

# Welcome

## Union County College Equal Employment Opportunity /Affirmative Action Officer

*The information found on these pages is being posted for public access as a single document, pending the creation of web pages on the Union County College website. The information herein will migrate once those pages exist. If you have any comments, questions, recommendations, or complaints, do not hesitate to contact the Equal Employment Opportunity/Affirmative Action (EEO/AA) Officer, Raúl M. Sánchez, at [raul.sanchez@ucc.edu](mailto:raul.sanchez@ucc.edu) or 908-709-7179.*

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# The Role of the EEO/AA Officer

## General Description

The Equal Employment Opportunity/Affirmative Action Officer (also, the EEO/AA Officer, hereinafter) serves under the direction of the President, and is responsible for investigating employee and student complaints of discrimination and workplace harassment, as well as developing and formulating Affirmative Action goals for Union County College (also, the College, hereinafter). The EEO/AA Officer responsibilities are focused on civil rights compliance and building a culture of equity and inclusion.

## Duties and Responsibilities

The EEO/AA Officer:

- Serves as a primary point of contact for students, employees, and third parties with respect to the College's EEO/AA issues, including but not limited to concerns or complaints of alleged discrimination;
- Is the College's Title IX Coordinator;
- Initiates and directs investigations, and recommends further action to relevant supervisors;
- Maintains incident files;
- Develops affirmative action goals;
- Creates, implements, and monitors policies, programs, practices, and procedures intended to eliminate discrimination, harassment, and bullying;
- Keep apprised of relevant state and federal laws and regulations, and adjust processes as needed to maintain compliance;
- Promotes diversity in the workforce;
- Audits the College's environment for posters, materials, and activities that are contrary to the College's discrimination and sexual harassment policies
- Communicates with state and federal government agencies regarding compliance, audits, and reporting.
- Works with Human Resources to provide information to assist the College's efforts to recruit, retain, and advance a diverse workforce, including women and individuals from other underrepresented groups.
- Provides tools and best practices for outreach and recruitment. [link]
- Develops employment training;
- Monitors recruitment, retention, and promotion of employees to ensure compliance with state and federal requirements;
- Assists search committees in the screening and hiring process;
- Performs other related duties, as assigned; and
- Collaborates with the College community to address individual and institutional concerns.

## **EEO/AA Officer Bio**

### **Dr. Raul M. Sanchez, M.A., J.D.**

Dr. Sanchez is the current EEO/AA Officer at Union County College. He joined the College in November 2015. He has over 20 years of experience in higher education, with more than 14 years as an administrator working in the areas of equal employment opportunity, affirmative action, diversity, Title IX, and investigations. Dr. Sanchez has degrees from Princeton, Stanford, and Harvard Universities. He is fluent in Spanish, Portuguese, and English. He has lived in Mexico, Peru, Brazil, and Spain, and travelled extensively in Central America.

# Union County College Non-Discrimination and Anti-Harassment Policy

## Policy

Union County College is committed to environments for all students, employees and visitors that are free from discrimination and harassment. In accordance with State and Federal law, Union County College does not discriminate and prohibits discrimination on the basis of the following protected classes and/or characteristics, in all of its programs and activities, including but not limited to employment, promotion, admissions, and access to all career and technical programs:

1. Race;
2. Creed;
3. Color;
4. Sex;
5. Gender;
6. Pregnancy;
7. Gender Identity or Expression;
8. National Origin;
9. Nationality;
10. Age;
11. Ancestry;
12. Marital Status, Domestic Partnership, or Civil Union Status;
13. Religion;
14. Affectional or Sexual Orientation;
15. Atypical hereditary Cellular or Blood Trait;
16. Genetic Information;
17. Liability for Military Service;
18. Protected Veteran Status;
19. Mental or Physical Disability (including perceived disability, AIDS and HIV related illnesses);
20. Harassment (related to any of the forgoing categories);
21. Retaliation for filing a complaint of, or participating in an investigation of discrimination; and
22. Any other category protected by law.

## Scope of Policy

This Policy applies to all areas of the College operations and programs, including the conduct of all College employees and as well as to the conduct of all interns, volunteers, vendors, contractors, subcontractors and others who do business with or utilize College facilities;

- This Policy also prohibits sexual harassment, a form of discrimination based on sex and/or gender;

- This Policy also prohibits sexual misconduct, a form of sexual harassment, which includes sexual assault, rape, stalking, and domestic and dating violence;
- Every supervisor shall act to prevent and report all acts prohibited by this policy.

### **Reporting Discrimination and Harassment**

- Any member of the College community or visitor alleging discrimination or harassment, or who has knowledge of discrimination or harassment is encouraged to immediately report it to a supervisor or to the College's Equal Employment Opportunity/Affirmative Action Officer and Title IX Coordinator at (908)709-7179;
- The College is committed to responding to reports and complaints of discrimination and harassment promptly, fairly and with sensitivity. To that end, Union County College maintains a Discrimination and Harassment Complaint Process which can be provided by the College's Equal Employment Opportunity/Affirmative Action Officer.
- Under New Jersey law (N.J.S.A. 9:6-8.10), all persons must immediately report suspected cases of child abuse or neglect to Child Protection Registry of the Department of Children and Families.

### **Purpose**

Discrimination destroys mutual respect and a trusting environment, can bring substantial personal harm to individuals, and violates individual rights. The College prohibits such behaviors because it is committed to maintaining an environment free of all forms of discrimination.

Union County College is committed to the principles of free inquiry and free expression. Vigorous discussion and debate are fundamental to the life of the College. This policy is not intended to stifle teaching methods or freedom of expression. Discrimination, as prohibited in this policy, is conduct that is neither legally protected as an expression of free speech, nor the proper exercise of academic freedom. Discrimination compromises the integrity of the College, its tradition of intellectual freedom, the trust and respect expected in the College community, and the rights of individuals.

### **Scope of Application**

This policy applies to all students, faculty, staff, volunteers, and others having an association with, and/or a presence at all campuses of Union County College. This policy applies whether conduct occurs on campus or off campus, if the continuing effects of the conduct have the potential to unreasonably interfere with or limit an individual's work, academic performance, personal security, or participation in any College activity. Union County College's Equal Employment Opportunity/Affirmative Action Officer (EEO/AA Officer) is the College's central intake officer for matters involving discrimination, sexual harassment, and sexual misconduct; however, the EEO/AA may share investigative responsibilities with the Dean of Students and the Director of Human Resources, or their designated agents, depending on the status of



the parties involved in any matter. All College employees and units must coordinate with the EEO/AA Officer on matters that implicate this policy.

Definitions of terms follow below. In some cases, certain definitions from the Union County College Student Code of Conduct found in the Student Handbook are incorporated into this policy and apply to all persons subject to this policy, not just students.

### **Examples of Prohibited Conduct**

Behaviors that may constitute discrimination include, but are not limited to:

1. Denying someone an employment or educational opportunity or benefit because of their gender, race, or disability;
2. Treating individuals differently because of their national origin or age (for example, giving them less advantageous working conditions);
3. Following a practice or policy that disproportionately impacts women or members of another protected class; or
4. Engaging in severe, persistent, or pervasive name calling, jokes, or other verbal or physical behavior towards a person based on their sexual orientation or perceived sexual orientation.

### **Discriminatory Harassment Prohibited**

This policy prohibits discriminatory harassment, also known as bias intimidation, a form of discrimination. Discriminatory harassment is improper conduct toward a particular individual, individuals, or groups on the basis of one or more of the protected classes indicated above, which is sufficiently severe, persistent, or pervasive that it has the purpose or effect of:

1. Creating an intimidating, hostile, or offensive environment; or
2. Unreasonably interfering with work, academic performance, personal security, or participation in any College activity.

### **Sexual Harassment Prohibited**

This policy prohibits sexual harassment, a form of discrimination based on sex and/or gender. Sexual harassment encompasses unwelcome verbal or physical conduct of a sexual nature.

**Quid pro quo sexual harassment** occurs when:

1. Submission to unwelcome verbal or physical conduct of a sexual nature is made either explicitly or implicitly a term or condition of any individual's employment or education; or

2. Submission to or rejection of unwelcome verbal or physical conduct of a sexual nature by an individual is used as the basis for employment or educational decisions affecting the individual.

**Sexual misconduct**, which includes sexual assault, rape, stalking, and domestic and dating violence is a form of sexual harassment and is prohibited by this policy (see below for details).

Sexual harassment also encompasses "**gender-based harassment**," which means harassment of a non-sexual nature that occurs because of a person's sex and/or gender. It includes harassment based on a person's nonconformity with sex and/or gender stereotypes.

Sexual harassment creates a hostile environment when behavior is sufficiently severe, persistent, or pervasive to interfere with an individual's work or educational performance, or creates an intimidating, hostile, or offensive work or educational environment. Examples include, but are not limited to, the following:

1. Physical assault;
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, work references, or letters of recommendation;
3. Sexual behavior that is unwelcome. Such behavior may include, but is not limited to, the following:
  - a. Comments of a sexual nature;
  - b. Sexually explicit statements, questions, jokes, or anecdotes;
  - c. Unnecessary or undesirable physical contact;
  - d. Unwanted, offensive, and/or uninvited comments about another's physical appearance;
  - e. Display of pictures with sexual content;
  - f. Persistent, unwanted attempts to change a professional relationship to an amorous relationship;
  - g. Subtle propositions for sexual activity or direct propositions of a sexual nature;
  - h. Uninvited letters, e-mails, telephone calls, or other correspondence referring to or depicting sexual activities;

and/or

- i. Any of the above carried out via the Internet or social media ("cyber harassment").

Other offenses that may constitute sexual harassment when based on sex and/or gender include, but are not limited to:

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct that threatens or endangers the health or safety of any person.
2. Intimidation, which is defined as implied threats or acts that cause a reasonable fear of harm in another.
3. Hazing, as defined in the Student Code of Conduct.
4. Bullying, as defined in the Student Code of Conduct.
5. Workplace violence, which is defined as any acts or threats of physical harm, including intimidation, harassment, and/or coercion, which involve or affect the College or any of its employees, which occur on College property or are related to the workplace and are prohibited.
6. Intimate partner violence, which includes violence or abusive behavior within an intimate partner relationship. Intimate partner violence may also be referred to as domestic violence or dating violence. It can be physical, sexual, emotional, verbal, economic, or psychological in nature and can include actions or threats of actions that influence or harm an intimate partner.
7. Stalking, which refers to purposeful conduct directed at a specific person that would cause a reasonable person to fear bodily injury or death to himself or family member and knowingly, recklessly, or negligently places such person in reasonable fear of bodily injury or death to himself or family member, and includes, but is not limited to, conduct occurring in person, electronically, or through a third party.

### **Sexual Misconduct Prohibited**

1. Sexual misconduct is an egregious form of sex discrimination/sexual harassment. A number of acts may be regarded as sexual misconduct including, but not limited to, nonconsensual sexual contact (including sexual intercourse) and sexual exploitation. Sexual misconduct includes sexual assault and other sexual violence.

2. Consent. Consent to any sexual activity must be clear, knowing, and voluntary. Anything less is equivalent to a "no." Clear, knowing, and voluntary consent to sexual activity requires that, at the time of the act, actual words or conduct demonstrate clear permission regarding willingness to engage in sexual activity and the conditions of such activity. Silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:
  - a. Force or coercion is threatened or used to procure compliance with the sexual activity.
    - i. Force is the use of physical violence, physical force, threat, or intimidation to overcome resistance or gain consent to sexual activity.
    - ii. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to obtain consent from another. When an individual makes it clear through words or actions that he or she does not want to engage in sexual contact, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive. Other examples of coercion may include using blackmail or extortion to overcome resistance or gain consent to sexual activity.
  - b. The person is asleep, unconscious, or physically unable to communicate his or her unwillingness to engage in sexual activity; or
  - c. The person lacks the mental capacity at the time of the sexual activity to be able to understand the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause. When alcohol or drugs are involved, a person is considered incapacitated or unable to give valid consent if she or he cannot fully understand the details of the sexual interaction (i.e., who, what, when, where, why, and how), and/or he or she lacks the capacity to reasonably understand the situation and to make rational, reasonable decisions.
3. Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object or body part, by one person against another person's intimate parts (or clothing covering any of those areas), or by causing another person to touch his or her own or another person's intimate body parts without consent and/or by force. Sexual contact also can include any intentional bodily contact in a

sexual manner with another person's non-intimate body parts. It also includes nonconsensual sexual intercourse.

4. Sexual exploitation occurs when a person takes Non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses explained above. Examples of sexual exploitation may include, but are not limited to:
  - a. Causing or attempting to cause the incapacitation of another person to gain sexual advantage over such other person;
  - b. Invading another person's sexual privacy;
  - c. Prostituting another person;
  - d. Engaging in voyeurism. A person commits voyeurism if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, records, or films another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where he or she has a reasonable expectation of privacy;
  - e. Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection;
  - f. Exposing one's intimate parts in nonconsensual circumstances;
  - g. Sexually based stalking and/or bullying.
5. Use of alcohol or other drugs is not a valid defense to a violation of this policy.

### **To File a Complaint**

Anyone who has experienced conduct implicated by this policy, or any third party who witnesses or becomes aware of conduct implicated by this policy, should contact the EEO/AA Officer, who is the Title IX Coordinator, or a Title IX Deputy Coordinator. The list of such personnel appears below, and is available on the College website.

Individuals who file a complaint can expect to receive information regarding resources available at Union County College and in the community that provide counseling and support. The EEO/AA Officer also will provide information regarding the investigation process and interim measures that may be available while the investigation is pending (see "Investigation Procedures--Interim Measures", below). The EEO/AA Officer may work jointly with the Dean of Students, the Director of Human Resources, or their designees to investigate a case.

After an incident is reported to the EEO/AA Officer, the College takes appropriate steps to stop the discriminatory behavior, prevent its recurrence, and remedy its effects. These steps typically include a prompt, effective, and impartial investigation (see "Investigation Procedures", below).

Generally within one working day of receiving a complaint, the EEO/AA Officer provides written materials to the complainant regarding the College's policies, procedures, and available resources.

### **Investigation Procedures**

All investigations carried out of incidents of alleged discrimination, sexual harassment, and sexual misconduct will be prompt, fair, effective, and impartial. For complete information regarding investigative procedures, see EEO/AA Officer's Procedural Guidelines for Investigations, at page 24, below.

Investigations under this policy are subject to the following:

- **Confidentiality.** Union County College takes confidentiality seriously. Investigative information is shared with others on a need-to-know basis only, including with investigators, witnesses, the accused individual, and relevant College officials, or as required or permitted by law. In some cases, the investigation file may be subject to requests for public records; the EEO/AA officer redacts identifying or other information when legally permissible.

When a complainant requests confidentiality or that the College not proceed with an investigation, the College respects that request to the extent possible. The College's legal obligation to provide a safe and nondiscriminatory environment may require that the EEO/AA Officer proceed with an investigation and share limited identifying information about a complainant. The EEO/AA Officer will inform a complainant if this occurs. In all cases, the EEO/AA Officer works with the complainant to provide resources and support.

- **Conflict of Interest.** No College investigator will participate in an investigation in which he or she has a conflict of interest. A conflict of interest means the existence of an interest that could reasonably affect or appear to affect the impartiality of the investigator.
- **Criminal Complaints.** Under this policy, a complainant has the option to file a criminal complaint with the police. The criminal process can be pursued simultaneously. The College does not wait for the conclusion of a criminal case to investigate possible violations of this policy. In some cases, a temporary suspension of the College's investigation may be necessary when requested by law enforcement. However, the College's investigation resumes promptly once the College is notified by law

enforcement that it may proceed. An outcome reached in a criminal process does not necessarily determine the outcome of the College's process.

### **Interim Measures**

Union County College takes appropriate interim steps before a final resolution to support and protect the complainant, as needed. Such steps may be taken regardless of whether complainant wishes to pursue the complaint. In general, the College will seek to keep the parties apart. When taking such steps, the College seeks to minimize unnecessary or unreasonable burdens on either party; however, every reasonable effort is made to allow the complainant to continue in his or her academic and/or employment arrangements. Violations of such protective measures may lead to disciplinary action. In some cases, Union County College employees with supervisory responsibility must take immediate action to end offending conduct and protect the well-being of the complainant. Supervisors must take such interim measures in consultation with the EEO/AA Officer.

- **Participation of Parties.** When appropriate, Union County College seeks the consent of the complainant to proceed with an investigation but informs each complainant that alleged violations of this policy may be investigated regardless of consent. If any party or witness declines to participate in an investigation, the College continues the investigation to the extent possible. The College, as an employer, expects all employees to participate and cooperate with all investigations.
- **Investigation Process.** The complainant and the respondent are given the opportunity to provide information and evidence to the investigator, including names of witnesses. The parties are also given the opportunity to provide oral and written statements. Except in extraordinary circumstances, both parties are given written notice of the outcome of the investigation, an opportunity to respond, and an opportunity to appeal.
- **Appeals.** For cases in which the respondent is a student, the opportunity to appeal is provided through the student conduct process. For other cases, the opportunity to appeal is provided through the EEO/AA's procedural guidelines:
- **Standard of Proof.** Union County College uses a "preponderance of the evidence" legal standard to evaluate allegations of violations of this policy, which means it is "more likely than not" that the behavior or incident in the complaint occurred.

### **Timeframes**

The EEO/AA Officer seeks to complete all investigations promptly after receipt of a complaint. An investigation of sexual assault, sexual misconduct, or domestic violence

is typically completed within 60 calendar days unless there is good cause to extend that time frame.

### **Enforcement and Disciplinary Sanctions**

Union County College vigorously enforces this policy. Persons determined to have violated this policy are subject to sanctions imposed using the procedures set forth in applicable College agreements and handbooks (e.g., collective bargaining agreements, or the Union County College Student Code of Conduct), including any appeal procedures therein. The chosen sanction is to be adequately and appropriately severe to prevent future offenses. The sanctions that are imposed, or other actions taken, must be reported to the EEO/AA Officer by the administrator or supervisor who imposes the sanctions.

In addition, inappropriate and unprofessional behavior by College personnel that does not rise to the level of a policy violation (e.g., unwelcome sexual comments that are not sufficiently severe, persistent, or pervasive to constitute sexual harassment), may nonetheless be subject to corrective or disciplinary action in some cases.

### **Malicious or Frivolous Allegations Prohibited**

The College disciplines members of the College community who knowingly make false or frivolous allegations of discrimination, sexual harassment, or sexual misconduct. No complaint is considered malicious or frivolous solely because it cannot be corroborated.

### **Reporting Criminal Behavior to Police**

Anyone who has experienced sexual assault, rape, stalking, domestic or dating violence, or another crime may choose to report the incident to the police. The College's process under this policy is separate from the criminal process and can be pursued simultaneously (see "Investigation Procedures", below). In most cases, the EEO/AA Officer defers to the complainant's wishes regarding whether to contact police and/or file a criminal complaint; however, situations may occur in which the safety of the College community or other considerations will require the College to report an incident to police. The EEO/AA officer will attempt to inform the complainant of such decision when this occurs.

### **Sample Non-Discrimination Syllabus Language**

Faculty are encouraged to include the following language in Union County College class syllabi:



Discrimination, including discriminatory harassment or bias intimidation, sexual harassment, and sexual misconduct (including stalking, domestic and dating violence) is prohibited at Union County College (See <http://www.ucc.edu/about/PublicAnnualNotificationND.aspx>).

If you feel you have experienced or have witnessed discriminatory conduct, please contact the College's EEO/AA Officer who is the Title IX Coordinator, at (908) 709-7179 or [raul.sanchez@ucc.edu](mailto:raul.sanchez@ucc.edu), to discuss resources, as well as reporting and investigative options.

All College employees with information regarding any form of discrimination, including sexual harassment and sexual misconduct should contact a supervisor or the EEO/AA Officer.

### **Training**

Union County College employees are required to complete Discrimination, Sexual Harassment, and Sexual Misconduct Awareness, Prevention, and Response Training. To learn more about this training requirement, contact Human Resources. Individual units may require employees to complete additional training and may submit requests to the EEO/AA Officer for specific training needs. Union County College students will be provided the opportunity to complete such training soon.

### **Retaliation and Interference Prohibited**

This policy prohibits retaliation. Retaliation includes any act that would dissuade a reasonable person from making or supporting a complaint, or participating in an investigation, under this policy. It includes action or threat of action that could negatively affect another's employment, education, reputation, or other interest. **Retaliation is a separate and distinct violation of this policy.** Retaliatory acts should be reported immediately to the EEO/AA Officer and are handled promptly, effectively, and equitably.

Interference with the complaint or investigation process is also prohibited and constitutes a violation of this policy. Interference includes, but is not limited to, actions that dissuade or attempt to dissuade complainants or witnesses from reporting or participating in an investigation, or actions that delay or disrupt, or attempt to delay or disrupt, an investigation.

### **Filing Complaints Externally**

For information about filing a complaint with state or federal agencies, contact the EEO/AA Officer or see page 17, below.

### **Union County College Resources**

The resources listed below represent only a selection of campus resources that are available. For off-campus resources, including medical and counseling services, victim advocate hotlines, and state and federal compliance offices, see page 17, below.

**Title IX Coordinators:**

**Dr. Raul M. Sanchez**

EEO/AA Officer  
Title IX Coordinator  
MacDonald Hall (A-107)  
1033 Springfield Avenue  
Cranford, NJ 07016  
908-709-7179  
[raul.sanchez@ucc.edu](mailto:raul.sanchez@ucc.edu)

**Dr. Terrence Hardee**

Dean of Students  
Deputy Title IX Coordinator  
Nomahegan Hall (N1-3)  
1033 Springfield Avenue  
Cranford, NJ 07016  
908-709-7516  
[terrence.hardee@ucc.edu](mailto:terrence.hardee@ucc.edu)

**Ms. Tammy Smith**

Dean of College Life  
Deputy Title IX Coordinator  
Student Activities Office  
1033 Springfield Avenue  
Cranford, NJ 07016  
908-709-7093  
[tmith@ucc.edu](mailto:tmith@ucc.edu)

**Public Safety Department**

The Union County College Public Safety Department can be contacted, as follows:

Cranford Campus: 908-709-7152

Scotch Plains Campus: 908-709-0268

Plainfield Campus: 908-412-3595

Elizabeth Campus: 908-965-6070

## Complaint Investigation

The EEO/AA Officer is Union County College's central intake and referral officer for discrimination, discriminatory harassment (or bias intimidation), sexual harassment, and sexual misconduct complaints from students, employees, visitors, and guests. The EEO/AA Officer collaborates with other College personnel who receive and address complaints and problems in educational environments and workplaces throughout the College, including but not limited to supervisors, Dean of Students, Student Conduct Officer, and Director of Human Resources. The EEO/AA Officer will investigate, jointly with other College personnel when appropriate, all reported incidents of discrimination, bias intimidation, sexual harassment, and sexual misconduct, or refer them, as appropriate, for a response.

The EEO/AA Officer investigates complaints that implicate the Union County College Non-Discrimination and Anti-Harassment Policy, see page 7, above.

The EEO/AA Officer follows the following guidelines when investigating a complaint: Procedural Guidelines for Investigations, see page 24, below.

To file a complaint with the EEO/AA Officer, see File a Complaint, at pages 20, below.

For information on Student conduct procedures, see: Student Conduct Code, on the College website:

<http://admissions.ucc.edu/Media/Website%20Resources/documents/CurrentStudents/Student%20Handbook.pdf>.

Information on Employee Handbook procedures, see the Employee Handbook via the Owl's Nest through the College website.

**Interpretative services are available on request.**

## File a Complaint

For EEO/AA Officer's Procedural Guidelines for Investigations, see page, 24, below. For the Student Conduct Code, see <http://admissions.ucc.edu/Media/Website%20Resources/documents/CurrentStudents/Student%20Handbook.pdf>. Access the Employee Handbook through the Owl's Nest on the College website.

You may submit a complaint or file and incident report by phone, fax, email, mail, or in person to:

Dr. Raúl M. Sánchez  
Equal Employment Opportunity/Affirmative Action Officer  
Title IX Coordinator  
MacDonald Hall, A-107  
Union County College  
Cranford, NJ  
908-709-7179 – phone  
908-709-0527 -- fax

# Union County College Discrimination, Sexual Harassment, Sexual Misconduct Incident Report/Complaint Form

Use this form to report incidents of discrimination, sexual harassment, or sexual misconduct. You are encouraged to include as much information as possible. If you want to enter only your name and phone number, the EEO/AA Officer will contact you. Based on the information you provide, an investigation may be initiated. You may submit a report anonymously, but please be aware that an anonymous report limits the College's ability to investigate. If you need advice or consultation, see the EEO/AA Officer (908-709-7179) or the Dean of Students (908-709-7516). See also Resources information, at page 41, below.

## Background Information

Your full name: \_\_\_\_\_

Are you a student?  Faculty?  Staff?  Other? Check one.

If Other, please indicate connection to the College:

Your phone number: \_\_\_\_\_

Your email address: \_\_\_\_\_

Name of the person or persons who engaged in the misconduct?:

Date of incident: \_\_\_\_\_

Time of incident: \_\_\_\_\_

Location of incident:

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## **Involved Persons**

Name all persons who were involved:

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## **Details**

Please provide details about the incident(s) you wish to report.

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## **Supporting Documentation**

To submit photos, video, email, and other supporting documents, please contact the EEO/AA Officer at 908-709-7179 or [raul.sanchez@ucc.edu](mailto:raul.sanchez@ucc.edu)

## Contact Us

For information and consultations, and to submit a complaint by phone, fax, email, mail, or in person, contact:

Dr. Raúl M. Sánchez  
Equal Employment Opportunity/Affirmative Action Officer  
Title IX Coordinator  
MacDonald Hall, A-107  
Union County College  
raul.sanchez@ucc.edu  
908-709-7179 -- phone  
908-709-0527 -- fax

# EEO/AA Officer's Procedural Guidelines for Investigations

## I. Purpose

The Equal Employment Opportunity/Affirmative Action Officer (the EEO/AA Officer), who also is designated as the Title IX Coordinator, investigates allegations arising under the Union County College Non-Discrimination and Anti-Harassment Policy (the Policy), see page 7, above. These procedural guidelines are flexible and may be adapted on a case-by-case basis to promote a prompt, impartial, thorough and effective process.

## II. Complaints

A. A complaint is an allegation of conduct that implicates the Policy, which may include allegations of discrimination, bias intimidation, sexual harassment, and/or sexual misconduct.

B. Complaints alleging discrimination, bias intimidation, sexual harassment, or sexual misconduct may be made orally or in writing, to the EEO/AA Officer, a supervisor/manager, or an officer of the College.

C. Complaints received by a supervisor/manager and all other College employees or agents must be reported to the EEO/AA Officer, who will either process the complaint or assist the relevant College unit in its response. When appropriate, the College may take interim measures to ensure safety and mitigate the effects of the alleged conduct.

D. The EEO/AA Officer promotes prompt and effective resolution of complaints. When appropriate, the EEO/AA Officer will work with the College unit to respond to and resolve a complaint at the unit level. The EEO/AA Officer may facilitate a resolution process in lieu of, or simultaneously with, an investigation.

E. The EEO/AA Officer's jurisdiction is usually limited to matters concerning the College's Policy. If a complaint extends beyond the EEO/AA Officer's jurisdiction under the Policy, the complaint may be referred to another College office. If the complaint does not involve College community members or have sufficient nexus to the College's operation, activities and mission, the EEO/AA Officer may refer the matter to an outside entity or agency, as appropriate. The College community members may include, but are not limited to, employees, students, volunteers, vendors, contractors, affiliates and any other person connected to the College.

## III. Complaint Processing

A. *Intake*: Upon receipt of a complaint, the EEO/AA Officer conducts an initial intake with the complainant, which generally includes the following:

1. Obtain identification and contact information from the complainant.



2. Explain the role of the EEO/AA Officer as a neutral fact-finder and/or facilitator for a resolution process. When the EEO/AA Officer conducts an investigation, the EEO/AA Officer seeks to determine the facts surrounding the allegation and whether those facts constitute a violation of the Policy.
3. Explain the process the EEO/AA Officer may use for responding to the allegation.
4. Explain that the EEO/AA Officer takes the complainant's confidentiality seriously, but limitations exist on confidentiality. Those limitations include providing the respondent with notice of the allegation and that the investigation file is a public record and may be subject to requests for public records. The EEO/AA Officer also will provide information concerning the Policy, including the complainant's right to report alleged discrimination to the EEO/AA Officer without retaliation. Retaliation includes any action or threat of action that negatively affects another's employment, education, reputation or other interest or that could dissuade a reasonable person from making a complaint. Retaliation is a separate and distinct policy violation.
5. Obtain as much initial information as possible from the complainant, which may include other possible sources of information, including individuals from whom the EEO/AA Officer may obtain additional information.
6. Confirm basis of complaint in writing (which may be an email message) to complainant, within a reasonable time after receipt of the complaint, usually five business days.

*B. Safety Assessment:* After the initial intake and as necessary throughout an investigation, the EEO/AA Officer will assess whether immediate action must be taken for the safety or security of any person involved. The EEO/AA Officer will immediately contact the appropriate office at the College or in the community, which may include but is not limited to law enforcement, the Public Safety Department, Dean of Students, Human Resources Department, and relevant academic offices.

*C. Conflict Review:* The EEO/AA Officer will not participate in an investigation if a conflict of interest exist. If the EEO/AA Officer determines that he or she has a conflict of interest, the allegation will be referred to Human Resources or other appropriate office for the investigation. A conflict of interest means the existence of an interest which may reasonably be determined to affect or appear to affect the impartiality of the EEO/AA Officer.

*D. Determination to Proceed:* After the initial intake, and as needed thereafter based on additional information, the EEO/AA Officer will assess whether the complaint, if true, would constitute a violation of the Policies and warrants further inquiry. If at any time the EEO/AA Officer determines that no basis for a policy violation exists, he or she may decline to proceed further. If the complaint presents other potential issues, it may be referred to the appropriate office.

After informing the complainant of the investigation procedures, the EEO/AA Officer will seek the complainant's consent to proceed with an investigation. However, the EEO/AA Officer also will inform all complainants if a case implicates the College's legal obligation to investigate a complaint, whether the complainant grants consent or not.

*E. Notice:* The EEO/AA Officer will generally provide notice and information to the following persons, subject to a compelling basis for confidentiality. Others may be notified on an as-needed basis.

1. Relevant supervisor(s): Will be notified of the complaint, and requested to inform the respondent and others involved, if any, that they are expected to cooperate with the EEO/AA Officer's investigation and conduct themselves in a professional manner during the EEO/AA Officer's process, to be truthful and refrain from retaliating against anyone involved in the process.
2. Respondent: Unless a compelling reason exists not to do so, the respondent will be notified of the complaint with sufficient detail to enable the respondent to fully respond to the allegation(s). A respondent cannot be held in violation of the policy without notice and an opportunity to respond to the allegations.

#### **IV. Early Resolution**

The goal of the Policy is to maintain an environment free from discrimination. Therefore, the EEO/AA Officer's process is focused on providing an opportunity to identify and resolve discriminating or potentially discriminating conduct at the earliest possible opportunity and in the most effective manner. At any time after receipt of a complaint, and when appropriate, the EEO/AA Officer may initiate an informal resolution process, through which the EEO/AA Officer will determine whether the investigation should be stayed or continued simultaneously with the resolution process.

The Officer may participate in the resolution process or may ask others to guide that process, as he or she deems best under the circumstance. At any time during an informal resolution process, a complainant may request to end the process and proceed with the formal investigation. Mediation is never appropriate for complaints of sexual assault or sexual misconduct.

## V. Investigation Process

*A. Investigation Plan:* If an investigation is warranted, the EEO/AA Officer will develop an investigation plan, which will include a statement of the allegation(s) and a preliminary statement of evidence that will be needed to determine whether the allegation is supported. The plan may include a preliminary list of witnesses to interview, relevant documents, and other evidence.

The EEO/AA Officer seeks to complete investigations promptly after receipt of a complaint. An investigation of sexual misconduct, sexual assault or domestic violence will be completed within 60 calendar days, unless there is good cause to extend that time limit. Cases involving a student respondent will usually be referred to the Dean of Students for investigation.

*B. Investigation Steps:* Usually, the EEO/AA Officer will take the following steps in the investigation:

1. Interview witnesses and the respondent. Interviews should be in person when practicable. Audio recording of interviews will generally not be allowed. Interview notes should include the date, time and place of the interview, the name of the interviewer, and a list of all those present at the interview.
2. Request written statements when they may be helpful to the investigation.
3. Obtain all available relevant documentation, which may include but is not limited to relevant College documents, email and text messages, correspondence, computer files, and notes.
4. When appropriate, provide the complainant, the respondent, and supervisors with updates regarding the status of the investigation.

*C. Completion of Investigation:*

1. Generally, an investigation will result in an investigation memorandum if the respondent is a student and an investigation report where the respondent is a member of the College community who is not a student. If a respondent is a student and an employee, the EEO/AA Officer will make a case-by-case determination whether a memorandum or report is appropriate. An investigation that is terminated prior to issuance of an investigation report will be acknowledged with a closing letter.
2. Findings in an investigation memorandum or investigation report are entered based upon the EEO/AA Officer's determination that a fact is true, more probable than not (i.e. by a preponderance of the evidence).

3. The complainant and respondent will receive a copy of the proposed investigation memorandum, investigation report, or closing letter, unless a compelling reason exists to withhold the document, in whole or in part, from one or both persons. Student names will be redacted where appropriate.
4. On a need-to-know basis, relevant supervisors, administrators and other appropriate members of the College community will receive a copy of the closing document. In cases involving student respondents, a copy will be provided to the Dean of Students for further action, if appropriate, pursuant to the Student Code of Conduct.
5. In matters that do not involve the Student Code of Conduct, usually when the respondent is not a student, the complainant and respondent may submit a response to a proposed investigation report or closing letter to the EEO/AA Officer. The response must be received within the time specified by the EEO/AA Officer. The EEO/AA Officer will consider the response(s) and then issue the final investigation report or closing letter within 15 calendar days of the end of the response period. The EEO/AA Officer may amend or edit the report or closing letter based on a response, or reopen the investigation. If major revisions are made to a document, or if the investigation is reopened, the EEO/AA Officer may issue a second proposed report or letter and allow additional response prior to issuing the final document.
6. In matters where the respondent is a student, the complainant and the respondent may present any response to the EEO/AA Officer's investigation memorandum to the Student Conduct Officer or the Dean of Students.

## **VI. Appeal of a Final Investigation Report**

In those matters that do not involve the Student Code of Conduct, a limited appeal is available. A complainant or respondent may appeal the final investigation report on the grounds of substantial procedural irregularity or insufficient investigation. A substantial procedural irregularity is defined as an irregularity in these procedures that, more likely than not, could have resulted in a different conclusion in the EEO/AA Officer's investigation report regarding a violation of the Policy. Insufficient investigation is defined as a lack of investigation into facts or issues that, more likely than not, could have resulted in a different conclusion in the EEO/AA Officer's investigation report regarding a violation of the Policy. Within 15 calendar days of the issuance of the final investigation report, the appeal must be received by the Director of Human Resources.

In reviewing the appeal, the Director of Human Resources does not engage in a de novo review. He or she shall give substantial weight to the EEO/AA Officer's report and defer to the credibility findings in the report. If he or she finds either substantial procedural irregularity or insufficient investigation, additional investigation may be required. Ordinarily, the Director of Human Resources shall complete his or her

respective review within 30 calendar days of receipt of the appeal. His or her decision is final with respect to the investigation.

### **VII. Other Available Processes**

Any student or employee aggrieved by the EEO/AA Officer report may be entitled to file a complaint outside of the College. See page 48, below, for agency names and contact information.

Before discipline may be imposed based on an investigation memorandum or investigation report, a student or employee may be entitled to further internal process depending upon the employment agreement, Student Code of Conduct, or other College policy.

# Accommodations/Disabilities

## Background

- **Americans with Disabilities Act (ADA)**
- **Section 504 of the Rehabilitation Act of 1974**

The Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1974 (Section 504) prohibit discrimination on the basis of disability and allow for accommodations that may be requested. The American with Disabilities Acts includes mental and physical medical conditions; it applies to Union County College and includes regulations covering access to all College programs and services.

## ADA Coordinator

The ADA Coordinator is responsible for coordinating Union County College's efforts to comply with Title II of the ADA and other federal and state laws and regulations pertaining to persons with disabilities, including Section 504. The ADA Coordinator works closely with the EEO/AA Officer and will refer discrimination complaints for investigation.

### Responsibilities of the ADA Coordinator

- Providing referrals, resources, advice, services, and compliance information to College offices, students, and employees.
- Maintaining up-to-date resources and policy materials that are readily available relating to persons with disabilities.
- Assuring the College's compliance with the ADA, and other federal and state laws and regulations pertaining to persons with disabilities.
- Collaborating with other College offices, government agencies, and external advocacy groups to develop College policies and procedures to accommodate persons with disabilities and to prevent and respond to discrimination on the basis of disability.
- Developing and maintaining investigative procedures and processes to resolve complaints and inquiries from College offices, students, and employees.
- Making determinations about allegations of discrimination and non-compliance under the ADA and other applicable federal and state laws regarding discrimination on the basis of disability.

**The following individuals have been designated to address inquiries regarding Section 504, the ADA, and Title IX, as indicated:**

## Complaints

**Dr. Raul M. Sanchez**

**Equal Employment Opportunity/Affirmative Action Officer**

**Title IX Coordinator**

**MacDonald Hall, room A-107**

908-709-7179

raul.sanchez@ucc.edu

All Title IX matters should be directed to Dr. Sanchez, Union County College's Title IX Coordinator. All complaints of discrimination and sexual harassment, including those concerning Title IX, Section 504, or the ADA also, should be directed to Dr. Sanchez.

### **Student Accommodation Requests**

**Ms. Karen Cimorelli**

**Coordinator of Services for Students with Disabilities**

**Nomahegan Hall, room N-3**

Phone: 908-709-7164

[karen.cimorelli@ucc.edu](mailto:karen.cimorelli@ucc.edu)

All requests for accommodations from Union County College students, pursuant to Section 504 or the ADA, should be directed to Ms. Cimorelli.

### **Employee, Guest, and Visitor Accommodation Requests**

**Mr. Vincent Lotano**

**Director of Human Resources**

**Section 504 Administrator and ADA Coordinator**

**MacDonald Hall, room A-219**

908-709-7046 (phone)

[vincent.lotano@ucc.edu](mailto:vincent.lotano@ucc.edu)

All requests for accommodations from Union County College employees, guests, and visitors, pursuant to Section 504 or the ADA, should be directed to Mr. Lotano, the Section 504 Administrator and ADA Coordinator. All matters, other than student accommodation requests and complaints, also should be directed to Mr. Lotano.

### **Reasonable Accommodations**

Union County College provides access, equal opportunity and reasonable accommodations in its services, programs, activities, education, and employment for individuals with disabilities. To request a disability accommodation, contact one of the employees, above, as appropriate.

### **Complaint**

If you believe that you have been subject to discrimination on the basis of a disability or denied a reasonable accommodation, and you would like to file a complaint, please contact the EEO/AA Officer, or see page 20, above.

## Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in education. It provides that no person shall, on the basis of sex, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. Sex discrimination includes sexual harassment and sexual violence. Title IX was long thought of as a law that applied only to athletics programs. The interpretation and application of Title IX by the federal government is now much broader, and applies to educational programs and employment at all institutions of higher education, including Union County College.

- Title IX can be found in the Education Amendments of 1972, 20 U.S.C. §1681, and its implementing regulations at 34 C.F.R. Part 106 (Title IX). See: <http://www.justice.gov/crt/overview-title-ix-education-amendments-1972-20-usc-1681-et-seq>.
- A Q and A about Title IX by the Office of Civil Rights of the U.S. Department of Education can be found at: <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>
- Union County College Non-Discrimination and Anti-Harassment Policy prohibits discrimination, sexual harassment, and sexual misconduct (including sexual assault, stalking, and domestic and dating violence). See pages \_\_\_-\_\_\_, above.

### Title IX Coordinators

Compliance with Title IX is everyone's responsibility at the Union County College; however, the following individuals are responsible for coordinating the College's Title IX compliance. If you have a Title IX-related concern or a complaint, please contact a supervisor or one of the following Title IX Coordinators:

### For Complaints Against Faculty, Staff, or Individuals Who Do Business with the College:

**Dr. Raul M. Sanchez**  
 EEO/AA Officer  
 Title IX Coordinator  
 MacDonald Hall (A-107)  
 Union County College  
 1033 Springfield Avenue  
 Cranford, NJ 07016  
 908-709-7179  
[raul.sanchez@ucc.edu](mailto:raul.sanchez@ucc.edu)

Complaints under this Policy will be addressed as outlined in the EEO/AA Procedural Guidelines for Investigations. See page 24, above.



As the lead Coordinator, Dr. Sanchez has responsibility for coordinating the College's efforts to comply with, and carry out its responsibilities under Title IX and its implementing regulations, including training, education, communication, and investigation of complaints. He is primarily responsible for coordinating the investigation of all complaints of discrimination on the basis of sex, and complaints involving faculty and staff.

**For Complaints Against Students:**

**Dr. Terrence Hardee**

Dean of Students  
Deputy Title IX Coordinator  
Nomahegan Hall (N1-3)  
1033 Springfield Avenue  
Cranford, NJ 07016  
908-709-7516  
[terrence.hardee@ucc.edu](mailto:terrence.hardee@ucc.edu)

Complaints under this Policy will be addressed as outlined in the Student Code of Conduct. See <http://admissions.ucc.edu/Media/Website%20Resources/documents/CurrentStudents/Student%20Handbook.pdf> As the Deputy Coordinator for Student Affairs, Dr. Hardee is responsible for Title IX compliance in matters involving student conduct, including training, education, communication, and investigation of complaints.

**For Gender Equity and Other Complaints in Athletics:**

**Ms. Tammy Smith**

Dean of College Life  
Deputy Title IX Coordinator  
Student Activities Office  
1033 Springfield Avenue  
Cranford, NJ 07016  
908-709-7093  
[tmith@ucc.edu](mailto:tmith@ucc.edu)

As the Deputy Coordinator for Athletics, Ms. Smith is responsible for Title IX compliance in matters involving Athletics, including training, education, communication, and investigation of complaints. In complaints about students, Ms. Smith will collaborate with the Dean of Students and procedures outlined in the Student Code of Conduct will be followed. See: <http://admissions.ucc.edu/Media/Website%20Resources/documents/CurrentStudents/Student%20Handbook.pdf> In complaints about faculty or staff, Ms. Smith will collaborate with the EEO/AA Officer and Lead Coordinator and procedures outlined in the EEO/AA Officer's Procedural Guidelines for Investigations will be followed. See page 24, above.

## Sex and Gender Based Violence

Sex and gender based violence includes, but is not limited to, non-consensual sexual contact, sexual exploitation, stalking, and domestic and dating violence. Union County College prohibits sexual misconduct, including sexual assault and other sexual violence. See. If you have experienced sex and gender based violence, the EEO/AA Officer can help you find resources, make a report, and assist with implementing personal safety measures.

### **I have experienced sex or gender based violence. What resources and services are available to me?**

Resources are available to those who have experienced sex and gender based violence. Follow the below links to access resource information:

- Reporting Options, see page 35, below.
- Finding an Advocate, see page 43, below.
- Healing and Recovery, see page 41, below.
- Legal Advocates/Legal Services, see page 44, below.
- Safety Options, see page 38, below.

### **Sex or gender based violence was reported to me. What should I do?**

- Union County College Employees, see page 36, below.
- Students, see page 36, below.
- Reporting to Police, see page 36, below.
- Other Reporting, see page 36, below.

## Reporting Sex and Gender Based Violence

Union County College encourages all members of the College community to report sex and gender violence and all violations of its Non-Discrimination Policy. The College prohibits retaliation against anyone who reports or participates in an investigative or disciplinary process.

There are several ways to report sex and gender based violence. Please review the list below and select the option that best meets your preference.

### **Reporting to a Supervisor, Administrator, Faculty or Any Employee**

All College employees are required to report all information about sex and gender violence and any violation of the College's Non-Discrimination Policy to a supervisor or directly to the EEO/AA Officer. Such conduct cannot be kept secret or confidential. Information will be shared among College employees only on a need-to-know basis, but federal law may require that the College open an investigation.

### **Reporting to the Equal Employment Opportunity/Affirmative Action Officer**

Sex and gender based violence can be reported to the EEO/AA Officer, who is the College's Title IX Coordinator, and works closely with Human Resources and the Dean of Students. The EEO/AA Officer can start an investigation, assist the survivor with campus safety options, and connect the survivor to local support, medical, and counseling resources. The EEO/AA Officer's investigation is separate from any criminal process and can be pursued simultaneously. The EEO/AA Officer can determine whether College policies have been violated and then make recommendations to either the Dean of Students, if the respondent is a student, or to the relevant supervisor or Director of Human Resources, if the respondent is an employee. The EEO/AA Officer shares information about cases only on a need-to-know basis, but cannot guarantee confidentiality. Click on the links below for EEO/AA Officer contact information or to file a complaint.

- EEO/AA Officer contact information, see page 23, above.
- File a complaint, see page 20, above.

### **Reporting to Law Enforcement**

Sex and gender based violence can be reported to law enforcement. Reporters are urged to preserve any evidence and to also seek medical and counseling services. Law enforcement can assist with filing criminal charges and related matters. Call 911 for immediate emergency assistance. For related public safety issues on campus, contact the Public Safety Department:

Cranford Campus, 908-709-7152;  
Elizabeth Campus, 908-965-6070;  
Plainfield Campus, 908-412-3595;  
Scotch Plains Campus, 908-709-7152.

## Sex or Gender Based Violence Was Reported to You

If you are told about sex or gender based violence, please review the below sections to determine your reporting requirements or to learn about resources available to you. Regardless of your reporting requirements, Union County College encourages reporting of all forms of sexual harassment and sexual misconduct and takes these reports very seriously. Please view the below sections to determine your responsibilities.

### Union County College Employees

All College supervisors who have information regarding an incident or situation involving sexual harassment or sexual misconduct are required to promptly report the incident to the EEO/AA Officer, who also is the institution's Title IX Coordinator, or to one of the Deputy Title IX Coordinators, or a supervisor. Supervisors must take immediate action to end offending conduct and protect the well-being of the complainant. Supervisors must take such interim measures in consultation with the EEO/AA Officer and Human Resources. All other employees are strongly encouraged to report any incident or situation of which they have knowledge.

### Students

Union County College strongly encourages students and others to report incidents of sexual harassment, sexual misconduct, sexual assault, and other forms of sex and gender based violence, to the EEO/AA Officer, who is the College's Title IX Coordinator, or one of the Deputy Title IX Coordinators.

### Reporting to Police

Anyone who has experienced or witnessed sexual misconduct, sexual assault, stalking, domestic or dating violence, or another crime may choose to report the incident to the police. The College's process is separate from the criminal process and can be pursued simultaneously. In most cases, the EEO/AA Officer will defer to the complainant's wishes regarding whether to contact police and/or file a complaint; however, some situations in which the safety of the College community or other considerations may require the EEO/AA Officer to report an incident to police. The EEO/AA Officer will attempt to inform the complainant of its decision when this occurs.

### Other Reporting

Under New Jersey state law, **any person** having reasonable cause to believe that a child has been subjected to abuse or acts of abuse shall immediately report this information to the State Central Registry of the Department of Children and Families:

Child Abuse/ Neglect Hotline (State Central Registry Hotline)  
1-877-NJ ABUSE  
(1-877-652-2873)

If the child is in immediate danger, call 911 as well as the hotline, above.

### **Secondary Trauma**

If you learn of sex or gender based violence, you may experience something referred to as “secondary trauma.” If you need to speak with somebody about your concerns, you can reach out to one of the College Title IX Coordinators for a counseling referral, see page 32. You may also contact an off-campus advocate hotline, see page 43, below.

## Safety Options

If you have experienced sex or gender based violence, there may be campus safety options available to you, as well as protection orders and safety shelters.

### **Campus Safety Options**

After receipt of a complaint of sexual misconduct, the EEO/AA Officer will assess whether immediate actions must be taken for the safety and security of any person involved. The EEO/AA Officer works with the Dean of Students, Director of Human Resources, Public Safety, and others, as needed, to assist complainants with potential interim safety measures during an investigation. See page 15, above.

### **Restraining or Protection Orders**

A protection or restraining order is issued by a state or municipal court, and requires another person to remain a certain distance away from you at all times and prohibits any contact or communication. More information can be found at the links below. If you are in immediate danger, dial 911. For information on obtaining a restraining order in New Jersey, see page 48, below; see also, Legal Advocate/Legal Services, at page 44, below.

### **Shelters**

Domestic violence victims and their children can temporarily access safe and secure shelters in the Union County area. For Shelters, see page 45.

## Education and Training

The EEO/AA Officer seeks to raise awareness surrounding civil rights and Equal Employment Opportunity issues through educational endeavors, and, thereby, improve campus climate, improve best practices, and contribute to recruiting and retaining a diverse workforce that will meet the needs of Union County College.

The EEO/AA Officer will work with departments and units to design a class or educational offering that is responsive to the needs of the participants in the following areas:

- Discrimination Awareness and Prevention
- Sexual Harassment Awareness and Prevention
- Sexual Misconduct Awareness and Prevention
- Equal Employment Opportunity Issues for Supervisors

### Employee Training

Human Resource provides a mandatory online Discrimination and Sexual Harassment Prevention course which is required for all current faculty, administrative professionals, civil service, and bargaining unit employees. New employees must complete the course within 6 months of date of hire. This course is designed specifically for employees and supervisors.

### Student Training

This training serves as an introduction to students about the College's policies on non-discrimination, and it provides information about the College's process to respond to complaints of discrimination, harassment, and sexual misconduct.

### New Student Orientation

This training serves as an introduction to new students about safety on campus, resources, definitions, and bystander prevention.

# Training Request Form

## Training Request

College units can request specific presentations to fit the needs of their area. You may submit a request to the Equal Employment Opportunity/Affirmative Action Officer, MacDonald Hall, (908) 709-7179, or by completing this form and sending it by interoffice mail.

- Name
- Unit or Office
- Phone
- Email
- Date Requested - From:
- Date Requested - To:
- Brief Description of specific presentation needs:



## Resources

### Union County College Title IX Coordinators

**Dr. Raul M. Sanchez**

EEO/AA Officer  
 Title IX Coordinator  
 MacDonald Hall (A-107)  
 1033 Springfield Avenue  
 Cranford, NJ 07016  
 908-709-7179  
[raul.sanchez@ucc.edu](mailto:raul.sanchez@ucc.edu)

**Dr. Terrence Hardee**

Dean of Students  
 Deputy Title IX Coordinator  
 Nomahegan Hall (N1-3)  
 1033 Springfield Avenue  
 Cranford, NJ 07016  
 908-709-7516  
[terrence.hardee@ucc.edu](mailto:terrence.hardee@ucc.edu)

**Ms. Tammy Smith**

Dean of College Life  
 Deputy Title IX Coordinator  
 Student Activities Office  
 1033 Springfield Avenue  
 Cranford, NJ 07016  
 908-709-7093  
[tmith@ucc.edu](mailto:tmith@ucc.edu)

### Union County College Public Safety Department

The Public Safety Department can be contacted, as follows:

Cranford Campus: 908-709-7152

Elizabeth Campus: 908-965-6070

Plainfield Campus: 908-412-3595

Scotch Plains Campus: 908-709-7152

### Medical Services

In most instances, medical care providers can talk with you confidentially about your concerns. If you receive hospital care after a sexual assault, you may receive a medical evaluation from a trained Sexual Assault Nurse Examiner (SANE), who conducts a medical-legal examination and collects forensic evidence. You can also be tested for date-rape drugs and sexually transmitted diseases. They may also provide you counseling services or refer you to a relevant provider. For information on emergency contraception, the morning after pill or Plan B, talk to your doctor, pharmacy, or clinic. More information can be found here: [not.2.late.com](http://not.2.late.com)

If you have experienced sex or gender based violence or know somebody who has, you might consider accessing the below medical, or counseling resources.

Medical Facilities in Union County With 24-Hour Emergency Assistance:

#### Overlook Medical Center Emergency Department

99 Beauvoir Avenue  
 Summit, NJ 07901  
 908-522-2232

<http://www.atlantichealth.org/overlook/our+services/emergency+services/>

**Overlook Emergency Services – Union Campus**

1000 Galloping Hill Road

Union, NJ 07083

908-522-6300

<http://www.atlanticealth.org/overlook/our+services/emergency+services/>

**Trinitas Regional Medical Center**

**Emergency Medicine**

225 Williamson Street

Elizabeth, NJ 07202

908-994-5422

[http://www.trinitashospital.org/emergency\\_medicine.htm](http://www.trinitashospital.org/emergency_medicine.htm)

**Trinitas Regional Medical Center**

**Psychiatric Emergency Department**

New Point Campus

655 East Jersey Street

Elizabeth, NJ 07206-1259

908-994-7131

[http://www.trinitashospital.org/emergency\\_medicine.htm](http://www.trinitashospital.org/emergency_medicine.htm)

**Robert Wood Johnson University Hospital Rahway**

**Emergency Department**

865 Stone Street

Rahway, NJ 07065

732-499-6100

<http://www.rwjuhr.com/emergencyDepartment.htm>

**JFK Medical Center**

**JFK-Muhlenberg Campus Satellite Emergency Department**

65 James Street

Edison, NJ 08820

(732) 321-7000

<https://www.jfkmc.org/jfk-affiliates/jfk-muhlenberg-campus/satellite-emergency-department>

**Counseling Services**

**Trinitas Regional Medical Center**

**Counseling Referrals/Outpatient Clinic**

New Point Campus

655 East Jersey Street

Elizabeth, NJ 07206-1259

908-994-7278

[http://www.trinitashospital.org/emergency\\_medicine.htm](http://www.trinitashospital.org/emergency_medicine.htm)

**Rachel Coalition  
Domestic Violence Services**  
256 Columbia Turnpike  
Suite 105  
Florham Park, NJ 07932  
(973) 765-9050  
[info@jfsmetrowest.org](mailto:info@jfsmetrowest.org)

**Rachel Coalition  
Domestic Violence Services**  
570 W. Mt. Pleasant Ave.  
Suite 106  
Livingston, NJ 07039  
(973) 740-1233  
[info@jfsmetrowest.org](mailto:info@jfsmetrowest.org)

**See also Victim Advocates, below.**

### **Sex and Gender Based Violence, Victim Advocates**

If you have experienced sex and gender based violence or know somebody who has, you may consider contacting a Victim Advocate. A Victim Advocate is a person who has been trained to support victims of crimes, by providing emotional support and help navigating resources and the criminal justice system. Advocacy agencies often provide counseling, 24-hour crisis lines, housing resources, and legal support for free or reduced costs. In most instances, these care providers can speak to you confidentially about your concerns.

24-Hour Victim Advocate Hotlines:

**Rape Crisis Center, Union County**  
<http://www.ywcaunioncounty.org/our-services/>  
24-hour HOTLINE: 908-233-RAPE (7273)

**YWCA, Union County**  
<http://www.ywcaunioncounty.org/our-services/>  
24-Hour Domestic Violence Hotline: 908-355-4357 (HELP)

**Rachel Coalition  
Domestic Violence Services**  
[info@jfsmetrowest.org](mailto:info@jfsmetrowest.org)  
24-hour crisis response line: 973-740-1233

**New Jersey Coalition Against Sexual Assault (NJCASA)**  
<http://njcasa.org/>  
24-hour State Hotline: 800-601-7200

**Statewide:****New Jersey Coalition for Battered Women**

New Jersey Coalition for Battered Women is a statewide association that provides leadership, support and resources on the prevention of violence against women in New Jersey through advocacy, training, public awareness and research.

<http://www.njcedv.org/>

**New Jersey MentalHealthCares**

New Jersey MentalHealthCares is the Mental Health Association in NJ's free, confidential statewide mental health information and referral helpline, available 24/7. Our staff of mental health professionals uses their experience and understanding of the state's mental health resources to connect you to the services you need.

<http://www.njmentalhealthcares.org/>

**NJ Coalition Against Sexual Assault**

NJCASA's mission is to promote the compassionate and just treatment of survivors and their loved ones; foster collaborative relationships between community systems; and affect attitudinal and behavioral changes in society as we work toward the elimination of sexual violence against all people.

<http://njcasa.org/>

**Nationwide:**

- [Rape, Abuse, & Incest National Network Hotline](#): 1-800-656-HOPE (4773)
- [National Domestic Violence Hotline](#): 1-800-799-SAFE (7233);
- [Gay, Lesbian, Bisexual and Transgender Hotline](#): 1-888-THE-GLNH (843-4564);
- [Love is Respect](#): 1-866-331-9474;
- [Not Alone: Together Against Sexual Assault](#): The federal government has also compiled helpful information for students and universities, including information on what to do if you have been sexually assaulted, how to help a friend who has been sexually assaulted, and information about your rights if you share information about a sexual assault with your academic institution. Locate a resource or service in your area to receive support if you are in a crisis situation or if you want to speak with an advocate. <https://www.notalone.gov/resources/>

**Legal Advocates/Legal Services****Partners for Women and Justice**

Tel: 973-233-0111

60 South Fullerton Ave. #106

Montclair, NJ 07042

Fax: 973-233-0106

[www.pfwg.org](http://www.pfwg.org)

**Legal Services of New Jersey - Domestic Violence Representation Project**

100 Metroplex Drive, Suite 402  
PO Box 1357  
Edison, NJ 08818  
Phone: 732-572-9100  
Fax: 732-572-0066  
Website: <http://www.probononj.org>

**Union County Rape Hotline**

**24-hour Hotline:** 908-233-RAPE (7273)  
**TTY:** 908-232-1435  
**Fax:** 908-654-0260  
**Hours of Operation:** Monday – Friday 8 a.m. – 4 p.m.  
**Blog:** [www.unioncountyrapecrisiscenter.blogspot.com](http://www.unioncountyrapecrisiscenter.blogspot.com)

**For information on obtaining a restraining order in New Jersey, see WomensLaw.org:**

[http://www.womenslaw.org/laws\\_state\\_type.php?id=557&state\\_code=NJ&open\\_id=11187](http://www.womenslaw.org/laws_state_type.php?id=557&state_code=NJ&open_id=11187)

Some local Domestic Violence Services and Rape Care Centers offer legal clinics.

**Shelters**

Domestic violence victims and their children can temporarily access safe and secure shelters in the Union County area. Contact:

**Project Protect**

c/o YWCA of Eastern Union County  
1131 East Jersey Street  
Elizabeth, NJ 07201  
**Emergency Shelter 24-Hr. Hotline: (908) 355-4357**  
TTY: (908) 355-1023  
Fax: (908) 355-0534  
Email: [info@ywcamail.com](mailto:info@ywcamail.com)  
Web: [www.ywca-euc.org](http://www.ywca-euc.org)  
Outreach Phone: (908) 355-1995

**Rachel Coalition****Domestic Violence Services**

24-hour crisis response line: 973-740-1233

256 Columbia Turnpike

Suite 105

Florham Park, NJ 07932

(973) 765-9050

[info@jfsmetrowest.org](mailto:info@jfsmetrowest.org)

570 W. Mt. Pleasant Ave.

Suite 106

Livingston, NJ 07039

(973) 740-1233

[info@jfsmetrowest.org](mailto:info@jfsmetrowest.org)

**Federal Information****Sexual Assault**

The federal government has compiled helpful information for students and institutions, including information on what to do if you have been sexually assaulted, how to help a friend who has been sexually assaulted, and information about your rights if you share information about a sexual assault with your academic institution:

- [Not Alone: Together Against Sexual Assault](#)

**Overseas Crime**

- **U.S. Department of State – Travel Information by Regions**

The State Department's Office of American Services and Crisis Management (ACS) administers the Consular Information Program, which informs the public of conditions abroad that may affect their safety and security. Country Specific Information, Travel Alerts, and Travel Warnings are vital parts of this program.

- **9-1-1 Emergency Contact Numbers Abroad**

U.S. consular officers are located at over 260 Foreign Service posts abroad. There are also consular officers in 46 foreign cities without U.S. embassies or consulates. They are ready to provide assistance if you need it. From the U.S. or Canada, call 1-888-407-4747, or from overseas call 202-501-4444.

- **U.S. Department of State – Help for U.S. Citizens of Crime Overseas**

Consular officers, agents, and staff work with crime victims and help them with the local police and medical systems. Overseas Citizens Services will stay in touch with family members in the United States and help provide U.S.-based resources for the victim when possible. From the U.S. or Canada, call 1-888-407-4747, or from overseas call 202-501-4444.

## ADA Resources

- Information and Technical Assistance on the Americans with Disabilities Act, U.S. Department of Justice – Civil Rights Division, see <http://www.justice.gov/crt/disability-rights-section>.
- Division of Disability Services, Department of Human Services, State of New Jersey, see <http://www.state.nj.us/humanservices/dds/home/index.html>.

## Sexual Assault and Sex and Gender Based Violence Survivor Links and Resources

- Surviving Campus Sexual Assault: An Overview of Your Rights as a Student <https://www.legalmomentum.org/resources/surviving-campus-sexual-assault-overview-your-rights-student>
- Transgender Sexual Violence Survivors: A Self-Help Guide to Healing and Understanding, Forge: Transgender Sexual Violence Project <http://forge-forward.org/wp-content/docs/self-help-guide-to-healing-2015-FINAL.pdf>
- Not Alone: Together Against Sexual Assault, information for students and schools on resources to respond to and prevent sexual assault. <https://www.notalone.gov/>
- Know Your IX, information for students to respond to and prevent sexual assault. <http://knowyourix.org/>
- Rape, Abuse & Incest National Network, national information for survivors and supporters of survivors. <https://rainn.org/>
- 1 is 2 Many, Whitehouse Public Service Announcement <https://www.whitehouse.gov/1is2Many>
- Consent: If you don't get it, you don't get it, Whitehouse Public Service Announcement on Facebook. <https://www.facebook.com/WhiteHouse/videos/10153741426384238/>

- 1 in 5, Whitehouse Public Service Announcement  
<http://m.govexec.com/management/2015/11/white-house-psa-using-bears-make-point-about-sexual-assault/123487/?oref=ge-iphone-interstitial-continue>
- SAFER, a nonprofit organization providing resources and tools for student-led movements to combat sexual and interpersonal violence on campus communities. <http://www.safercampus.org/>
- Commission on Domestic & Sexual Violence, American Bar Association  
[http://www.americanbar.org/groups/domestic\\_violence.html](http://www.americanbar.org/groups/domestic_violence.html)

## Restraining Orders

- **WomensLaw.org:**  
[http://www.womenslaw.org/laws\\_state\\_type.php?id=557&state\\_code=NJ&open\\_id=11187](http://www.womenslaw.org/laws_state_type.php?id=557&state_code=NJ&open_id=11187)
- **New Jersey State Police:**  
<http://www.njsp.org/division/operations/domestic-violence-info.shtml>
- **NJ Division on Women  
Department of Community Affairs**  
101 South Broad Street  
PO Box 801  
Trenton, NJ08625-0801  
Phone: (609) 292-8840  
Fax: (609) 633-6821  
TTY: (609) 777-0799  
Email: [dow@dca.state.nj.us](mailto:dow@dca.state.nj.us)  
Web: [www.nj.gov/dca/dow](http://www.nj.gov/dca/dow)

## External Offices

Please see the following websites for more information on state and federal laws, and how to file a complaint external to Union County College.

- U.S. Department of Labor: <http://www.dol.gov/>
- U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov/>
- U.S. Department of Justice – Civil Rights Division: <http://www.justice.gov/crt>
- U.S. Department of Justice – Office On Violence Against Women:  
<http://www.justice.gov/ovw>



- U.S. Department of Education – Office for Civil Rights  
<http://www2.ed.gov/about/offices/list/ocr/index.html>
- Division on Civil Rights, Office of the Attorney General, State of New Jersey  
<http://www.nj.gov/oag/dcr/index.html>
- Office of the State Auditor, New Jersey Office of Legislative Services  
<http://www.njleg.state.nj.us/legislativepub/auditreports.asp>