

ANNUAL SECURITY REPORT

HACKENSACK
MERIDIAN SCHOOL OF
MEDICINE

This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

This Report is published October 1, 2023. It covers the 2022 calendar year.



Hackensack
Meridian
School of Medicine

October 1, 2023

Thank you for your interest in the Hackensack Meridian Health School of Medicine Annual Security Report. This report, which is published annually in October, contains important information about the 2022 calendar year for our community. The School of Medicine and our Department of Public Safety and Security take safety and security seriously. We have committed broad and sufficient resources to keep our students safe and secure. We all work diligently and collaboratively to protect our students, staff, administrators, and faculty at the School of Medicine. Public safety is everyone's business. The policies and procedures described here are designed to keep our community aware and safe. Please familiarize yourself with them.

This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act). Please review the information and policies included here. If you have specific questions, you may contact Public Safety at 973-542-6600.

Sincerely,

John T. Schiavone, M.B.A.
Chief Operating Officer
Hackensack Meridian School of Medicine

ANNUAL SECURITY REPORT

This report is for the Hackensack Meridian School of Medicine (“HMSOM” or the “School”) located at the Interprofessional Health Sciences Campus (IHSC) at 123 Metro Blvd. Nutley, NJ 07110 that opened in July 2018. HMSOM is located at that complex. There are no residential facilities at the IHS Campus.

PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

It is the policy of the School to comply fully with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (**Clery Act**). The preparation of the Annual Security Report (**ASR**) is a collaborative effort between Public Safety and Security (**PS&S**) and several local law enforcement agencies.

PS&S mails annual requests for statistics to local law enforcement agencies and is in regular communication with other departments with significant responsibilities for students and school activities. HMSOM compiles this information in HMSOM’s Annual Security Report.

This report contains one (1) year of crime statistics from January 1, 2022 to December 31, 2022, related to incidents that occurred on HMSOM property or property owned or controlled by HMSOM, and on public property immediately adjacent to and accessible to the campus and off-campus property used as student housing.

By October 1, 2023, Laurie Sullivan, Ph.D., Senior Associate Dean of Student Affairs and Wellbeing will have sent an email to all members of the HMSOM community notifying them of the availability of the ASR. Interested parties may also request a printed copy by emailing PS&S at SAW@hmn.org or by visiting the IHSC at 123 Metro Blvd. Nutley, NJ.

SECURITY AND ACCESS

At the IHSC, the physical condition of the building is monitored by IHSC Facilities Engineering and requests of a security nature (keys and access cards, etc.) are coordinated through PS&S. Electronic surveillance systems monitor IHSC property and adjacent areas of public property. PS&S personnel are positioned at points of entry to the building, turnstiles opened only via a valid card swipe in the presence of an officer are utilized in the main lobby entrance, and an officer is located at the rear entrance.

To report issues about the building, contact the Director of Facilities, 1st floor, Room 1545 or call 973-542-6997 (or x6997 from within the building) during business hours. For building emergencies outside of normal business hours, contact the PS&S Dispatch at 973-542-6600 (or x6600 from within the building).

PS&S personnel open and close the building as scheduled.

At the Brighton Arms and Extended Stay America, in the event of an emergency students are instructed to call 911 and contact Marie Keenan at HMSOM at 732-776-4179 or

marie.keenan@hmn.org and Laurie Sullivan at HMSOM at 914-907-6082 or laurie.sullivan@hmn.org.

In the event of a fire emergency, the students are instructed to follow building instructions for exit plans to safety. Post exit, students are instructed to contact Marie Keenan at HMSOM at 732-776-4179 or marie.keenan@hmn.org or Laurie Sullivan at HMSOM at 914-907-6082 at laurie.sullivan@hmn.org.

ENFORCEMENT AND JURISDICTION

The safety of our campus and community is a responsibility shared by all of us. While this is led by the PS&S, other core personnel and departments contribute significantly to our safety.

Department of Public Safety and Security

Security at the IHSC is managed by a Manager of Public Safety who oversees a staff of HMSOM PS&S personnel. Security Officers are not armed and are not sworn law enforcement personnel. Security at the IHSC is provided 24-hours per day, 7 days per week, and 365 days per year. Alarm monitoring/response, CCTV surveillance, medical emergency response (CPR/AED trained) and general customer service are among the many tasks provided by the Security Officers. Entry to the IHSC is via the main front entrance and the rear entrance, during designated times. Front entrance is manned by security personnel. All HMSOM faculty, students, and employees have ID cards for access to the facility. Turnstiles are utilized in the main lobby and card swipe at the rear entrance and from the Skybridge. All visitors are required to use the front entrance and register with security. PS&S personnel have developed close working relationships with the Nutley and Clifton Police and other local law enforcement agencies. IHSC has no formal memorandum of understanding with any law enforcement agency.

HMSOM has no officially recognized student organizations with non-campus locations.

The Department of Public Safety and Security Dispatch Office is located at 123 Metro Blvd., Nutley, NJ on the lower level, Room 0221.

All residential students at Brighton Arms have individual key access to the main lobby of the building, as well as separate individual key access to their respective apartments. The building has an alarm and sprinkler system. Periodically, an administrator from the Hackensack Meridian *Health* Network (**HMHN**) or HMSOM tours the public spaces of the building and meets with students as needed.

Similarly, the residential students at Extended Stay America have individual key access to their respective rooms. There is also an administrator in the lobby 24/7 monitoring access to the building. The building has an alarm and sprinkler system. Periodically, an HMHN or HMSOM administrator tours the public spaces of the building and meets with students as needed.

REPORTING CRIMES AND OTHER EMERGENCIES

If crimes are not reported, HMSOM is limited in its ability to help prevent other members of the community from becoming victims. Our community is safer when we all work together to make it

that way by promptly reporting crimes and by participating in and supporting crime prevention efforts.

In an emergency, call 911.

HMSOM strongly encourages that all crimes committed at or immediately adjacent to the IHSC be directly reported to PS&S at 973-542-6600 or the Nutley Police Department at 973-284-4940 or the Clifton Police Department at 973-470-5900.

In a non-emergency, HMSOM recognizes that some individuals may prefer to report to other officials or departments on campus. The Clery Act identifies these officials as “Campus Security Authorities” and they include:

- a) PS&S.
- b) Individuals responsible for security outside of PS&S (i.e. event management, building access)
- c) An official who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.
- d) Any individual or organization the School has identified to which student and employees should report criminal offenses.

The following places are designated as where individuals should report crimes or policy violations:

Public Safety and Security
973-542-6600
Lower Level, Rm. 0222

Ms. Diane Russo, MA
Title IX Coordinator
Hackensack Meridian School of Medicine
123 Metro Blvd.
Nutley, NJ 07110
Rm. 4218
862-660-5124 Office
862-485-4914 Mobile
Diane.Russo@hmn.org

Anonymous Reporting

PS&S also accepts anonymous reports online. Please provide as much detail as possible. If you do wish to speak with someone, you can include your contact information. The form can be accessed here.

<https://www.hackensackmeridianhealth.org/en/about-us/corporate-compliance-information>
www.hackensackmeridianhealth.org/about/corporate-compliance-program/

Confidential Reporting

Appropriately credentialed members of the Physician Network and clergy are not Campus Security Authorities (CSA) when acting in their medical or pastoral roles and are considered Confidential Employees. Confidential Employees do not report any information to PS&S or the Title IX Coordinator without the permission of the individual making the report.

Additional reporting resources:

Hackensack Meridian School of Medicine
STUDENT MISTREATMENT AND TITLE IX

The HMSOM takes student wellbeing very seriously and asks anyone to confidentially Report a Concern through the following avenues:

HMH ComplyLine is 877-888-8030 or
<https://hackensackmeridian.alertline.com/>
(Anonymous reporting is available by phone or web)

or directly to the

Senior Associate Dean of Student Affairs & Wellbeing
Hackensack Meridian School of Medicine
Office of Student Affairs and Wellbeing

TIMELY WARNING

PS&S will issue a “timely warning” notice in the event it receives notice of a Clery crime occurring at 123 Metro Blvd., Nutley, NJ 07110, on public property immediately adjacent to the building, or on non-campus property owned or controlled by HMSOM, where HMSOM determines, in its judgment, that the situation presents a serious or ongoing threat to the HMSOM community. For purposes of this policy, “timely” means as soon as reasonably practicable after an incident has been reported to PS&S.

Whether to issue a timely warning is determined on a case-by-case basis for the following Clery Act crimes: homicide, sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, and hate crimes, as defined by the Clery Act.

In deciding whether to issue a timely warning HMSOM will consider a number of factors to determine if there is a serious or ongoing threat to the HMSOM community. Those factors include, but are not limited to: 1) the nature of the incident; 2) when and where the incident occurred; and 3) the amount of the information known to PS&S. The reason why HMSOM does or does not issue a timely warning will be documented and maintained with a copy of the incident report for a period of seven (7) years by PS&S.

The content of timely warning will include at minimum, to the extent known, the date, time, and nature of the offense, a physical description of the actor(s), and where applicable, cautionary advice that would promote safety.

A timely warning is sent by email to all members of the HMSOM community by PS&S. Several members of the PS&S department have been trained to issue these warnings. HMSOM may also use the Everbridge System alerts, HMSOM’s text message service, to supplement the email message. Additional information about the incident may be sent by email, phone call, and/or text message.

EMERGENCY NOTIFICATION AND EVACUATION

Emergency Response Plan

HMSOM has a comprehensive Emergency Preparedness and Response Plan. The Plan details the processes and communications for a successful response to, and recovery from, an emergency incident.

PS&S' administrators and security managers have received training in Incident Command and Responding to Critical Incidents on campus. Depending upon the nature of the incident, other HMSOM departments and other local, state, or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures are part of HMSOM's Campus Security Act compliance efforts and is available on the PS&S website at <https://www.hmsom.org/en/ihp/public-safety/>.

Emergency Notification

HMSOM will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

PS&S is responsible for issuing emergency notifications. Several templates have been developed for notifications. The individual issuing the notification will select the appropriate template and modify it to reflect the specifics of the situation.

HMSOM has several systems it may use to communicate quickly with the community:

Everbridge System - This is HMSOM's electronic mass notification system through which warnings and instructions are transmitted to the HMSOM community via cellular voice, cellular text, landline telephone, and e-mail. All HMSOM community members are automatically registered to receive email messages and are encouraged to opt into Everbridge System alerts to receive messages through the other modes. In addition, all community members who provide a cell phone number as part of their application automatically have that number entered into the system. The Everbridge System is used throughout an emergency event to alert and warn the community of an impending or occurring hazard, to provide instructions such as "shelter-in-place," or to inform the community when the hazard has been abated. The Everbridge System may also be used to alert the community to hazards that are beyond the scope of crimes and locations specified by the Clery Act.

HMSOM Website and Email Alerts - For emergency events for which there is adequate warning time to alert the HMSOM community, warnings and detailed emergency instructions may be posted on the HMSOM website and broadcast via Email Community Alerts.

An emergency affecting the HMSOM community would generate concern from groups beyond the individual location. Emergency notification may be disseminated to the larger community through the HMSOM website and local, regional, or national media.

Drills, Tests and Exercises

Emergency notification systems including the emergency overhead alert system, emergency alarm, and Everbridge System alerts, are regularly tested throughout the year.

SECURITY AWARENESS & CRIME PREVENTION PROGRAMS

HMSOM encourages all members of the community to be active participants in the prevention of crime. PS&S leads this effort with the support of other campus departments through educational programs held throughout the year.

DRUG, ALCOHOL, AND SUBSTANCE ABUSE

The possession, sale, or the furnishing of alcohol at the IHSC is governed by HMSOM-policy and New Jersey state law.

The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Similarly, HMSOM policy (<https://hnh-som.policystat.com/policy/12245961/latest>) does not permit the use, possession, manufacture, or distribution of controlled substances, including paraphernalia, on the IHSC property. Enforcement of HMSOM policy is the responsibility of HMSOM leadership and PS&S personnel.

Violators of the HMSOM's alcohol and/or drug policies are subject to disciplinary sanction that may range to termination of employment or expulsion from HMSOM. In addition, individuals may be referred for criminal prosecution that may include fine and imprisonment.

For employees, substance abuse is detrimental to an individual's health and may jeopardize safety in the workplace. For these and other reasons, the unauthorized use, possession, storage, manufacture, distribution and sale of alcohol, controlled substances, and illegal drugs is prohibited on campus for all employees.

HMSOM is committed to a healthy environment for all members of our community. The HMSOM has an orientation program and comprehensive mandatory educational curriculum, which is reviewed periodically in accordance with HMSOM policy. More details about orientation, the education curriculum and policies can be found at <https://www.hackesnackmeridian.org/about/corporate-compliance-program/> and [https://www.hmsom.org/en/Student-Resources/ Student-Affairs/Student-Handbook](https://www.hmsom.org/en/Student-Resources/Student-Affairs/Student-Handbook)

CAMPUS SEXUAL VIOLENCE ELIMINATION ACT (SaVE Act)

The Campus SaVE Act, passed in 2013 as part of the Violence Against Women Reauthorization Act, amended the Clery Act to require that colleges and universities include important information about sexual misconduct and violent crime statistics, education, and security-related information in the Annual Security Report. The crime statistics are included at the end of this Report; the education and security-related information follow.

Education & Outreach – Students:

HMSOM is committed to fostering a positive and safe working and learning community. All students receive information in verbal and written form about HMSOM policies, resources, and

reporting procedures through student orientation and information on the HMSOM website, www.hmsom.org/en/studentaffairs.

Education & Outreach – Students and Employees:

All new students and employees attend Orientation within one (1) month of their start date. During this program, the Senior Associate Dean of Student Affairs and Wellbeing, the Title IX Coordinator, the Senior Associate Dean of Diversity, Equity, and Inclusion, and Human Resources present information to students and employees about HMSOM policies and practices as follows:

- Non-Discrimination Policy
- Non-Retaliation/Retribution for Reporting; Conscientious Employee Protection Act (CEPA) Policy
- Equal Employment Opportunity Policy
- Title IX Policy and Grievance Procedure
- Responsible Employees: Reporting Obligations Under Title IX
- Confidential Reporting Resources
- Resource Guide for Assisting Student Victims of Sexual Violence
- Reporting Options for Survivors

This information is presented orally and in written format.

All employees and faculty members are required to complete a comprehensive educational curriculum comprising approximately 70 on-line learning modules that address discrimination, sexual assault and harassment; human trafficking; diversity; whistleblowing; COVID-19; code of conduct; active shooter; as well as many other compliance matters. HMSOM promulgates a Title IX Grievance Procedures and has purchased a separate training module for employees and students. This on-line educational curriculum provides information on federal and NJ state law, as well as specific HMSOM policies and procedures. The training provides information on definitions of discrimination and sexual harassment including sexual violence, reporting protocols, and questions/vignettes to apply the definitions to different scenarios and fact patterns in order to assist with the understanding of the material.

The Title IX Coordinator offers ongoing training on resources, policies, and required reporting protocol to any student group, faculty, or staff department upon request.

Retaliation Policy:

Retaliation against an individual who exercised his or her right or responsibilities under the Campus SaVE Act is prohibited. HMSOM deems retaliation as a serious offense as outlined in its policies against retaliation.

Written Notification of Rights and Options:

HMSOM provides any written notifications of rights and opportunities required by, *inter alia*, the Non-Discrimination Policy and the Title IX Policy and Grievance Procedure.

Confidential Reporting - Students:

The HMSOM strongly encourages accurate and prompt reporting of these crimes to both campus officials and to local law enforcement. There are, however, options available for students and employees who wish to maintain confidentiality while getting the support they need.

Crimes reported to a member of the clergy or treating physicians, psychologists, or psychiatrists of HMH when that individual is acting in performance of his/her role as clergy, counselor, or medical provider, are considered

NOTE: A victim of sexual misconduct **always** has the options:

- A. To notify either the police or campus authorities.
- B. To obtain assistance from campus authorities to notify the police.
- C. To decline to notify the police or campus authorities.

confidential and will not be reported without the consent of the reporting individual. As a matter of practice, victims and witnesses are provided information as to how they may report a crime on or off campus. By law, members of HMH and HMSOM who are also treating medical providers are required to report when an individual has expressed intent to harm him/herself or others.

For Off-Campus Resources:

*To disclose **confidentially** the incident and obtain services from the state of New Jersey visit <http://www.state.nj.us/dcf/women/domestic/> or by calling the NJ Coalition Against Sexual Assault Hotline at 1(800) 601-7200.

Other assistance can also be obtained through:

- Legal Momentum: <https://www.legalmomentum.org>
- NJCASA: <https://njcasa.org/find-help>
- Safe Horizons: <http://www.safehorizon.org>

**Note that these hotlines and sites are for crisis intervention, resources, and referrals, and are not reporting mechanisms. Reporting Individuals are encouraged to additionally contact a campus official so that the HMSOM can take appropriate action in these cases.*

Confidential Reporting – Employees:

HMSOM strongly encourages accurate and prompt reporting of these crimes to both campus officials and to local law enforcement. There are, however, options available for employees who wish to maintain confidentiality.

Employees may follow the instructions contained in the following policies and procedures: HMH Code of Conduct; Non-Retaliation/Retribution for Reporting; Conscientious Employee Protection Act (CEPA), ComplyLine Operations, and Hackensack Meridian Health Corporate Compliance Plan

Preservation of Evidence and Medical Exam:

An individual who has encountered sexual assault can receive medical attention at any medical facility; however, certain facilities have specially trained staff to help survivors of sexual assault. Locally, these hospitals have sexual assault nurse examiners:

Hackensack Meridian Health Mountainside Medical Center
1 Bay Avenue
Montclair, NJ
973-429-6000

Newark Beth Israel Medical Center
201 Lyons Avenue
Newark, NJ
800-843-2384

Hackensack Meridian Jersey Shore University Medical Center
1945 NJ-33
Neptune City, NJ 07753
732-775-5500

It is important to preserve evidence that may be useful in obtaining a protective order or in proceeding with a criminal investigation should one choose to do so. Completing a forensic exam does not require a survivor to file a police report or report to HMSOM, although HMSOM encourages these reports if the survivor is comfortable doing so.

Medical exams can also address other physical needs or trauma and assess for sexually transmitted infections or pregnancy.

If possible, the survivor should not bathe, douche, smoke, use the toilet, or clean the location where the incident occurred. He/she should save items he/she was wearing, sheets and/ or towels in a paper bag.

Text messages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of sexual assault, dating violence, and domestic violence or stalking.

Privacy:

HMSOM will maintain as private any accommodations or protective measures provided to a survivor if it does not impair the ability to provide such measures. Personally identifiable information about survivors will not be included in any publicly available record-keeping, including the reporting and disclosure of crime statistics. In addition, should HMSOM be required to issue a Timely Warning as specified by the Clery Act, it will withhold the name and any identifying information of the survivor of any crime.

To Report an Incident of Sexual Misconduct or Sexual Violence:

To make a report against a student or for details about procedures, contact:
Ms. Diane Russo, MA
Title IX Coordinator
Hackensack Meridian School of Medicine
123 Metro Blvd.

Nutley, NJ 07110
Rm. 4218
862-660-5124 Office
862-485-4914 Mobile
Diane.Russo@hmn.org

To make a report against an employee, faculty member, or vendor or for details about procedures, contact:

Ms. Diane Russo, MA
Title IX Coordinator
Hackensack Meridian School of Medicine
123 Metro Blvd.
Nutley, NJ 07110
Rm. 4218
862-660-5124 Office
862-485-4914 Mobile
Diane.Russo@hmn.org

Dr. David S. Kountz
Senior Associate Dean of Diversity, Equity, and Inclusion
Hackensack Meridian School of Medicine
123 Metro Blvd.
Nutley, NJ 07110
Rm. 4215
973-542-6500
david.kountz@hmn.org

Hackensack Meridian Health
343 Thornall Avenue
Edison, NJ 08837
Department of Human Resources

To make a report to local law enforcement:

Nutley Police Department
228 Chestnut St.
Nutley, NJ 07110
973-284-4940

Clifton Police Department
900 Clifton Avenue
Clifton, NJ 07013
973-470-5900

HMSOM encourages reports to be made to the police and HMSOM will support you in doing so. PS&S will assist you in contacting local law enforcement agencies to initiate an investigation if you so choose.

Restraining Order and No Contact Order:

A Restraining Order is a legal order of protection issued in the state of New Jersey. To obtain a restraining order, you must go to the law enforcement agency where you live in NJ or where the incident occurred. After taking your statement, the police will arrange for you to speak with a judge (usually by phone) who will issue a Temporary Restraining Order. You will then be given a court date for when the judge will determine if the Temporary Restraining Order will become Permanent. Again, we will assist you in getting to the police, the courthouse, or any other related places. You can find more details about restraining orders in NJ at <https://www.njcourts.gov/attorneys/rules-of-court/57a-domestic-violence-restraining-orders>.

A No Contact Order is issued by HMSOM and only has authority over individuals associated with HMSOM. It limits contact between the parties. Violation of the No Contact Order is a violation of HMSOM policy and subject to separate review for disciplinary action.

Definitions:

The State of New Jersey definitions of Domestic Violence, Sexual Assault, and Stalking can be found later in this report with the other Crime Definitions. New Jersey does not have a definition for Consent.

Following are the definitions for HMSOM -

Consent:

Consent is the unambiguous, knowing, and voluntary agreement between the participants to engage in specific sexual activity. Consent must be demonstrated through mutually understandable words or actions clearly indicating a willingness to engage in that activity.

- Past consent between the participants does not imply future consent.
- Silence or the absence of resistance does not imply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be initially given but may be withdrawn at any time.
- Consent cannot be given under coercion, force, restraint, or threat.
- Children and minors cannot consent in accordance with New Jersey law. N.J.S.A 2C: 14-2.
- Consent cannot be given when asleep, unconscious, or incapacitated.

Incapacitation is not being able to knowingly choose to participate in a sexual activity. A person who is voluntarily or involuntarily intoxicated or drugged to the point of incapacitation, asleep, unconscious, involuntarily restrained, or otherwise unaware, cannot give consent.

Sexual Misconduct:

Sexual misconduct is unwelcome conduct of a sexual or gender-based nature that may adversely and unreasonably interfere with someone's education or work. It is determined based on the perspective of a reasonable person in the same circumstances as the person experiencing the misconduct. It is a form of discrimination and includes acts of sexual assault or sexual harassment as defined below. Sexual misconduct can occur in person or through email, the Internet, social media, or other technologies. Anyone, regardless of gender, affectional or sexual orientation, actual or perceived, or gender identity and expression, can be the victim of sexual misconduct.

- a. Sexual Assault: (Non-consensual intercourse). Sexual assault is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of that person.
- b. Sexual Assault: Non-consensual sexual contact. Nonconsensual sexual contact means the deliberate and unwelcome touching of another person's intimate parts (sexual organs, genital area, anal area, inner thigh, groin, buttock or breast of a person) without consent for sexual gratification or touching another with one's own intimate parts, without consent, and for the purpose of sexual gratification.
- c. Sexual Harassment. Sexual harassment is unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Hostile environment sexual harassment is based on a person's actual or perceived gender and is conduct that a reasonable person would consider so offensive, severe, persistent, or pervasive as to interfere with a person's ability to participate in educational or work activities or programs. Sexual harassment can be verbal, written, graphic, physical or through digital, online, or social media communications. Sexual harassment may occur between persons of any sex/gender and anyone can be sexually harassed. Harassment on the basis of sex may also occur without sexual advances or sexual overtones when conduct is directed at an individual or group because of their sex or gender.
- d. Dating and Domestic Violence. Both dating and domestic violence are prohibited forms of misconduct under this policy and do not have to involve sexual interaction. They frequently involve a pattern of abusive behavior within an intimate relationship where one partner uses fear and intimidation to harm or control the other.
 1. Dating violence is any act of violence committed against a person who is, or has been, in a social relationship of a romantic or intimate nature by a person accused of the violation. It can include verbal statements and/or physical actions and can include, but is not limited to, name-calling, hitting, threat of physical harm, and/or damaging property. Under New Jersey criminal law, dating violence is prosecuted as a form of domestic violence.
 2. Domestic violence involves criminal acts that are committed against a current or former spouse, an intimate partner, a person with whom the parties have a child in common, or with whom they live or once lived. Under New Jersey law, domestic violence includes, but is not limited to, criminal acts of homicide, assault, threats, kidnapping, criminal restraint, false imprisonment, sexual assault, criminal sexual contact, lewdness, criminal mischief, burglary, criminal trespass, harassment, and stalking.
- e. Stalking. Stalking is also a prohibited form of misconduct that does not have to involve sexual interaction. Stalking is a course of conduct (or series of acts) directed at a person on at least two or more occasions that would cause a reasonable person to fear for their personal safety or the safety of others or suffer substantial emotional distress. Stalking can include pursuing/following, unwanted communication, whether directly or through third parties, trespassing, surveillance, or other acts likely to intimidate, annoy, or alarm.

In matters involving allegations of sexual misconduct or discrimination, terms and conditions shall be interpreted consistent with the requirements of HMSOM's Policy Against Sexual Misconduct, Sexual Harassment and Retaliation.

Additional Notes on Victim's Rights in Pursuing a Complaint:

Victims have the right to pursue criminal charges against the accused/respondent. If the respondent is a student, complainants can also pursue campus action through the Office of Student Affairs and Wellbeing, the Title IX Coordinator, or the Senior Associate Dean of Diversity, Equity, and Inclusion regardless of where the offense occurred. Because of the sensitive nature of sex offenses, the case would be heard administratively or by an administrative board rather than through a student conduct board if the Respondent is a student.

- Victims have the right to choose counseling and medical treatment and to report and pursue their case through HMSOM's system and/or the off-campus court system. They have the right to refuse these options without reproach from any HMSOM personnel.
- Victims have the right to be treated with dignity and seriousness by HMSOM personnel.
- Victims of personal crimes have the right to be reasonably free from intimidation and harm.
- HMSOM personnel should inform victims that: 1) they are not responsible for crimes committed against them; 2) they should not consider themselves negligent or in any way a contributor to the crime; and 3) that adverse publicity for the college will NOT be a factor in deciding the best course of action.
- Victims will be made aware of appropriate support services, including counseling.

Assistance and Campus Resources - Students:

Regardless of whether the victim chooses to report what happened to local police or to the campus discipline system, there is assistance available, such as:

- Living accommodations - assistance with obtaining housing.
- Academic assistance - address difficulties with classes
- Transportation assistance – to get to the hospital, the police, etc.
- Counseling – confidential services available on campus
- Safety and Security – 24-hour escort service on campus
- No Contact Order – a HMSOM directive prohibiting direct or indirect contact between the victim and the Respondent when the Respondent is a student or employee.
- Persona Non Grata (PNG) – when the Respondent or the accused is not a student, he/she can be issued a PNG letter, limiting or prohibiting access to campus.

To obtain any of the above assistance, the victim is encouraged to speak with the Senior Associate Dean of Student Affairs and Wellbeing/Title IX Coordinator who will arrange the resources if requested and reasonably available. The Senior Associate Dean of Student Affairs and Wellbeing can be reached at (862) 660-5000, or Room 4115 at the IHS Campus.

Assistance and Campus Resources - Employees:

Regardless of whether the victim chooses to report what happened to local police or to the campus discipline system, there is assistance available, such as:

- Workplace Accommodations – assistance with a location or shift change if reasonably

available

- No Contact Order – a HMSOM directive prohibiting direct or indirect contact between the victim and the Respondent when the Respondent is a student or employee.

To obtain any of the above assistance, the victim is encouraged to speak with the Director of Human Resources at HMHN or the Title IX Coordinator at HMSOM who will arrange the resources if requested and reasonably available.

Disciplinary Procedures/VAWA:

The person bringing forth the report or complaint is referred to as the Complainant. The person against whom the complaint is made is referred to as the Respondent. The investigation/review/hearing procedure/process depends on the status of the respondent, e.g., whether the Respondent is a student or employee/faculty member/vendor. Disciplinary Procedures for HMSOM – Student Respondent and Employee Respondent are set forth in the Hackensack Meridian School of Medicine Title IX Grievance Procedures found at <https://hmh-som.policystat.com/policy/11694199/latest/>.

Standard of Evidence – Student Process:

That standard of evidence used to determine responsibility for violation of the Student Code of Academic and Professional Integrity is Preponderance of the Evidence.

Possible Sanctions:

A student found responsible for violation of HMSOM's policy of sexual misconduct is subject to any of the following possible sanctions as set forth in HMSOM policies at <https://hmh-som.policystat.com/>. The range of sanctions under the policy include but are not limited to a reprimand, restitution, no-contact order, revised schedule, suspension, expulsion, and termination of appointment or employment.

In addition to the above sanction(s), HMSOM may require an educational or developmental sanction such as required counseling, restricted access to campus or programs, or required service. Note that this type of sanction is additional and is not a sanction for sexual misconduct or violence by itself.

Suspension for any period of time or expulsion from HMSOM are noted on the academic transcript.

Employee Complaint Process:

In those cases when the accused is an employee of HMSOM/HMHN, the matter is referred to the Title IX Coordinator and Department of Human Resources.

The person making the complaint or report is called the Complainant. The person accused is called the Respondent. The investigation is conducted by an unbiased, trained investigator in Human Resources assisted by the Title IX Coordinator. The investigators will interview the Complainant, the Respondent, and any witnesses with direct knowledge about the incident. The investigators will also collect any evidence that directly relates to the incident.

HMSOM will provide the Complainant and Respondent with equal access to an Advisor of Choice (“Advisor”); if either party does not have access to an Advisor of Choice, HMSOM will provide a list of training advisers they can choose from.

Timeline-Employee Complaint Process:

All matters are handled as promptly as possible. The exact timeline will vary depending upon the complexity of the matter, the number of individuals involved, etc.

The Investigation and Final Report will normally be completed within 90 days of receipt of the complaint by the Title IX Coordinator or the Department of Human Resources, unless extended.

After receipt of the complaint by the Coordinator, the Coordinator will determine, in his/her discretion, whether the complaint falls within the Coordinator's authority and notify the Complainant.

Within ten (10) business days following the completion of the investigation, the Complainant and Respondent will be advised verbally of the findings at separate meetings with appropriate HMSOM personnel. A confirming letter may be provided.

Standard of Evidence-Employee Process:

In evaluating the evidence and assessing credibility, the Investigators will use a “more likely than not” (preponderance of the evidence) standard to find facts and determine whether a violation of HMSOM policy has occurred.

Sanctions-Employee Process:

If it is determined that a violation of HMSOM has occurred, the investigators will make recommendations as to responsive action. Final determination of responsive action is made by appropriate HMSOM personnel (i.e. supervisor, Human Resources).

When disciplinary action is recommended, such action may include one or more of the following:

- Informal and formal counseling
- Mandatory training
- Progressive disciplinary action
- No-contact directive
- Transfer of position
- Removal of administrative appointment
- Demotion
- Suspension
- Termination of employment

In addition to other sanctions, the Title IX Coordinator may recommend employment modifications, as may be appropriate, supervision and/or security at locations where the Prohibited Conduct occurred or is likely to recur; arrange for conducting targeted or broad-based educational programming or training for relevant persons or groups; and/or impose any other remedial or protective measures that are tailored to achieve the goals of the policy.

Grievance Procedure – Title IX

On May 19, 2020 the US Department of Education issued a final rule under Title IX of the Education Amendments of 1972. Only incidents which fall within the scope of the Final Rule's definition of "covered sexual harassment" will be handled in accordance with this Hackensack Meridian School of Medicine Title IX Grievance Procedures <https://hmh-som.policystat.com/policy/11694199/latest/>. All other incidents will be referred to the Student Conduct Process or Employee Process described above.

CAMPUS SEX CRIMES PREVENTION ACT

A law requiring convicted sex offenders to report to appropriate state and local agencies responsible for sex offender registration and document their enrollment as a student, volunteer or acceptance of employment at educational institutions. HMSOM will be notified of all offenders who fit the criteria. The New Jersey State Police website for information on registered sex offenders can be found at <https://nj.gov/njsp/sex-offender-registry/index.shtml>.

GOOD SAMARITAN POLICY

Student health and safety are fundamental to our community. Whenever there is concern for another student or belief that assistance is needed, students are expected to contact Public Safety. In the case of a medical emergency, students should immediately call 911.

Students who seek medical assistance for themselves or for an individual who is intoxicated or experiencing an alcohol-related emergency will not be subject to HMSOM disciplinary action related to the alcohol policy. Furthermore, the intoxicated student who receives medical assistance will not be subject to HMSOM disciplinary action.

When an incident that falls under the Good Samaritan Policy occurs, the student(s) involved will be required to meet with the Office of Student Affairs and Wellbeing to review the matter. While no formal disciplinary sanction (i.e. Probation) will be applied, an appropriate educational response may be. This may include participation in an educational class, mandated counseling assessment, additional fee for ambulance service, and/or parental notification. Failure to complete the educational requirements will result in referral to HMSOM's discipline system.

The following is also of important note:

- Other violations of the Student Code of Academic and Professional Integrity related to the same incident may be referred for disciplinary review and sanction.
- A student involved in more than one incident that falls under the Good Samaritan Policy may be subject to disciplinary sanction.
- Students may still be subject to local and state law for their behavior.
- HMSOM reserves the right to review each incident on a case-by-case basis.

For information about New Jersey's 9-1-1 Lifeline Legislation, please see https://www.njleg.state.nj.us/bill-search/2020/A3804/bill-text?f=A4000&n=3804_R1?

CRIME DEFINITIONS – FEDERAL

The Campus Security Act delineates what violations need to be reported. The offense definitions are excerpted from the Uniform Crime Reporting Handbook. The definitions of sex offenses are excerpted from the national-incident based reporting edition of the Uniform Crime Reporting Handbook (FBI Uniform Crime Reporting / National Incident-Based Reporting System definitions).

Criminal Homicide, Murder and Non-Negligent Manslaughter: The willful killing of one human being by another.

Criminal Homicide, Manslaughter by Negligence: The killing of another person through gross negligence.

Arson: Willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle, personal property of another.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm although it is not necessary that injury result when a weapon is used.

Robbery: The taking or attempted taking of anything of value from the care, custody or control of a person by force, threat of force or violence and/or by putting the victim in fear.

Burglary: Unlawful entry of a structure to commit a crime and all attempts to do so.

Motor Vehicle Theft: The taking or attempted taking or use of a motor vehicle by persons without lawful access.

Liquor Law Violations: Violations and attempted violations of laws and ordinances prohibiting the manufacturing, sale, transportation, possession or furnishing of intoxicating liquor including, but not limited to, maintaining unlawful drinking places; furnishing liquor to a minor or intoxicated person; and drinking on a common carrier.

Drug Abuse Violations: Violations of state and local laws related to possession, sale, use, growing or manufacturing narcotic drugs.

Weapons Law Violations: Violations of laws or ordinances dealing with weapons offenses that are regulatory in nature such as the manufacture, sale, or possession of deadly weapons, and all attempts to commit any of the aforementioned.

Weapons Policy

Firearms and dangerous weapons are not permitted on HMSOM property unless the possessor is a sworn law enforcement officer. The intentional use, possession and/or sale of weapons is a violation of New Jersey state law and HMSOM policy.

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

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age (age of consent in NJ is 17) or because of his/her temporary or permanent mental incapacity.

Incest: Non-forcible sexual intercourse between two persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's personal safety or the safety of others or suffer substantial emotional distress.

Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic violence laws of the jurisdiction in which the crime of violence occurred OR by any other person against an adult or youth victim who is protected under the domestic violence laws of the jurisdiction in which the crime of violence occurred.

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

CRIME DEFINITIONS – STATE OF NEW JERSEY

The Violence Against Women Act (**VAWA**) requires the inclusion of certain state definitions in the Campus Security Report and also requires that those definitions be provided in campaigns, orientations, programs and training for employees and students. Definitions required include consent, dating violence, domestic violence, sexual assault, and stalking. Note that the crime statistics listed later in this document are based upon federal definitions as required by the Campus Security Act, and are not reflective of state definitions.

Consent: The State of New Jersey State states that a person must be 16 years of age to legally consent to sexual activity.

Dating Violence: The state of New Jersey does not specifically define "dating violence." However, under New Jersey law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an "intimate relationship" with the victim.

Domestic Violence: Section 2C:25-19

Universal Citation: [NJ Rev Stat § 2C:25-19 \(2013\)](#)

2C:25-19. Definitions

3. As used in this act:

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

- (1) Homicide N.J.S.2C:11-1 et seq.
- (2) Assault N.J.S. 2C:12-1
- (3) Terroristic threats N.J.S.2C:12-3
- (4) Kidnapping N.J.S.2C:13-1
- (5) Criminal restraint N.J.S.2C:13-2
- (6) False imprisonment N.J.S.2C:13-3
- (7) Sexual assault N.J.S.2C:14-2
- (8) Criminal sexual contact N.J.S.2C:14-3
- (9) Lewdness N.J.S.2C:14-4
- (10) Criminal mischief N.J.S.2C:17-3
- (11) Burglary N.J.S.2C:18-2
- (12) Criminal trespass N.J.S.2C:18-3
- (13) Harassment N.J.S. 2C:33-4
- (14) Stalking P.L.1992, c.209 (C.2C:12-10)

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

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

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

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

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

Sexual Assault:2C:14-2 Sexual assault.

2C:14-2. Sexual assault. a. An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

- (1) The victim is less than 13 years old;
- (2) The victim is at least 13 but less than 16 years old; and
 - (a) The actor is related to the victim by blood or affinity to the third degree, or
 - (b) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or
 - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
- (3) The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape;
- (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;
- (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;
- (6) The actor uses physical force or coercion and severe personal injury is sustained by the victim;
- (7) The victim is one whom the actor knew or should have known was physically helpless, mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.

Aggravated sexual assault is a crime of the first degree.

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

c. An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

- (1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury;
- (2) The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status;
- (3) The victim is at least 16 but less than 18 years old and:
 - (a) The actor is related to the victim by blood or affinity to the third degree; or
 - (b) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim;or
- (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
- (4) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim.

Sexual assault is a crime of the second degree.

2C:14-3 Aggravated criminal sexual contact; criminal sexual contact

a. An actor is guilty of aggravated criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in 2C:14-2a. (2) through(7).

Aggravated criminal sexual contact is a crime of the third degree.

b. An actor is guilty of criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in section 2C:14-2c. (1) through(4).

Criminal sexual contact is a crime of the fourth degree.

Stalking: Section 2C:12-10

Universal Citation: NJ Rev Stat § 2C:12-10 (2013)

2C:12-10 Definitions; stalking designated a crime; degrees.

1. a. As used in this act:

(1) "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person.

(2) "Repeatedly" means on two or more occasions.

(3) "Emotional distress" means significant mental suffering or distress.

(4) "Cause a reasonable person to fear" means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.

b. A person is guilty of stalking, a crime of the fourth degree, if he purposely or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.

c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.

d. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.

e. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any

indictable offense under the laws of this State, any other state or the United States.

DEFINITIONS OF GEOGRAPHY

The following definitions are from *The Handbook for Campus Safety and Security Reporting*. PS&S is responsible for identifying HMSOM's geography as defined by the Clery Act.

On-Campus – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

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

Non-campus Buildings or Property – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

UNFOUNDED CRIMES

HMSOM will report a crime as "unfounded" only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

CLERY REPORTABLE CRIMES

Note: These statistics include all reports of crimes made to Campus Security Authorities, to PS&S, and to local law enforcement agencies. These are reports of crimes, and do not necessarily represent actual, investigated, or adjudicated crimes.

CRIMINAL OFFENSES

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2022	0	N/A	0	0
Manslaughter by Negligence	2022	0	N/A	0	0
Rape	2022	0	N/A	0	0
Fondling	2022	0	N/A	0	0
Incest	2022	0	N/A	0	0
Statutory Rape	2022	0	N/A	0	0
Robbery	2022	0	N/A	0	0
Aggravated Assault	2022	0	N/A	0	0
Burglary	2022	0	N/A	0	0
Motor Vehicle Theft	2022	0	N/A	0	0
Arson	2022	0	N/A	0	0

VAWA OFFENSES

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Domestic Violence	2022	0	N/A	0	0
Dating Violence	2022	0	N/A	0	0
Stalking	2022	0	N/A	0	0

ARRESTS & DISCIPLINARY REFERRALS

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Arrests: Weapons, Carrying, Possessing, etc.	2022	0	N/A	0	0
Disciplinary Referrals: Weapons, Carrying, Possessing, etc.	2022	0	N/A	0	0
Arrests: Drug Abuse Violations	2022	0	N/A	0	0
Disciplinary Referrals: Drug Abuse Violations	2022	0	N/A	0	0
Arrests: Liquor Law Violations	2022	0	N/A	0	0
Disciplinary Referrals: Liquor Law Violations	2022	0	N/A	0	0

Hate Crimes

There were no reported hate crimes at the IHSC in 2022.

HMSOM does not tolerate bias activity and will ensure that any reported incident is fully investigated. To report a bias crime, contact the Nutley Police Department at 973-284-4940, Clifton Police Department at 973-470-5900, and PS&S at (973)542-6600.