. Additionally, the student is more likely to be suspended or expelled from Housing or the University during the time of probation status if found responsible of further student conduct violations. The period of probation lasts for a specified period of time. Probationary status may impact a student’s ability to study abroad and/or to hold leadership positions in student organizations. The timeframes for probation are as follows:
  1. **Remainder of semester (fall or spring) probation.**
  2. **One (1) full semester (fall or spring) probation.** If issued after the add/drop period of a semester, the full term would be the following semester (e.g. after add drop in the spring, the probation would continue through the end of the fall semester).
  3. **One (1) year probation.** The student would not be off probation till the end of the semester (fall, spring or summer) the following calendar year.
4. **Two (2) year probation.** The student would not be off probation till the end of the semester (fall, spring or summer) after two calendar years.

5. **Three (3) year probation.** The student would not be off probation till the end of the semester (fall, spring or summer) after three calendar years.

6. **Permanent probation.** For the remainder of the time the student is associated with Drew, probationary status will be active.

- **Suspension from the Residence Halls:** The student is required to move out of the residence hall and may not reside in, be around, participate in activities within, or visit the residence halls for a specified period of time with the privilege of applying for re-entry as a residential student after the period of suspension. In making a determination on the re-entry application as a residential student, the University will evaluate the documented (as appropriate) progress the student has made and any positive indication that the student is ready to return to the residence halls. The student will need to obtain clearance from the Dean of Students, or designee, in order to return to the residence halls. The student will be barred from being in or around campus housing during his/her time of suspension, and will be treated as a trespasser if found in or around campus housing during their period of separation. Suspensions are issued with the following time frames:
  1. **Remainder of semester (fall or spring) suspension.**
  2. **One (1) full semester (fall or spring) suspension.** If issued after the add/drop period of a semester, the full term would be the following semester (e.g. after add drop in the spring, the suspension would continue through the end of the fall semester).
  3. **One (1) year suspension.** The student would not become eligible till the end of the semester (fall, spring or summer) the following calendar year.
  4. **Two (2) year suspension.** The student would not become eligible till the end of the semester (fall, spring or summer) after two calendar years.
  5. **Three (3) year suspension.** The student would not become eligible till the end of the semester (fall, spring or summer) after three calendar years.

- **Suspension from the University:** The student is separated from the University for a specified period of time with the privilege of applying for re-entry after the period of suspension. In making a determination on the reentry application, the University will evaluate the documented (as appropriate) progress the student has made and/or any positive indication that the student is ready for re-entry. The student will need to obtain clearance from the Dean of Students, or designee, in order to return to academic work. The student will be barred from campus during his/her time of suspension, and will be treated as a trespasser if found on campus during their period of separation. Suspensions are issued with the following timeframes:
  1. **Remainder of semester (fall or spring) suspension.**
  2. **One (1) full semester (fall or spring) suspension.** If issued after the add/drop period of a semester, the full term would be the following semester (e.g. after add drop in the spring, the suspension would continue through the end of the fall semester).
3. **One (1) year suspension.** The student would not become eligible till the end of the semester (fall, spring or summer) the following calendar year.

4. **Two (2) year suspension.** The student would not become eligible till the end of the semester (fall, spring or summer) after two calendar years.

5. **Three (3) year suspension.** The student would not become eligible till the end of the semester (fall, spring or summer) after three calendar years.

- **Expulsion from the Residence Halls:** Unconditional and permanent separation of the student from residing in, being around, participating in activities within or visiting the residence halls.
- **Expulsion from the University:** Unconditional and permanent separation from the University. The expelled student shall be barred from the University campus and all University sponsored activities.
- **Revocation of Admission:** Admission to the University may be revoked for fraud, misrepresentation or a violation of the University policies.
- **Withholding Degree:** The University may withhold the awarding of a degree otherwise earned until the completion of the process set forth in the Student Conduct Policy, including the completion of all sanctions imposed, if any.
- **Revocation of Degree:** A degree awarded to a student by the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree.
- **Restriction:** The student is restricted from facilities, programming, participating in certain University events and activities, holding leadership positions at any level in campus organizations, or from remaining a resident on campus.
- **Residence Hall Relocation:** Room re-assignment to another residence hall or floor.
- **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- **Disclosure:** In certain cases deemed appropriate by the proper authorities, information on an offense may be disclosed to individuals or the entire University community, including parents or guardians.
- **Discretionary Sanctions:** Educational assignments, essays, trainings, assessments, service to the community with a specified length of time, or other related discretionary assignments.

**Appeals**

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution’s own procedures);
- 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;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than 5 pages (excluding attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by an Appeal Decision-Maker, typically the Dean of Student Engagement, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decision-maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties and include rationale for the decision. Following any appeal, the decision will be considered final.

**Training**

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

Drew programs are designed to provide the following information:

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

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

These programs include the following:

• Mandatory online training for new undergraduate and graduate students via “Not Anymore.” Students will not be permitted to register for classes the following semester until they confirm their participation in this training. Trigger warnings are included, and exemptions can be made by the Title IX Coordinator.
• All new employees to Drew University are provided with a training by the Title IX Coordinator, or a Deputy Coordinator, in person through New Employee Training.
• Drew’s mandatory online educational program for all staff and faculty is available through our Human Resources Department. Employees of the University take the course within 30 days of employment and thereafter, as required by the University.
• Orientation program for first-year and transfer students: The University’s planned programming for first-year students includes comprehensive coverage of Drew’s policies and procedures related to Sexual Misconduct, meaning of consent, reporting options, and bystander intervention strategies, as well as risk factors and protective factors in engaging in sexual activity.
• Programming through the Title IX Office, Student Advisory Board, Faculty, county partners, law enforcement, and the Prosecutor’s Office: These may be general or to a specific cohort (e.g., Residence Life staff, NCAA Athletes, etc.).
• Upstander/Bystander Intervention Programs: These programs and trainings offer safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. They include recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
• Ongoing media campaigns to promote prevention programming, including advertisements in “Stall Seat Journal” in bathrooms.
• Partnering with community organizations as an active participant in the educational offerings of the Morris County Coalition Against Sexual and Relationship Violence.
• Guest speakers for targeted audiences, resource tables, and panel discussions.
• Recognition of violence awareness months (i.e., Domestic Violence Awareness Month – October; Teen Dating Violence Awareness Month – February; Sexual Assault Awareness month – April).

**Title IX Committee**
This Committee includes a broad spectrum of stakeholders across the University community including faculty, staff, students, and county partners. The Committee provides input and suggestions on policies, education, prevention, and response efforts.

**Student Advisory Board**
The Student Advisory Board is primarily comprised of students in the College of Liberal Arts (CLA). They work with the Title IX Coordinator and Deputies on developing training and programing. Their input is sought on policy development and campus climate assessments.

**Other Programs**
- “SCREAM Theatre” during New Student Orientation: Intensive, interactive Peer-to-Peer performance of sexual assault and misconduct scenarios, including a Q & A with the audience.
- “Beyond the Books”: Presentation to all incoming students and parents during Summer Orientation. This presents the reality of substance use/abuse and sexual misconduct on campus while also informing students and families of campus policies, consequences for violating policies, and campus support services.
- “Take Back the Night”: Campus march and testimonials of sexual assault and abuse.
- “Clothes Line Project”: Students and community members decorate t-shirts with testimonials or words of support for survivors/victims of incest, sexual assault, and domestic and dating violence.
- Self-Defense Courses – offered through Prepare INC.

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

**Bystander Intervention Options**
At times, individuals may find themselves witness to behaviors or situations in which there is a safe and positive opportunity to assist in preventing an act of dating violence, domestic violence, sexual assault, or stalking. When these situations do arise, and bystanders are able to safely and positively intervene or assist, we encourage them to do so by acting as Upstanders. Through the activation of Upstander behavior, the Drew community seeks to foster a belief in shared accountability for each other and in assisting those that are in need of help. However, often times we may not know what we as bystanders can do to become Upstanders. In the
cases of potential acts of dating violence, domestic violence, sexual assault, or stalking, some recommended actions are:

1. Calling 9-1-1 for emergencies. In the event of an ongoing crime or to assist with addressing a crime that has occurred, as well as any injuries or health concerns, the most important thing to do is to activate the response of emergency services. This is especially true if it is not safe to interrupt or get directly involved, such as when a weapon is involved.
2. Watch out for others. If you see someone that looks like they are potentially in need of help, ask them or call for assistance.
3. Interrupt potentially dangerous situations. If you see someone incapacitated and another who is attempting to hit on, make out with, pull away, or attempting to have sex with the incapacitated person, tell the individual that the behavior is not ok.
4. Confront those who state that they plan to take sexual advantage of others.
5. Listen to and believe those who disclose sexual assault, abusive behavior, or experience with stalking.
6. Inform people of the various options they can utilize to report their concerns and resources that they can access.

Every situation is different and may require a different approach, but know it is often the acts of Upstanders that make the difference in assisting with and addressing acts of relationship and sexual violence.

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

- **Know your resources.** Know who you should contact in the cases of emergencies, cases of confidential reporting, and in response to incidents of sexual assault. The University maintains lists of resources located at the Title IX website (https://www.drew.edu/titleix-eeo-aa/)

- **Download and utilize the Drew University Live Safe app.** The app provides direct access to resources as well as a connection to Campus Security 24/7. Safety alerts and access to share walks with friends are also great resources for remaining connected even when physically alone.

- **Be secure.** Always lock your doors and secure your belongings.
• **Thing about your back up plan.** What happens if you are out and your phone dies or you lose your wallet? A little bit of pre-planning will help you be prepared for many eventualities.

• **Protect your drink.** While good for your own health, knowing what you are consuming prevents those who might tamper with your drink from doing so. Keep your drink near you.

• **Its ok to lie.** You are neve obligated to remain in a situation that you think may be dangerous, or where you feel uncomfortable, pressured, or threatened. Some excuses you could use are needing to take care of another, receiving an urgent phone call, not feeling well and having to be somewhere else by a certain time.

• **Be a good friend.** If something does feel right, it probably is not. Step up and take care of your friends.

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**Alcohol, Marijuana, and Other Drugs Purpose of the Policy**

The purpose of the Drew University Alcohol, Marijuana, and Other Drug Policy is to promote student responsibility, respect for the community and self, and to establish a University community that is safe, healthy, and conducive to serious academic endeavors. While students must define their own values and make their own choices, the University expects all of its members to comply with both Drew University Policy and federal, state, and local laws as they apply to alcohol, marijuana, and other drugs. The University holds students accountable for the decisions they make, particularly when they have an adverse effect on the health and safety of the community, on the quality of life of other students, on the learning environment, or on the students themselves. To support student responsibility, the University offers a wide range of educational and counseling services that provide accurate substance use information and evaluation. In addition to the formal services, students can gain support from faculty, staff, and other members of the community. The policy provides a range of sanctions; however, students should be aware that law enforcement may also be involved leading to arrest and charges in the appropriate venue.

The policy seeks to establish clear community standards around alcohol, marijuana, and other drugs. While the policy defines guidelines for the consequences of various behaviors, the context of those behaviors will be considered when policy violations are adjudicated. Therefore, the most severe consequences will result from situations involving illegal possession, consumption, distribution or sales of controlled substances, hosting or serving to minors, and for high risk alcohol behaviors. Repeat offenders may face a higher level of sanction.

Entering a university setting for many necessitates a new level of independence. Students have the privilege of making their own decisions, as well as the outcomes of those decisions. Keeping this in mind, the University encourages students to be responsible for their actions and will use parental/guardian notification as a partnership, including informing parents/guardians of the potential health and safety concerns and/or significant sanctions.
Students who need assistance in addressing concerns regarding alcohol and other drug use/abuse for themselves or others are encouraged to contact Drew’s Alcohol and Other Drug counselor at (973) 408-3318. Additional information is found at http://www.drew.edu/Counseling/services/substance-awareness-and-education.

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

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

To honor the culture of respect of self and others, this policy is only for those students who activate the assistance and not for those found by University employees. You should always call for assistance if you, or someone else you see is in need. To activate medical assistance, call Campus Security at (973) 408-4444 or x4444 from a campus phone.

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

Alcohol and Other Drug Counselor
In view of the University’s commitment to educate and support the growth and development of the whole person, a full-time N.J. Licensed Clinical Alcohol and Drug Counselor is available to anyone in the campus community during the academic year. If you or someone you know may have a problem with alcohol and/or drugs, the counselor provides assessment, education, and individual and group counseling. Referrals off campus and to local support groups are also available. Call (973) 408-3318 for assistance.

Alcohol and Drug Education
In cases where a violation of the Alcohol, Marijuana, or Other Drug policy occurs, the University will employee online learning platforms designed to educate violators on substance use. The two courses are provided by 3rd Millennium, a company providing online behavioral interventions.

For violations surrounding alcohol use, those responsible for violations will be assigned Alcohol-Wise. The program has a pre-test, a learning portion, and a follow-up assessment of learning. For violations of the marijuana policy, those who violate policy are assigned Marijuana-Wise, which follows a similar format.
For repeat offenders, on campus assessments with the Alcohol and Drug counselor, as well as off-campus referrals to substance abuse programs may be assigned, depending on the nature of the violation. All educational and personal interventions are assessed regularly as part of the requirements under the Higher Education Act (HEA) and the Drug Free Schools and Communities Act (DFSCA).

**Hosting**

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

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

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

On an interim basis, students involved in hosting a function where an alcohol violation has allegedly occurred may be immediately placed on Social Host Probation. Final outcomes, including sanctions, will be determined through the student conduct process.

Students should be familiar with the penalties that can happen via a third party and NJ Social Host Law.

**Rules on Behavior**

**Use of Alcohol**

1. Alcohol possession and consumption on campus is permitted only for students of legal age (21). Alcohol can only be consumed in a student’s room or at University sponsored events.

2. Healthy, legal consumption does not include competitive or binge drinking. Competitive drinking includes any type of drinking games.

3. Alcohol may not be above 100 proof. 4. Common Sources are not allowed, including kegs and other containers of alcohol (e.g., punch bowls, “jungle juice,” etc), including an amount of alcohol that is not reasonable to be consumed by the above age residents of a room/suite.
4. Students of legal age may not give, leave in an easily accessible place, or sell alcohol to minors to transport, possess, or consume.
5. Students of legal age may not permit underage persons to possess or consume alcohol in their living unit.
6. Minors may not transport, possess, consume, or purchase alcohol. Used or empty containers found in a room or on one’s person, may constitute possession.
7. Persons may not transport nor consume open containers of alcoholic beverages in public areas.
8. Consumption in student rooms should neither infringe on the rights of other students to study nor negate any normal student activity.
9. Alcoholic beverages may not be sold at any time except through approved liquor licenses by the university, borough and state. Alcohol Permit (one-day): Special one-day permits are necessary for student events where alcohol is to be served. A form, available from the Madison town clerk, must be signed by both the Dean of Students and the Director of Campus Security and submitted to the Alcoholic Beverage Commission in Trenton.
10. Public areas include hallways, foyers, stairwells, bathrooms, lounges, or other public areas, including outdoor University grounds, without an event liquor license, or any other area beyond an individually assigned resident room. Propped room/suite doors may make that space public.
11. All parts of an individual suite/quad, etc. shall be considered a residence hall room including a bathroom connected to the individual suite/quad, etc.
12. Alcohol may be confiscated, or the student may be asked to pour out containers. 14. Full responsibility for compliance with policies and laws belongs to all students. A student will be held responsible for their guest’s actions. Guests violating the policies and laws may be asked to leave the campus or may be trespassed.

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

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

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

The following policies, while written using the term “student” apply to all members of the University community as well as visitors.

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

2. Students may not sell or distribute, or possess with the intent of distribution or sale, any controlled substance or commonly acknowledged drug paraphernalia.
   a. Distribution of marijuana is providing a person with marijuana and not accepting or intending to accept money or barter.
   b. Students may not sell for money or barter marijuana.
   c. Students may not manufacture via purchasing or possessing the materials necessary to make or synthesize marijuana for personal use, distribution, or sale.

4. Medical marijuana may not be possessed, used, or distributed on campus.

Students should be aware that federal law dictates that any conviction in a court of law regarding controlled substances, including marijuana, may lead to a loss of financial aid for a set period of financial aid for a set period of time.

Use of Other Drugs

Drugs (“controlled substances”) are defined as including all illegal drugs and misused legal drugs, both over-the-counter and prescription, synthetic and other derivatives. Commonly acknowledged drug paraphernalia is defined as equipment, products, or materials of any kind intended for use to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance.

The following policies, while written using the term “student” apply to all members of the University community as well as visitors.

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

b. Consumption refers to active use or being under the influence.

2. Students may not sell or distribute, or possess with the intent of distribution or sale, any controlled substance or commonly acknowledged drug paraphernalia.
   a. Distribution of controlled substance(s) is providing a person with a controlled substance, and not accepting or intending to accept money or barter.
   b. Students may not sell for money or barter, any controlled substance.
   c. Students may not manufacture via purchasing or possessing the materials necessary to make or synthesize illegal drugs for personal use, distribution, or sale.

3. Prescribed drugs may only be in possession of, and consumed by, the individual to whom the medication has been prescribed. It should always be in the prescription container with the prescription label.

Students should be aware that federal law dictates that any conviction in a court of law regarding controlled substances may lead to a loss of financial aid for a set period of time.

Applicable Laws
Being aware of state and federal laws regarding controlled substance use and possession is very important. The consequences of drug possession, use, and distribution vary depending on the type of drug. Federal law prohibits the possession, use, or distribution of illicit drugs. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, provides an overview of federal penalties.

As part of the Alcohol, Marijuana, and Other Drug Policy, the Student Conduct Policy, and the Human Resources Drew University will enforce and hold all members of the University community accountable for all local, state, and federal laws, including those addressing the use and possession of alcohol and controlled substances.

State and Local Laws on Alcohol
According to New Jersey State law, it is illegal for anyone under the age of 21 to:

1. Purchase, possess, consume, manufacture, or distribute alcoholic beverages
2. Enter places licensed to sell alcoholic beverages with the intent to purchase, have served or delivered to them, alcoholic beverages
3. Misrepresents his/her age or the age of anyone else for the purpose of purchasing alcohol or gaining entrance to a place that sells or serves alcohol. It is also illegal for anyone to purchase, manufacture, or distribute alcohol to a person who is under 21 years of age. In addition to criminal sanctions for violations of State law, there is potential civil liability for serving minors or serving a person who is already intoxicated.
The Madison Ordinance on Alcoholic Beverages, Possession and Consumption by Minors on Private Property was passed in 2013 and is found in the Borough Code as Borough Code § 233-1 Possession or consumption by persons under legal age on private property prohibited; violations and penalties.

A. Any person under the legal age to purchase alcoholic beverages who knowingly possesses, without legal authority, or who knowingly consumes any alcoholic beverage on private property shall be subject, upon conviction, to a fine of $250 for the first offense and $350 for any subsequent offense.

B. The Municipal Judge may, in addition to any other sentence imposed for the offense, suspend or postpone, for up to six months, the driving privilege of the defendant. Upon the conviction of any person under this section, Chapter 233, the Municipal Judge shall forward a report to the Division of Motor Vehicles (the "Division") stating the first and last day of the suspension or postponement period imposed by the Municipal Judge pursuant to this section, Chapter 233. If a person is less than 17 years of age at the time of the imposition of a sentence, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years.

C. If a person, at the time of the imposition of a sentence, has a valid New Jersey driver's license, the Municipal Judge shall immediately collect the license and forward it to the Division, along with the report. If for any reason the license cannot be collected, the Municipal Judge shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the Municipal Judge.

D. The Municipal Judge shall inform the person orally and in writing that, if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge, in writing, the receipt of written notice shall not be a defense to a subsequent charge of violation of N.J.S.A. 39:3-40.

E. If the person convicted under this section, Chapter 233, is not a New Jersey resident, the Municipal Judge shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit the required report to the Division. The Municipal Judge shall not collect the license of a nonresident convicted under this section, Chapter 233. Upon receipt of a report from the Municipal Judge, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

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

F. Exceptions:

1. Religious observance, presence of a parent or guardian. Nothing in Chapter 233
   shall prohibit an underage person from consuming or possessing an alcoholic
   beverage in connection with a religious observance, ceremony or rite, or
   consuming or possessing an alcoholic beverage in the presence of, and with the
   permission of a parent, guardian or relative who has attained the legal age to
   purchase or consume alcoholic beverages. As used in this section, Chapter 233,
   "guardian" means a person who has qualified as a guardian of the underage
   person pursuant to testamentary court appointment, or other applicable laws, as
determined by the Municipal Judge, and "relative" means an underage person's
   grandparent, aunt, uncle, sibling, or any other person related by blood or
   affinity.

2. Performance of employment. Nothing in Chapter 233 shall prohibit possession of
   alcoholic beverages by any person while engaged in the performance of
   employment pursuant to an employment permit issued by the Director of the
   Division of Alcoholic Beverage Commission, or for a bona fide hotel or
   restaurant, in accordance with the provisions of N.J.S.A. 33:1-26, or while
   actively engaged in the preparation of food while enrolled in a culinary arts or
   hotel management program at a county vocational school or post-secondary
   educational institution; however, nothing in Chapter 233 shall be construed to
   preclude the imposition of a penalty under these subsections, N.J.S.A. 33:1-81,
or any other section of law against a person who is convicted of unlawful
   alcoholic beverage activity on or at premises licensed for the sale of alcoholic
   beverages.

3. An underage person and one or two other persons, if applicable, shall be
   immune from prosecution under this chapter prohibiting any person under the
   legal age who, without legal authority, knowingly possesses or knowingly
   consumes an alcoholic beverage on private property if: [Added 5-29-2013 by Ord.
   No. 16-2013]
   a. One of the underage persons called 9-1-1 and reported that another
      underage person was in need of medical assistance due to alcohol
      consumption;
   b. The underage person who called 9-1-1 and, if applicable, one or two
      other persons acting in concert with the underage person who called 9-1-1,
      provided each of their names to the 9-1-1 operator;
   c. The underage person was the first person to make the 9-1-1 report; and
   d. The underage person and, if applicable, one or two other persons acting
      in concert with the underage person who made the 9-1-1 call, remained
      on the scene with the person under the legal age in need of medical
assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene.

4. The underage person who received medical assistance as provided in Subsection F(3) of this section shall also be immune from prosecution under this chapter prohibiting the possession or consumption of an alcoholic beverage on private property. [Added 5-29-2013 by Ord. No. 16-2013]

State Laws on Controlled Substances

The New Jersey Comprehensive Drug Reform Act (N.J.S. 2C: 35-1 et seq) created new offenses, increased penalties for some existing offenses to “ensure the imposition of stern, consistent punishment for all drug offenders,” and transferred all drug offenses into the Code of Criminal Justice.

Simple possession, use, or being under the influence of:

- Marijuana: 0-18 months in jail; a fine of $500 to $15,000; and a mandatory loss of driver’s license for 6 months to 2 years.
- Cocaine/Crack: 3-5 years in jail; a fine of $1,000 to $25,000; and a mandatory loss of driver’s license for 6 months to 2 years.
- Amphetamine (“Speed”): 3-5 years in jail, a fine of $1,000 to $25,000; and a mandatory loss of driver’s license for 6 months to 2 years.
- Psilocybin (“Shrooms”) and LSD: 3-5 years in jail; a fine of $1,000 to $25,000; and a mandatory loss of driver’s license for 6 months to 2 years.

Possession of

- MDMA/Ecstasy: .50 oz. or less: maximum fine $100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; and a mandatory loss of driver’s license for 6 months to 2 years.
- MDMA/Ecstasy: .50 oz. to 5.0 oz.: maximum fine $150,000; maximum prison sentence of 10 years in jail, 5 years without parole; and a mandatory loss of driver’s license for 6 months to 2 years.
- MDMA/Ecstasy: 5.0 oz. or more: maximum fine $250,000; maximum prison sentence of 20 years in jail, 10 years without parole; and a mandatory loss of driver’s license for 6 months to 2 years.

Use or possession with the intent to distribute

- Marijuana: 0-10 years in jail; a fine of $750 to $100,000; and a mandatory loss of driver’s license for 6 months to 2 years.
- Cocaine: 3-20 years in jail (with a 3-5 year mandatory sentence with no parole if the amount exceeds 5oz.); a fine of $1,000 to $300,000; and a mandatory loss of driver’s license for 6 months to 2 years.
• Amphetamine (“Speed”): 3-10 years in jail; a fine of $1,000 to $100,000; and a mandatory loss of driver’s license for 6 months to 2 years.
• Psilocybin (“Shrooms”) and LSD: 3-5 years in jail; a fine of $2,000 to $300,000; and a mandatory loss of driver’s license from 6 months to 2 years.

Possession or distribution

• Ketamine: Maximum fine $100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; mandatory loss of driver’s license for 6 months to 2 years.
• Rohypnol (Flunitrazepam): Maximum fine $100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; mandatory loss of driver’s license for 6 months to 2 years.
• GHB (Gamma Hydroxybutyrate) and GBL (Gamma Butyrolactone): Maximum fine $100,000; maximum prison sentence of 5 years in jail, 2 1/2 years without parole; revocation of driver’s license for a maximum of 6 months; mandatory loss of driver’s license for 6 months to 2 years.

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

Use or possession of drug paraphernalia

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

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

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

Denial of Federal Benefits (21USC 862): A federal drug conviction may result in the loss of federal benefits including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in the denial of federal benefits for up to five years for a first conviction, 10 years for a second conviction, and a permanent denial of benefits for a third conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

Federal Drug Trafficking Penalties (21USC 841): Penalties for federal drug trafficking convictions vary according to the quantity of the substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled dangerous substance that has been illegally distributed, the person convicted on federal drug charges of distributing the substances faces a mandatory life sentence and fines ranging up to $8 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a school (21USC 845a) face penalties of prison terms and fines that are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

Crime Statistics

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<th>Offenses (reported by hierarchy)</th>
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<th>On-Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>On-Campus Residential Facility</th>
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Notes:

Note 1: There were no hate crimes, as defined by the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual, reported for 2019, 2018, or 2017.

Note 2: A report was received regarding race-based harassment, but the behavior and subsequent follow-up did not meet the requirements outlined for classification in these statistics as a hate crime.

Note 3: The motor vehicle theft was related to joyriding involving a campus vehicle that was recovered with no damage.

Fire Report

Smoke detectors, heat sensors, carbon monoxide sensors, sprinklers and fire extinguishers have been strategically placed in all residence halls to protect life and property. Drew’s alarm system is monitored 24 hours a day. In response to an alarm, Campus Security personnel will be dispatched and attempt to respond immediately to any alarm condition. Drew values your privacy as well as your safety. Every attempt will be made to turn off the alarms as soon as it has been ascertained that no danger exists. The Madison Fire Department and/or other available local resources will respond to all alarms within Residence Halls and are contacted by Drew Campus Security and/or the Central Station Fire Safety Company upon verification of an emergency. Vandalizing the alarm system, covering smoke detectors or sprinklers, disabling fire sensors, or illegally discharging fire extinguishers are serious offenses. Every effort will be made
to identify persons who compromise Campus Security through such acts. Offenders will be referred to the Associate Dean of Students for appropriate disciplinary action and/or to local law enforcement.

In compliance with State regulations, during each academic year, the Department of Campus Security and the Office of Residence Life conduct fire drills in residential buildings and in all administrative buildings requiring complete evacuation. Drew works with outside vendors to maintain our fire alarm and fire extinguishing systems and hydrants.

**Student Housing Fire Systems**

Drew University is required to provide a description of the fire systems in each of the student housing facilities on campus. The list of each building is found below along with the number of fire drills performed during the prior calendar year. Drills are those alarms requiring evacuation that were planned, supervised, and evaluated to ensure compliance.
<table>
<thead>
<tr>
<th>Facility*</th>
<th>Fire Alarm Monitoring On Site</th>
<th>Fire Alarm Monitoring Remote</th>
<th>Full Sprinkler System</th>
<th>Smoke Detection</th>
<th>Carbon Monoxide Detection</th>
<th>Fire Extinguisher Devices</th>
<th>Evacuation Plans and Placards</th>
<th>Number of Evacuation Drills in the Calendar Year</th>
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<td>X</td>
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<td>X</td>
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</table>

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

Note: During the 2019 year, the Office of Public Safety transitioned to temporary leadership. While fire system maintenance and evacuation were conducted, the documentation was not located for this report. Therefore, the documented drills are listed as 0.
### Fire Statistics For 2019

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Total Fires in Each Building</th>
<th>Fire Number</th>
<th>Cause of Fire</th>
<th>Number of Injuries that Required Treatment at a medical facility</th>
<th>Number of Deaths Related to Fire</th>
<th>Value of Property Damage Caused by Fire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asbury Hall</td>
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</tr>
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<tr>
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<tr>
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</table>

* All facilities are located at 36 Madison Avenue, Madison NJ
<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Total Fires in Each Building</th>
<th>Fire Number</th>
<th>Cause of Fire</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Asbury Hall</td>
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<td>N/A</td>
</tr>
</tbody>
</table>

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

Note: The one fire that took place occurred in the lounge of Tolley and Brown Halls, which is connected and part of both buildings. Therefore, it was counted as a fire for both locations.
Plans for Future Fire Safety Improvements
At this time, there are no plan for future fire safety improvements. Ongoing maintenance and updates will be conducted as required to ensure the system is fully operational.

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

Reporting fires
Reports of fires and fire emergencies should be made to Drew Campus Security and to the Madison Fire Department as soon as possible.

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

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

If you have information about the source of the fire, or other students or persons who may be in danger, please provide that information immediately to the emergency responders or to Drew Campus Security. Additionally, if you observe suspicious behavior or criminal conduct, you should report that activity to Drew Campus Security. Residence halls are typically occupied 24 hours a day, and residents are instructed to follow the procedures identified in fire drills and the instructions of Campus Security personnel and first responders on the scene.

Fire Safety Training
Fire safety training includes graphic video depictions of common sources of fire and the aftermath in residence rooms, as well as the appropriate prevention steps to prevent fires in housing. Additionally, campus regulations concerning prohibited items, smoking, cooking, fire alarms, and evacuations are explained. All incoming College of Liberal Arts (CLA) students are required to attend fire training during New Student Orientation. Resident Assistants are trained annually in conjunction with Drew Campus Security, Madison Fire Department, and local fire resources. Training for Graduate and Theological students takes place by residence hall. Fire safety equipment and availability are likewise explained and also posted in Daniel’s Dictionary, the student handbook.
Campus Fire Safety Right to Know Act
This 2008 law requires institutions of higher education to publicly report fire safety information and statistics. Drew’s report, including fire statistics on campus residences and evacuation procedures, is available at the Department of Campus Security. Fire procedures can be accessed at https://www.drew.edu/security. Fire is defined to mean any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.