**Your Right to File a Complaint of Sexual Misconduct with NJIT Police Department and/or Title IX**

A Complainant has the option to report incidents of sexual misconduct to law enforcement authorities. A Complainant who wishes to report an incident to law enforcement may seek assistance from the Title IX Coordinator or the NJIT Police Department. In some cases, NJIT Police will be required to share information with the Title IX Coordinator.

*Below is a snapshot of your rights and options through NJIT’s Title IX process as well as NJIT Police.*

<table>
<thead>
<tr>
<th>RIGHTS AND OPTIONS FOR THE COMPLAINANT</th>
<th>POLICE</th>
<th>TITLE IX</th>
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<tbody>
<tr>
<td>File a criminal complaint with NJIT Police Department or seek assistance filing a complaint with the jurisdiction that the incident occurred.</td>
<td>✔️</td>
<td>✔️</td>
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<tr>
<td>Receive assistance a Temporary Protective Order against the Respondent (suspect/defendant) with the jurisdiction that the incident occurred.</td>
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<td>Request that law enforcement provide transportation to a safe place, such as a shelter, or a family or friend’s residence.</td>
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<td>Seek immediate medical treatment at a hospital near NJIT and assist you with connecting with a Sexual Assault Nurse Examiner to preserve possible DNA evidence.</td>
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<td>Request supportive measures such as changes in academic schedule, on-campus housing, or excusals for class.</td>
<td>✔️</td>
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<tr>
<td>Request that NJIT investigate the claim(s).</td>
<td>✔️</td>
<td>✔️</td>
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<tr>
<td>Request that NJIT take disciplinary measures against the Respondent.</td>
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<td>✔️</td>
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<tr>
<td>Request a No Contact Directive for the Respondent while at NJIT.</td>
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<td>Receive assistance seeking counseling services.</td>
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<td>✔️</td>
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</table>

**To file a complaint with NJIT Police Department:**
Call 973-596-3111 or for Emergencies, Dial 9-1-1 and say NJIT and your location.
154 Summit Street

**To file a complaint with Title IX:**
Call 973-596-3466
255 Campus Center
titleix@njit.edu or submit a report online at njit.edu/titleix
NJIT prohibits sexual harassment, sexual assault, domestic violence, dating violence, and stalking. NJIT also prohibits retaliation against any persons who, in good faith, report or make a Formal Complaint of sexual misconduct or who assists or participates or refuses to participate in any manner in an investigation or resolution process under this policy.

The Title IX Coordinator will contact the student to provide the following:

- Explain the student’s rights and options
- Provide supportive measures as needed such as academic accommodations, counseling, etc.
- Connect student to resources
- Understand the student's preferences regarding next steps.
- NJIT will take all reasonable steps to honor a student's preferences to initiate (or not initiate) an investigation.

### What would you like to see happen?

| I don't want to take any action at this time. I would just like some support. |
| I want some action taken, but I don't want to go through a formal hearing or investigation. |
| I want to move forward with a formal process involving an investigation. |

**Resources Provided**

Resources and referrals will be provided to the student; a No Contact Directive can be implemented. A student can choose to pursue an informal or formal resolution at a later time.

In certain circumstances, a formal complaint may be filed by the Title IX Coordinator based on the severity or impact of the alleged conduct.

**Informal Resolution**

The Title IX Coordinator can conduct an educational training, or offer other appropriate remedies such as mediation. Informal resolutions can occur if both parties voluntarily agree to participate.

**Formal Resolution**

Title IX Investigators will interview the parties. Both parties may have an Advisor present. Investigators will interview relevant witnesses, collect evidence, and write an investigatory report which will be reviewed by the parties and shared with the hearing officer. A live hearing may take place depending on the nature of the allegation(s).

NJIT strongly encourages reporting of all incidents of sexual violence in order for students to protect themselves and others. In the event of an emergency, contact NJIT Police Department at (973) 596-3111. For more information about Title IX, call (973) 596-3466, visit www.njit.edu/titleix, or email titleix@njit.edu.
**NJIT Title IX Formal Resolution with Hearing Process**

1. **Review of Allegations**
   The Title IX Coordinator will determine if the report falls under the Title IX grievance procedures for students. If the report does not constitute a potential sexual misconduct violation under Title IX, the grievance procedures under the Code of Student Conduct will be utilized.

2. **Notice of Investigation & Allegation**
   A Notice of Investigation will be delivered to both parties. If the Respondent accepts responsibility for the alleged conduct, appropriate sanction(s) and protective measures will be issued. If the Respondent does not accept responsibility for the alleged conduct, Title IX Investigators will be assigned to the investigation.

3. **Interviews & Evidence**
   The Title IX Investigators will conduct initial interviews (and follow-up interviews as needed) with the parties and relevant witnesses. Both the Complainant and Respondent may have an advisor present at interviews. The Investigators will prepare a detailed report.

4. **Report Review**
   An investigative report will be shared with each party and their advisor for review. Each party has no less than 10 days to provide a response. A final investigative report will be shared with the parties for final review prior to the hearing with no less than 10 days for response.

5. **Hearing Notice**
   All parties will have no less than 5 days notice of the hearing time and place. The investigative report will be provided to the Hearing Officer in advance.

6. **Live Hearing**
   Each party will have an opportunity to provide an opening statement as well as respond to questions asked by the Hearing Officer or Advisor. If a party does not have an Advisor, one will be provided by NJIT for the hearing. Advisors are required at hearings.

7. **Written Determination**
   Both parties will be notified simultaneously of the written determination including any sanctions or remedies within 10 days.

8. **Appeals**
   Either party may appeal the determination regarding responsibility and/or the dismissal of a Formal Complaint within five (5) calendar days of the date of the letter of notification of the decision being appealed.

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**Understanding Roles**

- **TITLE IX COORDINATOR**
  Responsible for the implementation of the Title IX program and for coordinating compliance with Title IX, the Clery Act, and this policy.

- **TITLE IX INVESTIGATOR**
  Responsible for conducting a thorough investigation by conducting interviews, collecting evidence, and writing an investigatory report.

- **HEARING OFFICER**
  Responsible for facilitating the live hearing, determining whether NJIT policies have been violated and issuing any sanctions and/or protective measures.

- **APPEALS OFFICER**
  The Vice President of Human Resources or Vice President for Student Affairs serve as Appeals Officers and determine the outcome of appeals.

- **ADVISOR**
  Each party may elect to have one advisor of their choosing present during any stage of the formal or informal resolution process. The advisor’s function is solely to observe, provide support, and provide guidance or advice to the party (outside of a hearing).