


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.

RIGHTS AND OPTIONS FOR THE COMPLAINANT		
File a criminal complaint with NJIT Police Department or seek assistance filing a complaint with the jurisdiction that the incident occurred.	✓	
Receive assistance a Temporary Protective Order against the Respondent (suspect/defendant) with the jurisdiction that the incident occurred.	✓	
Request that law enforcement provide transportation to a safe place, such as a shelter, or a family or friend's residence.	✓	
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.	✓	
Request supportive measures such as changes in academic schedule, on-campus housing, or excusals for class.		✓
Request that NJIT take investigate the claim(s).		✓
Request that NJIT take disciplinary measures against the Respondent.		✓
Request a No Contact Directive for the Respondent while at NJIT.		✓
Receive assistance seeking counseling services.	✓	✓

To file a complaint with NJIT Police Department:
 Call 973-596-311 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

HOW NJIT HANDLES A REPORT OF SEXUAL MISCONDUCT INVOLVING STUDENTS

Sexual Assault • Sexual Harassment • Stalking • Dating/Domestic Violence

START HERE

Report of sexual misconduct is received by Title IX Coordinator

NJIT prohibits sexual harassment, sexual assault, domestic violence, dating violence, and stalking. NJIT also prohibits retaliation against any persons who, in good faith, reports or makes 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 No Investigation

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 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.

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).