

# PASSAIC COUNTY COMMUNITY COLLEGE

The logo consists of a solid red square containing the college's name in white, bold, sans-serif capital letters. The text is arranged in four horizontal rows: 'P A S S A I C', 'C O U N T Y', 'C O M M U N I T Y', and 'C O L L E G E'.

P A S S A I C  
C O U N T Y  
C O M M U N I T Y  
C O L L E G E

## Student Handbook

**2022 - 2023**

## Welcome from the College President



Dear Students,

Passaic County Community College is dedicated to providing you with the best possible education. Through its 50 plus year history, tens of thousands of students have attended PCCC. While many come to earn a degree leading to transfer to a baccalaureate institution or employment, others come to improve their skills or simply in pursuit of knowledge. PCCC is a richly diverse College where all students are respected for their potential. Our faculty and staff are committed to helping you achieve your goals. While you undoubtedly will face many challenges, you can be certain that we will be here to help you in any way that we can.

You are entering PCCC at one of the most exciting times in its history. Our campuses in Paterson, Passaic, Wanaque and Wayne are vibrant academic centers with thousands of students enrolled. In addition, PCCC is one of the most technologically advanced campuses in the region.

On behalf of the entire Passaic County Community College family, I welcome you and wish you every success.

*Steven M. Rose, Ed.D.*  
*President*

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**PASSAIC COUNTY COMMUNITY COLLEGE**  
**VISION, MISSION, AND VALUES STATEMENT**

**VISION**

PCCC is a federally defined Minority Serving Institution (MSI) aspiring to be a premier community college that leads, inspires, and supports individuals in reaching their educational and career goals in a timely manner.

**MISSION**

PCCC prepares each student for a prosperous future through education and holistic support.

**CORE IDEALS**

- Provides programs that are high-quality, flexible, affordable, equity-driven and culturally responsive.
- Offers services that are committed to student success through program completion, transfer and career preparation.
- Serves as a resource in the community through sustained partnerships with employers and community-based agencies.
- Fosters a collegiate environment that is innovative, sustainable and forward-minded.

**PCCC VALUES**

**P** –partnerships and innovation

**A** –access and support

**S** – student focused

**S** – social & economic mobility

**A** – affordable excellence

**I** – inclusion and equity

**C** – care and courtesy

## **NAVIGATING PASSAIC COUNTY COMMUNITY COLLEGE**

PCCC has four (4) campuses: Paterson (Main Campus), Passaic Academic Center (PAC), Wanaque Academic Center (WAC) and the Public Safety Academy (PSA). All PCCC campuses are barrier-free and have parking facilities for people with disabilities. Elevators, ramps, and wheelchair lifts allow physically challenged students to attend and participate in collegiate activities with minimum inconvenience. Student ID cards are required to enter all buildings.

### **The Paterson Campus**

Located at One College Boulevard, Paterson, N.J. and consists of the following buildings:

#### **Academic Hall**

Academic Hall situated between Broadway and College Boulevard. All room numbers preceded by the letter “A” refer to rooms located in Academic Hall.

#### **The Spine**

A passageway, referred to as The Spine, crosses over College Boulevard and connects Academic Hall to Founders Hall on the second and third floors of each building.

#### **Founders Hall**

Founders Hall is situated between College Boulevard and Ellison Street. All room numbers preceded by the letter “E” refer to rooms located in Founders Hall.

#### **Hamilton Hall**

Hamilton Hall is located at 188 Ellison Street. All room numbers preceded by the letter “H” refer to rooms located in Hamilton Hall.

#### **Memorial Hall**

Memorial Hall is located at 200 Ellison St, and is connected to the Spine by a raised pedestrian bridge. All room numbers preceded by the prefix “M.”

#### **Enrollment and Student Services Building**

Enrollment and Student Services Building is located at 225 Market Street and houses Enrollment Services (Admissions, Financial Aid, and the Registrar), the Bursar and the Center for Student Success (Academic Advising and Tutoring). All room numbers preceded by “ES” refer to rooms located in the Enrollment and Student Services Building.

#### **Paterson Community Technology Center (CTC)**

The Paterson CTC is located at 218 Memorial Drive adjacent to the main campus. All room numbers preceded by the letters “CTC” refer to rooms located in the Paterson CTC.

#### **Broadway Academic Center**

Located at 126 Broadway adjacent to the main campus. All room numbers preceded by the letter “B” refer to rooms located in the Broadway Academic Center.

#### **Pruden Building**

Located at 44 Church Street, at the corner of Ellison Street. All room numbers preceded by “U”

refer to rooms located in the Pruden Building.

### **Adjunct Faculty Office**

Located at 3 Church Street. Adjunct faculty may use the Adjunct Office to meet with students as often as they find it necessary. For additional information, call 973-684-5302 or 973-684-5508.

### **Broadway Parking Garage**

The Parking Garage is located at 125 Broadway (Main Campus) for all PCCC students who are attending class or involved in other college approved activities. The Broadway Parking Garage is open Monday thru Friday 7:00am to 10:30pm and Saturdays 7:00am to 5:00pm.

For additional information about the Main Campus call 973-684-6800.

### **The Passaic Academic Center**

Located at 2 Paulison Avenue in Passaic, is the home of the Nurse Education, Medical Assistant and Dialysis Technician programs. In addition, a wide array of developmental, and college level courses are offered during the day, evening and on Saturday. Continuing Education, Workforce Development, and ELS non-credit courses are also offered. For additional information about the Passaic Academic Center, call 973-341-1600 or email [pac@pccc.edu](mailto:pac@pccc.edu).

### **The Wanaque Academic Center**

Located at 500 Union Avenue, just off exit 55 of Route 287 in Wanaque, New Jersey, the Wanaque Campus offers an array of day, evening, Saturday, credit and noncredit courses. All room numbers preceded by the letters “WAC” refer to rooms located at the Wanaque Academic Center. For additional information about the Wanaque Academic Center call 973-248-3000.

### **The Public Safety Academy**

Located at 300 Oldham Road, Wayne, New Jersey, is the home to all fire and emergency service training and offers a state-of-the-art training facility. In addition, regular classes are also offered in other disciplines as well as the Public Safety Academy. This 30,000 square foot complex has an academic building complete with classrooms and an auditorium. All room numbers preceded by the letters “PSA” refer to rooms located at the Public Safety Academy. For additional information about the Public Safety Academy call 973-304-3021.

### **College Book Store**

New, used, and digital textbooks may be purchased at the PCCC Bookstore. The college bookstore is located at 125 Broadway, Suite 104 near the **Main Campus in Paterson**. The hours are Monday - Thursday 9am-4pm and Fri 9 am-3 pm. The bookstore is closed on Saturdays and Sundays. The bookstore is open for extended periods during the five weeks around the start of each term. Special store hours are posted on the bookstore and college websites.

Some textbooks are available for rent at significant savings, a credit card is required for collateral(all credit cards are accepted). Textbook information may be obtained in any of the following ways:

1. from the student portal on the college website ([www.pccc.edu](http://www.pccc.edu));
2. from the shelf tags in the bookstore; and

3. on the bookstore website ([www.pcccshop.com](http://www.pcccshop.com)).

Textbook pricing is subject to change based on publisher pricing. The Bookstore return policy is posted on their website and is presented to students verbally and in writing. A wide variety of school supplies, gifts, clothing, computers and computer accessories and other items are for sale as well.

For more information, please call 973-247-9406 or email: [0664mgr@follet.com](mailto:0664mgr@follet.com)

## **Food Services**

Food Services operates a multi restaurant Food Court at PCCC's Paterson campus in addition to acafé located in the Wanaque Academic Center student lounge. The Passaic Academic Center and Public Safety Academy have vending machines in their respective cafeterias.

### **HOURS: *WHEN CLASSES ARE IN SESSION:***

#### **Paterson Campus Food Court** (Academic Hall, 1<sup>st</sup> Floor, Main Campus-Paterson)

- Monday through Friday breakfast service begins at 8:00 AM.
- Monday through Friday lunch and dinner service runs from 10:00 AM through 7:00 PM
- Vending machines are located throughout the campus

#### **Wanaque Academic Center Café**

- Monday-Thursday, 8:00 am - 1:30 pm
- Vending machines are located throughout the campus

#### **Passaic Academic Center Café**

- Monday-Thursday, Food trucks on site at the second floor loading dock
- Vending machines are located throughout the campus

### **Hours: *(When Classes are Not in Session):***

#### **Paterson Campus Cafeteria**

- Mon-Fri, 8:00 am - 2:00 pm
- (Closed on evenings and Saturdays)
- Vending machines are located throughout the campus

#### **Wanaque Campus Café - Closed**

- Vending machines are located throughout the campus

#### **Passaic Campus Café - Closed**

- Vending machines are located throughout the campus



## **Parking**

PCCC campus parking is a privilege, not a right. Parking is provided to students, faculty and staff who are engaged in College business and College-approved activities.

Everyone must register their vehicle with the PCCC Public Safety office. Then they will receive a parking decal for the vehicle used to park on campus and a copy of the Campus Parking Rules and Regulations. Access will be given to the Broadway Parking Garage-Paterson through the PCCC student ID card. The ID card must be swiped upon entering and exiting the parking garage.

To park in any college facility, the PCCC parking decal must be clearly displayed on the driver's side back window.

**Failure to display a valid decal while parking in the Paterson, Passaic or Wanaque campuses can result in your vehicle being towed.**

Everyone must adhere to campus parking regulations and/or regulations of municipal facilities used by PCCC for student, faculty, and staff parking.

For additional information and step by step guide for parking payments, please go to <https://newweb.pccc.edu/wp-content/uploads/2017/08/Paying-for-Parking.pdf>

## **GENERAL INFORMATION – LET’S GET STARTED**

*Students have a greater chance to succeed when they take responsibility for their learning and know how to navigate their educational experience at college.*

### **STUDENT IDENTIFICATION**

#### ***Student ID Number***

All PCCC applicants are given a unique number upon admission to the College. The college does not store academic record information by social security number. As such, communication in person and in writing needs your student ID number, not your social security number. Applying for financial aid, providing verification documentation to the Federal Government for aid and applying for employment will be the only time when your social security number will be utilized or required.

#### ***Student ID Cards***

It is PCCC’s policy that all students must obtain and carry the PCCC student ID card. The ID card is primarily used for accessing College buildings. In addition, your student ID must be presented to receive services from registration, advisement, financial aid, bookstore, learning resource center, student activities, and more. When on campus, students are required to have their student ID on their person and ready to show their ID when asked. Students who refuse to present their ID card are in violation of Article V. Section 18 of the Student Code of Conduct. The first ID is given free of charge. If an ID is lost or stolen, a new one can be purchased for \$15.00. As mentioned above, students will also need to know their student ID number when accessing services as well.

The PCCC Student ID card is obtained through Public Safety.

|                         |                |
|-------------------------|----------------|
| Main Campus – Paterson  | (973) 684-5403 |
| Passaic Academic Center | (973) 341-1600 |
| Wanaque Academic Center | (973) 248-3000 |

### **COLLEGE COMMUNICATION WITH STUDENTS**

The official communication method that Passaic County Community College uses to notify its students is through the PCCC email account. All college administration, staff and faculty use the PCCC email to communicate with students. This information could be reminding students of a deadline, responding to a question or informing students of an emergency notification regarding their safety. All students are eligible to receive a free email account after applying to the college. No other personal accounts will be used for any official college business, so make sure your PCCC email can be accessed and viewed on your hand-held devices or accessed through other electronic means. You may access your PCCC student email account directly from the MYPCCC ACCOUNT tab found on the homepage of the college's website at [www.pccc.edu](http://www.pccc.edu). Be sure to check it regularly.

## MY PCCC ACCOUNT

A PCCC Portal is created for students once the student is admitted.

- **Accessing your MY PCCC Student Portal Account**
  - First Time Users
    - Go to <https://newweb.pccc.edu/newstudentlogin/> and complete the First Time Login Tutorial.
  - Returning Users
    - Go to <https://pccc.edu>
    - Click on “MY PCCC ACCOUNT”
    - Click on “Student”
    - Login with your Login ID and Password
  - Password Reset for Returning Users
    - Go to <https://pccc.edu>
    - Click on “MY PCCC ACCOUNT”
    - Click on “Password Change”
    - Follow the instructions

After logging in, students will have access to the following services:

- **PCCC Student Email Account (@students.pccc.edu)**
  - E-mail is the official form of communication for the college and students are responsible for the information sent to their Student Email Account (@students.pccc.edu).
  - Important Billing, Financial Aid, Registration, and Academic information will be sent to this email account.
  - It is recommended that students add this email account to their mobile devices.
    - Download the Microsoft Outlook App from the App Store or Google Play.
    - Add your PCCC Student email account and stay on top of your college communications.
- **Self-Service:**
  - Students will find access to the following services when using Web Advisor/Self-Service:
    - Class Schedule and Academic Planning
    - Registration and Grades
    - Financial Aid
      - Including award letters and documents needed for verification
    - Pay and View Bills
  - It is recommended that students download the Panther Go App from the App Store or Google Play Store. This app gives students access to the above services on a mobile device. Go to <http://pccc.edu/panthergo> for download information.

- **Web Registration:**
  - Accessed through the Web Advisor/Self-Service tab, this allows you to register via the web.
  - You must meet with an Academic Advisor to discuss your schedule and ensure you are taking the courses appropriate to your major.
  - Web registration is only available to current students in good standing.
  
- **Office 365:**
  - Free to all students, this Microsoft cloud-based software service provides secure access to email and calendars.
  - Free Microsoft web apps including Word, Excel, and PowerPoint
  - OneDrive - you get 50 GB of free storage in the cloud to store your files and photos, sync across all your computers, and even edit and collaborate on Office documents.
  - Download and Install Microsoft Office Apps on up to 5 Devices. Go to <https://www.microsoft.com/en-us/education/products/office> for more information.
  
- **Other Services**
  - Blackboard: Faculty post course related information here for students to access
  - Panther Alert: Sign up to receive emergency notifications from the college
  - Student Orientation: Students should complete the online Student Orientation to become familiar with the College.
  
- **PCCC Help Desk for FAQs**
  - Students can access help articles at <https://helpdesk.pccc.edu> or call 973-684-6464.
  - The Help Desk assists the PCCC Community 24/7. Topics include the following and more:
    - Logging into portal and accessing an online class.
    - Password resets and accessing online support services.
    - Making an online payment and using web registration.
    - Completing an online application and the online FAFSA.
    - Accessing your student e-mail account (@students.pccc.edu) and grades.

**IN THE EVENT OF AN EMERGENCY**  
***Emergency Notification System (Panther Alert)***

College administration can quickly communicate with students, faculty and staff in case of emergency. This emergency notification system, “Panther Alert”, uses a layered approach to communicate reaching out the college community with emails, text messages, phone calls and postings to the college’s website. Login onto your PCCC portal, click the “Panther Alert” tab at the top and follow the information on the screen.

## Academic Information Everyone Should Know

Every student should know and comply with all policies and regulations written in this student handbook, the College Catalog, and in each semester's Schedule of Courses. Students should also be aware of and responsible for their academic standing at all times, including their cumulative and major grade point average, number of credits completed, and their progress toward meeting the graduation requirements for the degree they have selected.

### *Frequently Used Academic Words*

- **Academic Advisor** is a faculty or staff member who helps you plan a course of study.
- **Academic Standing** is a status based on your grade point average. You are in good academic standing if you maintain a certain grade point average on all your work. *Refer to College Catalog for more information.*
- **Add** is a process for adding courses to your registration. This process must be completed during the time frame indicated in the college calendar.
- **Audit** is when you attend classes without taking examinations or receiving course credit.
- **Co-requisite** is a course that must be taken at the same time as another course.
- **Credit** is a unit awarded for taking a course.
- **Dismissal** is an academic standing status. This occurs when your academic performance has been so poor that you are no longer permitted to attend PCCC.
- **Drop** is a process of dropping a course from your registration. The process must be completed during the timeframe indicated in the college calendar.
- **Elective** is a course which is not specifically required but offers credit toward a program or degree.
- **Enrollment Services** is a unit that provides support and assistance with admission, registration, student records and financial aid.
- **Face-to-Face courses** are taught on campus at the scheduled course times so that students can interact with their instructor and classmates in person. Course learning outcomes are the same as online, remote, and hybrid courses.
- **Final Exam** is a test given at the end of a course.
- **Final Grade** is the grade earned for a course which is posted to your permanent record.
- **Free Application for Federal Student Aid (FAFSA)** is a financial information document submitted at no cost by an applicant for student financial aid; that supplies information concerning income, assets, expenses and liabilities.
- **Full Time** is a course load consisting of 12 credits or more taken during a semester.
- **GPA** is the acronym for grade point average. Grade point average is determined by the number of hours attempted at Passaic County Community College and the grades received.
- **Grade Appeal** is when there is belief that there has been an error in the calculation or reporting of a final grade, or a question or concern about a final grade. The student should first contact the instructor. Should it be necessary to carry the inquiry further, follow the conflict resolution/appeal process found in the college catalog.
- **Guided Pathways** is a national movement that engages colleges in the systematic redesign of their academic programs and support services to provide students with clear roadmaps

and support from entry to completion. Pathways refer to broad categories of majors that are accompanied by targeted support services and interventions to keep students on track toward graduation, transfer and/or attainment of career credentials. (Completion by Design, 2016).

- **Hybrid courses** are taught using a combination of face-to-face and online activities and require students to attend on-campus, in-person scheduled classes. Access to a camera and microphone are required. Course learning outcomes are the same as face-to-face, online, and remote courses.
- **Instructor** is a faculty member assigned to teach a course and may also be referred to as professor.
- **Last day to drop** is the date designated in the college calendar and is the last day to receive a tuition refund when you drop a course.
- **Major** is the program of study you are pursuing.
- **Matriculate** is to declare a major
- **Online courses** are taught using Blackboard, and students are *not* typically required to log in at specific times. Assignments have deadlines, but students have the flexibility of studying where and when they want. *Professors can require students to take exams in person or online at specific date and time.* Access to a camera and microphone may be required. Course learning outcomes are the same as face-to-face, remote, and hybrid courses.
- **Overload** is enrollment for class hours in excess of 18 credits during fall or spring semester, in excess of 7 credits during summer. An overload requires permission from the Senior Vice President of Academic and Student Affairs before a student can register.
- **Part Time** status represents a course load of fewer than 12 credit hours during a term.
- **Pre-requisite** is a course that you must complete successfully before enrolling in a more advanced class.
- **Registration** is a process for enrolling in classes. Students enroll in courses using the PCCC portal or may enroll in person at any campus.
- **Remote Learning courses** are taught using Zoom and Blackboard and require students to log in at the scheduled course times to interact with their instructor and classmates. *Professors can require students to take exams in person or online at specific date and time.* Access to a camera and microphone are required. Course learning outcomes are the same as face-to-face, online, and hybrid courses.
- **Semester** is established by a College as a number of weeks of study during fall, winter, spring or summer.
- **Syllabus** is provided for each course and includes a course outline and requirements.
- **Term** represents fall, spring, and summer semesters.
- **Transcript** is a copy of your permanent academic record. It contains all courses and grades received at PCCC.
- **Withdrawal** is the formal act of dropping a course after the deadline to receive a refund and before the last day to process a withdrawal and receive a 'W' grade.

## ACADEMIC INTEGRITY POLICY

All members of the academic community at Passaic County Community College, including students of all modalities (such as face-to-face, online, remote, hybrid, and concurrent), must maintain a constant commitment to academic integrity. Academic integrity is central to the pursuit of education. For all PCCC students, this means maintaining the highest ethical standards in completing academic work. By completing their academic goals with integrity and honesty, students can reflect with pride in their accomplishments. All coursework submitted for each course should be current, original and unique for that particular course.

***Violations of the principle of academic integrity include (but are not limited to):***

### ***Cheating:***

Cheating is an act of deception by which students misrepresent ~~his or her~~ their mastery of material on a test or other academic exercise.

Examples of cheating include, but are not limited to the following:

1. Obtaining unauthorized assistance in any academic work.  
Some examples are:
  - Copying from another student's exam or work.
  - Using notes, books, or aids of any kind during an exam when prohibited.
  - Receiving unauthorized help from another student/person.
  - The acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff.
2. Fraudulent assistance to another student.  
Some examples are:
  - Completing an academic activity or taking an exam for someone else.
  - Giving answers to or sharing answers with another student during an exam.
  - Sharing knowledge of test questions with other students without permission.
3. Inappropriately, or unethically, using technological means to gain academic advantage.  
Some examples are:
  - Inappropriate or unethical acquisition of material via the Internet.
  - Using hidden devices for communication during an exam.
  - Using problem solving apps/devices.
  - Copying solutions.
  - Each instructor is authorized to establish specific guidelines consistent with this policy.

### ***Plagiarism:***

Plagiarism occurs when a person represents someone else's words, ideas, phrases, sentences or data as one's own work.

Examples of plagiarism include, but are not limited to the following:

1. Knowingly representing the work of others as a student's own work.  
Some examples are:
  - Submitting a paper or other academic work for credit, which includes words, ideas, data, or creative work of others without acknowledging the source, whether intended or not.
  - Using another author's words without enclosing them in quotation marks, without paraphrasing them, or without citing the source appropriately.
  - Presenting another individual's work as one's own.

## 2. Self-plagiarism.

Example:

- Submitting the same paper or academic assignment to another class without the permission of the instructor.

## 3. Internet Plagiarism

Some examples are:

- Submitting downloaded term papers or parts of term papers.
- Paraphrasing or copying information from the Internet without citing the source.
- “Copying and pasting” from various sources without proper attribution.
- Using problem solving apps/devices.
- Copying solutions from any source.

### ***Fabrication:***

Fabrication refers to the deliberate use of invented information or the falsification of research or other findings with the intent to deceive.

Examples of fabrication include, but are not limited to the following:

- Submitting any academic assignment containing falsified or fabricated data or results.
- Falsifying bibliographic entries.

### ***Sanctions for Academic Integrity Violations***

The faculty member shall review with the student the facts and circumstances of the suspected violation whenever possible. Sanctions for violations of the Academic Integrity Policy may be an academic sanction (reduced grade, a grade of “F” for the assignment, a grade of “F” for the course), or referral to the Student Affairs Office for a recommended disciplinary sanction (e.g., probation, suspension, or expulsion), or both.

In cases where the instructor seeks an academic sanction only, and the student does not contest either their guilt or the particular sanction, no further action will be taken.

In cases where the instructor seeks an academic sanction only, and the student denies guilt or disputes the reduced grade, the matter will be handled using the Academic Appeals Committee’s process. At that time, the student will have an opportunity to present and/or refute evidence.

In cases where a disciplinary sanction is sought, the faculty member will submit a written report to the Office of Student Affairs, which will then forward the matter to the Judicial Affairs Committee for adjudication.

### **APPEALING GRADES/GRIEVANCES**

An appeal procedure is available should a student feel that a final grade is unjustified. Appeals must be taken seriously and should be made only when the student feels there is strong evidence of injustice. In the case of a disputed grade, a student must file an appeal within ninety (90) days of the end of the semester in which the course was taken.

#### **Steps in Appeal Process:**

1. The student must discuss his/her concerns with the instructor.
2. If no agreement can be reached, then the student may appeal to the Chair of the department.



3. If no agreement can be reached, then the student may appeal to the Academic Appeals Committee, which will make a recommendation to the Senior Vice President for Academic and Student Affairs.
4. The student may appeal directly to the Senior Vice President for Academic and Student Affairs after the Academic Appeals Committee has made its recommendation.

## **ACADEMIC SUPPORT SERVICES**

### ***The Libraries at PCCC***

The PCCC Library provides both in-person and online support for the academic and research needs of the PCCC community. The Library's primary physical location is in Academic Hall on the Main Campus in Paterson. There are also Library facilities at the Wanaque Academic Center (WAC) and the Passaic Academic Center (PAC). The PCCC Library website, [www.pccc.edu/library](http://www.pccc.edu/library), is the online hub for all Library resources and services. The College community has access to numerous books (physical and electronic), online databases, Open Educational Resources (OER), Libguides, and other tutorials. Librarians are selectively present across campuses or available via chat, telephone, email and zoom, to provide services such as reference (research consultation), classroom instruction, workshops, OER training. For more information on any of these resources and services, please call 973-684-5888 or email [reference@pccc.edu](mailto:reference@pccc.edu).

## **STUDENT SERVICES – HERE TO ASSIST YOU**

Passaic County Community College offers a variety of resources and programs to support students in their academic achievement, educational goals, personal growth, and professional development. These services advance overall student development and become an integral component of the educational process, with the ultimate goal of strengthening learning outcomes. Staff offering these services are committed to responding to the full spectrum of diverse student needs and abilities. Students are encouraged to take advantage of the services. Students who have questions or problems with these services should feel free to contact the respective directors.

**THE OFFICE OF STUDENT AFFAIRS** – serves as a liaison for all student concerns and non-academic grievances, makes referrals and connects students with other appropriate resources on campus. Promoting a campus environment that provides an opportunity for all students to learn, develop and grow is an important function of this office. We encourage you to take advantage of all of these services we offer to help you to be a successful student. Contact the Associate Vice President/Dean of Students Affairs and Services, Sharon Goldstein, Ph.D. at 973-684-6309 or [studentaffairs@pccc.edu](mailto:studentaffairs@pccc.edu).

**THE BURSAR'S OFFICE** - is responsible for collecting tuition and fees, maintaining student accounts, and collecting all auxiliary payments such as alumni memberships and replacement of school ID's and parking stickers. They are also responsible for the distribution of all student refund checks, including financial aid disbursements. Hours of Operation are: Monday and Thursday from 8:30 a.m. to 7:00 p.m.; Tuesday, Wednesday, Friday from 8:30 a.m. to 4:30 p.m., Contact: [bursar@pccc.edu](mailto:bursar@pccc.edu) or (973) 684-5202 and/or 5204.

**CAREER SERVICES** - offers a wide variety of career development services, career assessments, professional development workshops, job placement assistance, career fairs, and online resources to assist you with your career needs. Career Services are available In Person, remotely, via internet, phone, or email. Virtual and In-Person opportunities are offered to connect students to employers. The staff is available to help students explore their career options and opportunities. Email [careerservices@pccc.edu](mailto:careerservices@pccc.edu) or Tom Moore at [tmoore@pccc.edu](mailto:tmoore@pccc.edu).

**THE CENTER FOR STUDENT SUCCESS** - Advising is an integral component of the educational process at Passaic County Community College. It is a shared responsibility between students, faculty, and staff. The CSS staff is dedicated to facilitating an advisement process that connects students to supportive personnel and resources; encouraging self-understanding, informed decision making, and student success. We are committed to helping the student understand the value of education and achieve their personal, academic, and professional goals.

Located on the 2<sup>nd</sup> floor of the 225 Market Street building, students can drop-in or schedule an appointment by calling 973.684.5524. For quick responses you may email [success@pccc.edu](mailto:success@pccc.edu). Allow 24 hours for a response. Hours of Operation can be found on the web at <http://www.pccc.edu/prospective/student-services/center-for-student-success/academic-advisement>.

Students are more likely to successfully complete a degree on time if they develop a plan early in their academic career, have a clear map what courses they need (and do not take courses that don't apply to their degree), and get necessary support in a timely fashion. The Center for Student Success will coordinate faculty and staff advisors' guidance to create these maps, and to help students stay on their plans. Students will also have access to the Student Planning Module\* through their PCCC portal, where they can review and revise their academic plan, looking forward several semesters at a time.

**Student Planning Module** - The Student Planning Module (SPM) is the latest technology at PCCC that allows students to plan their course schedule, register for classes, and monitor their progress to graduation.

In the College Success course or the Center for Student Success students will learn about the features of the SPM and how to plan courses for the next two or more semesters. Students can also use this tool to register for courses and view their final grades.

To use the SPM:

- Log into your PCCC portal account
- Select Web Advisor/Self Service
- Self Service
- Student Planning

**THE CENTER FOR VIOLENCE PREVENTION (CVP)** - links the college community with education, services, support, and resources on issues of domestic and dating violence, sexual assault, harassment, stalking and other instances of Intimate Partner Violence (IPV) on campus. CVP developed a variety of programs to prevent, address, educate, and raise awareness of these issues to meet the needs of students, staff, and faculty. CVP is located on the Main Campus in Memorial Hall, Room M-247 and provides the following supports to the entire College Community:

- (1) Accessibility and referrals to community resources and victim services in and out of Passaic County
- (2) Education and collaboration through prevention education efforts specific to IPV
- (3) In-person and virtual trainings, group discussions, awareness events, etc., are tailored to different target audiences within PCCC

**Office hours:**

**Mondays thru Fridays 8:30am to 4:30pm**

We are available to meet over Zoom, by phone or in-person.

CVP understands that most situations or issues can be unexpected and/or with a sense of urgency; we encourage you to contact us at your convenience. We will be sure to respond within one (1) business day. We can be reached via email: [Advocacy@pccc.edu](mailto:Advocacy@pccc.edu) or phone (973) 684-5554.

**CHILD DEVELOPMENT CENTER (CDC)** - is dedicated to offering a safe and healthy environment where parents or faculty and staff can attend classes/work at the college with the security of knowing that their children are in good hands. Our Center achieved Accreditation through the National Association for the Education of Young Children (NAEYC) and has been in good standing since 2009. The Center also received a 3-Star rating in Grow NJ Kids, another quality rating system. In addition to the high-quality curriculum and educated, nurturing staff, the Center also strives to support families by offering monthly workshops, home visits, and helpful community resources. Currently we offer 2 programs. The first is a free program for Paterson residents, ages 3 or 4 (by October 31<sup>st</sup> of the current year). The second program is a private tuition based program open to the community as well as the college. We accept funding for this classroom if applicable. For more information about our Child Development Center, please call 973- 684-5915 or 973-684-6073.

**THE OFFICE of ACCESSIBILITY (formerly DISABILITY) SERVICES (ODS)** - coordinates assistance for students with disabilities. Students should schedule a meeting with an Accessibility Services Specialist and submit appropriate documentation. Accessibility Service Specialist are available on the Main, Passaic and Wanaque campuses. Appointments can be made at the Office of Accessibility Services (Memorial Hall room 244, Main campus) or by calling 973-684-6395 or emailing [ods@pccc.edu](mailto:ods@pccc.edu) The Director of Student Accessibility Services, serves as a connecting link between students with disabilities and the college, provides Accessibility related accommodations, information and referral services. The Office of Accessibility Services is located on the Paterson Campus (M245).

**EDUCATIONAL OPPORTUNITY FUND PROGRAM (EOF)** - Instituted and sponsored by the State of New Jersey over 50 years ago, EOF is an academic support program that provides access to higher education for low-income students from historically resilient communities. Students must apply and are selected for participation in the program based on their documented financial needs and potential for success. The EOF Program team subscribes to an equity-based approach designed to meet all students where they are in their development as scholars and professionals. EOF students are afforded individual and group advisement while at PCCC and through the transfer process to EOF Programs at four-year New Jersey colleges and universities. This is done in conjunction with high-powered academic support provided in the EOF Academic Resource Center (ARC). The EOF Program also provides leadership development and career preparation workshops. All students in the program are encouraged to practice responsible citizenship through service projects designed to broaden their worldview and enhance their ability to improve their lives and the lives of others. Eligible students receive a grant from the State of New Jersey. All EOF students must attend PCCC full-time, be New Jersey residents for at least one year, and meet all program requirements. For additional information about the EOF Program, please visit our website: [www.pccc.edu/eof](http://www.pccc.edu/eof). Our application is available online.

**FINANCIAL AID** - Financial Aid provides an opportunity for students to receive funding to assist in paying for educational costs. Financial Aid Officers are here to support you in navigating and understanding your rights and responsibilities as a recipient of financial aid. General information about Financial Aid can be found on our website: <https://web.pccc.edu/paying-for-college/financial-aid/>

Once you have completed your FAFSA (<https://studentaid.gov/>) or your NJ Alternative Application (<https://www.hesaa.org/pages/njalternativeapplication.aspx>) and received financial aid, you need to follow state and federal guidelines for maintaining your financial aid. Important financial aid policies are located on our website: <https://web.pccc.edu/paying-for-college/financial-aid/policies/>

**Grades Count!** In the College Catalog (found online at <https://catalog/pccc.edu>) you will find the financial aid policy concerning Satisfactory Academic Performance; this policy is also outlined on our website on the financial aid policies page.

**Dropping a course may affect your financial aid!** Even if you have good grades, dropping a course or courses may put your financial aid at risk. To remain eligible for financial aid, it is important that you complete all the courses you enroll in for each semester. Please note that “D” grades do not count as successfully completed courses for ESL, Developmental Studies or courses in the major.

Your financial aid information is maintained in the portal – **MY PCCC** – within Self-Service. Select Financial Aid from the main menu to view your financial aid awards, upload documents, check your satisfactory academic progress status, and connect with your Financial Aid Officer.

If you need more information, or if you are concerned about your financial aid eligibility, please visit the PCCC Financial Aid Office in the Enrollment Services Building on the Main Campus in Paterson, at 225 Market or call 973- 684- 8022. **Don’t think you qualify for financial aid?** Apply anyway, as you may be eligible for a College Scholarship Fund award from the PCCC Foundation!

In addition to awarding and monitoring state and Federal aid, the financial aid office administers scholarships from the PCCC Foundation. The foundation raises money each year to help offset the cost of tuition for PCCC students who do not qualify for aid or limited aid. Applications are available on the PCCC website: <https://web.pccc.edu/paying-for-college/financial-aid/financialaid-forms/>

**PUBLIC SAFETY** - The Passaic County Community College Public Safety Department is dedicated to developing partnerships with the community we serve including students, faculty and staff in order to enhance the goal of providing quality higher education in a safe and secure atmosphere. Through these partnerships, we will preserve a learning environment that supports academic freedom, respect for diversity, fair and equal treatment to all, and an open exchange of ideas.

**Campus Safety: Our Top Priority** – The highest priority of the Public Safety Department is to support the college community by providing protective services to all individuals who use our campuses. That goal, however, is best achieved when the college community joins forces with Public Safety as partners in security initiatives such as being aware of your surroundings, avoiding undue risk, taking responsibility for your actions and possessions, and taking ownership of the college by reporting suspicious activity immediately.

**Campus Crime Report** - Federal regulations call for colleges and universities to report crime statistics to students and employees (and upon request to applicants for enrollment or employment). These requirements stem from the Federal Campus Security Act of 1990 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Higher Education Act, 1998 Amendments). Passaic County Community College’s detailed results are available at the website: [www.pccc.edu](http://www.pccc.edu). Search: Crime Statistics/Security Report.

To report an emergency on any of the campuses, please call the following:

|                          |                |
|--------------------------|----------------|
| Paterson – Main Campus:  | (973) 684-5403 |
| Passaic Academic Center: | (973) 341-1600 |
| Public Safety Academy:   | (973) 304-6021 |
| Wanaque Academic Center: | (973) 248-3000 |

**REGISTRAR'S OFFICE** - The Office of the Registrar's principal goal is to maintain accurate records and required documentation on academic programs and student progress. In addition to important processing functions, the Registrar plays an important role in admissions, scheduling, graduation, reporting, records management policy development, and communications. The Registrar works collaboratively with The Center for Student Success and the Academic Chairs to ensure that students are in compliance with all academic requirements. The Registrar's office is located on the main campus and can be reached by calling 973-684-6400 or emailing registrar@pccc.edu. The hours of operation are Thursday 8:30am-7:00pm and Monday, Tuesday, Wednesday, and Friday 8:30am- 4:30pm during the Fall and Spring terms only. Please be sure to check the college website for updates: [www.pccc.edu](http://www.pccc.edu).

**STUDENT ADVOCACY** – The Office of Student Advocacy seeks to help students address and overcome any non-academic barriers that may impede their college success. This includes: mental health issues, homelessness, food insecurity, family and relationship issues, substance abuse, stress management, legal issues, and more. The Office of Student Advocacy will provide short term counseling, resources, assistance, and referrals for students struggling with life issues outside of the classroom. The Office also provides the College community with health and wellness resources, information, and tools. The Coordinator is a Licensed Clinical Social Worker who can provide crisis intervention and short term therapeutic counseling with referrals to appropriate community resources. The Faculty and staff may refer a student to the Office of Student Advocacy at any time.

Student Advocacy is available to the college community in a variety of ways. Students can meet in-person or via telephone, email, or by Zoom. Appointments are encouraged. The Office provides virtual and in-office drop-in hours, as well as, in-person and virtual support forums and information sharing platforms available to all students. On campus, Student Advocacy provides workshops, wellness programming and events for the college community. Student Advocacy is located in Founder's Hall, Room E201. The Office can be reached by calling: 973-684-5554 or emailing [studentadvocacy@pccc.edu](mailto:studentadvocacy@pccc.edu).

**TRANSFER SERVICES** - offers assistance to students who are planning to transfer to a university to complete a Bachelor degree. Transfer Services are available In Person, or remotely, via internet, phone, or email. Virtual and In-Person opportunities are offered to connect students to four-year institutions and scholarship opportunities. The staff is available to help students explore their transfer opportunities and create a plan to reach their goals. Encourage students to contact the staff via email to help them explore all their transfer needs. Email Liz Harrison at [EHarrison@pccc.edu](mailto:EHarrison@pccc.edu).

**THE OFFICE OF VETERAN AND MILITARY AFFAIRS** - assists veterans and all other members of the military-affiliated community in taking advantage of the numerous educational opportunities available through the GI Bill and other programs. Passaic County Community college is approved for enrollment certification of students eligible to receive educational assistance (GI Bill) from the U.S. Department of Veteran Affairs (V.A.). Services are available In Person in Memorial Hall M244, remotely, phone, or email. If you have questions please contact the Director of Veteran and Military Affairs at 973-684-5664.

**TRIO – STUDENT SUPPORT SERVICES (SSS)** The history of TRiO is progressive. It began with Upward Bound which emerged out of the Economic Opportunity Act of 1964 in response to the administration’s War on Poverty. In 1965, Talent Search, the second outreach program was created as part of the Higher Education Act. In 1968, Student Support Services, which was originally known as Special Services for Disadvantaged Students, was authorized by the Higher Education Amendments and became the third in a series of educational opportunity programs. By the late 1960’s, the term “TRIO” was coined to describe these federal programs. TRiO programs were the first national college access and retention programs to address the serious social and cultural barriers to education in America.

TRiO Student Support Services (SSS) at Passaic County Community College (PCCC) is a post-secondary academic program designed to support students through graduation and transfer to a four-year institution. Student Support Services at PCCC provides services that are supportive of retention and success; and, includes tutoring, assistance with information on the full range of student financial aid applications; and, in applying for admission to and obtaining advice and assistance for enrollment in four-year programs. Eligible participants may apply for Grant Aid, Childcare, and Book Vouchers.

To be eligible to participate in SSS Programs, a student must:

1. Have a demonstrated need for academic support;
2. Be a citizen or national of the United States or meets the residency requirements for federal student financial assistance;
3. Be enrolled at PCCC or is accepted for enrollment at PCCC;
4. Meet the federal low-income guidelines;
5. Be a first generation college student (an individual both of whose parents did not complete a baccalaureate degree or in the case of any individual who regularly resided with and received support from only one parent, an individual whose only such parent did not complete a baccalaureate degree);
6. Or, be an individual with disabilities registered through the Office of Accessibility Services.

There are three (3) TRiO Student Support Services Programs available to PCCC students:

- **Student Support Services – Classic** serves 160 students seeking to complete a certificate/degree program
- **Student Support Services – ESL** serves 140 students tracked and enrolled in ESL levels 030, 040 and 107 seeking to complete a certificate/degree program.
- **Student Support Services – STEM** serves 120 students seeking to complete a certificate/degree program in Science, Technology, Engineering, Mathematics and Health Sciences (Nursing, Radiography, Occupational Therapy, Health Education, Public Health, and other Health related majors).

For more information, please contact:

- **SSS – Classic:** Cassandra E. Davis, Director, by email at [cdavis@pccc.edu](mailto:cdavis@pccc.edu)
- **SSS – ESL:** Stephanie A. Velasquez-Gannon, Director, by email at [svelasquez@pccc.edu](mailto:svelasquez@pccc.edu)
- **SSS – STEM:** Jihan Ahmed, Director, by email at [jahmed@pccc.edu](mailto:jahmed@pccc.edu)





## **Student Involvement: Your Passport to Getting Involved**

**OFFICE OF STUDENT ACTIVITIES (OSA)** - The Office of Student Activities (OSA) works closely with the Student Government Association (SGA) to be the bridge to student involvement, leadership, and the implementation of campus programming for students at Passaic County Community College (PCCC). The OSA oversees programs and events at the Paterson Main Campus (PAT), Wanaque Academic Center (WAC), and Passaic Academic Center (PAC).

Our mission is to provide co-curricular programs and activities that enhance the student experience at Passaic County Community College. We provide students with educational, social, cultural, and leadership development opportunities. For additional information stop by one of our offices on the Paterson Main Campus in E102 or Wanaque Academic Center in W139.

OSA can be reached via:

- **Phone:** 973-684-7191
- **Email:** [osa@pccc.edu](mailto:osa@pccc.edu).
- **Social Media:**  [PCCC Student Activities](#)  [pcccpanthers](#)
- **Our website:** [www.pccc.edu/osa](http://www.pccc.edu/osa)

**STUDENT GOVERNMENT ASSOCIATION (SGA)** - The Student Government Association is comprised of an Executive Branch (President, Vice President, Secretary, and treasurer), a Legislative Branch (Speaker and Senators) and advisors. Its function includes providing students with the opportunity to experience and receive training in a democratic form of government. Student representatives within the SGA are elected by the student body in a collegewide election for a one-year term and serve as the official voice of the student body to the faculty, staff, and the administration. The SGA works tirelessly to provide you, the students, with the best college experience possible and listens to your compliments, complaints, and all college-related issues.

**SGA can be reached via:**

- **Phone:** 973-684-5255
- **Email:** [sga@pccc.edu](mailto:sga@pccc.edu)
- **PCCC Portal Page**  [Student Government Association Page](#)

### **Not sure you can commit to a leadership position within the SGA?**

Below are SGA committees you can participate in at your own pace. SGA committees are chaired by the SGA Executive Branch and Legislative Branch and as a student, you can apply to become a contributing member.

**Awards Evaluation Committee (AEC)** – The AEC reviews the awards policies, guidelines, oversees the nominations process and certifies results. They plan and execute the awards ceremony at the end of the spring semester.

**Academic Committee (AC)** – The AC conducts academic surveys at all three campuses

to help improve the academic experience of all PCCC students.

***Constitutional Review Committee (CRC)*** – The CRC reviews the current constitution of the SGA and recommend amendments if necessary.

***Election Review Committee (ERC)*** – The ERC reviews the current election policies and guidelines. The committee oversees the election process and certify elections results.

***Club Activities and Finance Committee (CAF)*** – The CAF is comprised of the leadership of PCCC clubs. Members of the CAF committee review registration for new clubs, and current clubs. They have the jurisdiction to make recommendation to the SGA in regards to club funds allocation, make recommendations for clubs, and foster cooperation. (Note: membership to this committee is limited to club leaders).

***Student Programming Committee (SPC)*** – The SPC is dedicated to improving student life at Passaic County Community College. The committee coordinates all major programs for the student body. They plan and execute events such as the Welcome Week, Spring Week, and Summer Trips.

### **Clubs and Organizations are another way to get involved on campus!**

**CLUBS AND ORGANIZATIONS** - The SGA offers an array of student clubs and organizations lead by students and have faculty/staff advisor(s). Each organization is responsible for planning activities, which include educational workshops, social events and community service projects. [Click here](#) to find out more and if we don't have what you are looking for, we will be more than happy to help you start a club.

#### **Here are some benefits of becoming involved:**

1. Transferable leadership skills
2. Abundant networking opportunities
3. Increased interactions with peers, faculty, and administrators.
4. Enhanced time management and project management skills
5. Opportunities to participate in retreats to places such as Washington D.C.

**GAME ROOM (Panther's Den):** The game room is a student activities lounge located in the Gymnasium. It is equipped with wide screen televisions, audio video equipment and comfortable furniture. Services include a variety of board games, pool, ping pong, and video games.

**NEW STUDENT ORIENTATION AND FIRST YEAR PROGRAM**– PCCC's New Student Orientation and First Year Program supports new students' retention and persistence. The Program facilitates the transition of new students into the College and an introduction to the intellectual, cultural, and social facets of the PCCC

community. For more information email the NSOP at [orientation@pccc.edu](mailto:orientation@pccc.edu).

**Orientation Leaders (OLs)** - The Orientation Leaders are a dedicated group of students who promote new student involvement on campus. To become an Orientation Leader, students must be currently enrolled, have completed the College Success Course and have maintained a 2.5 GPA.

**ATHLETIC DEPARTMENT** - The College presently competes in the following Division III intercollegiate conference/regional play of Men's and Women's Basketball, and Men's and Women's Volleyball. To become eligible, students must submit **official transcripts** and **valid physical form** prior to playing season, be full-time with **12 or more credits** and **maintain a 2.0 G.P.A.** or better per semester, fill in all gaps between high school graduation date and the current semester (if applicable) \*this must be detailed, including all dates, employment, locations, etc., sign and date all forms relevant to student-athlete eligibility\*. Passaic County Community College is a member of the NJCAA Region XIX and Garden State Athletic Conference. Our athletic teams are very competitive in conference and regional play. The Men's and Women's Basketball have won conference and regional championships over the past 6 years. Both teams have earned several opportunities to compete at NJCAA Post-Season Tournaments. For further information, please contact the Athletic Director at 973-754-7192, or email [athletics@pccc.edu](mailto:athletics@pccc.edu).

**ESports Program** – The PCCC ESports Program is currently an online/remote recreational service on behalf of the College Community. Proof of PCCC Enrollment as a part-time or full-time student is required to participate during scheduled semesters. For more information about PCCC ESports, please contact the Athletic Director at 973-754-7192 or email [athletics@pccc.edu](mailto:athletics@pccc.edu)

**Recreation & Fitness Activity** - The College offers several recreation and fitness activity during the regular school year. These programs are designed to meet the leisure needs of students, faculty and staff while promoting health and wellness. Co-ed activity is highly encouraged and recreational programs in volleyball, basketball along with soccer are very popular in the gymnasium. Participants can also make use of the campus fitness center provided they present a valid PCCC ID card.

**The Fitness Centers:**

Provides state-of-the-art fitness equipment, showers, lockers, and flat screen televisions. Fitness center operating schedule may vary at the Paterson (Main) campus and the Wanaque Academic Center. For more information contact Paterson Fitness Center at 973-684-6800 or Wanaque Fitness Center at 973-248-3000.

## **STUDENT RIGHTS & RESPONSIBILITIES**

### **Student Rights:**

1. A student shall have the right to participate in a free exchange of ideas and there shall be no College rule or administrative rule that in any way abridges the rights of freedom of speech, expression, petition and peaceful assembly as set forth, in the US constitution.
2. Each student shall have the right to participate in all areas and activities of the College, free from any form of discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation or veteran status in accordance with applicable federal and state laws.
3. A student has the right to personal privacy except as otherwise provided by law and this will be observed by students and College officials alike.
4. Each Student subject to disciplinary actions arising from violations of college student's rules shall be assured a fundamentally fair process.

### **Student Responsibilities:**

1. A student shall have the responsibility to respect the rights and property of others, including other students, faculty and College officials.
2. A Student has the responsibility to be fully acquainted with the published College rules, policies and procedures and to comply with them, as well as federal, state and local laws.
3. A student has the responsibility to recognize their student actions reflect upon the individuals involved and upon the entire College community.
4. A student has the responsibility to maintain a level of behavior which is consistent in supporting the learning environment of the institution and to recognized the College's obligations to provide an environment of learning.

## **POLICIES AND PROCEDURES**

### **THE AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT: INFORMATION AND GRIEVANCE PROCEDURE**

Passaic County Community College (PCCC) recognizes the human dignity of each member of the College community and expects all employees and students to promote respect and dignity for others so that all employees and students are free to pursue their goals in an open environment, able to participate in the free exchange of ideas, and able to share equally in the benefits of the College's employment opportunities and educational programs and activities.

*The Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. To be protected by the ADA, one must have a disability. An individual with a disability is defined by the ADA as someone who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.*

**Section 504, Rehabilitation Act** prohibits discrimination on the basis of disability in programs receiving federal financial assistance and in the employment practices of federal contractors. The Act requires the provision of reasonable accommodation for individuals with disabilities, allowing them an equal opportunity to access and participate in work and education related programs and activities.

Individuals with concerns or questions about the ADA or Section 504 of the Rehabilitation Act should contact:

#### **Non-Students**

Debra Hannibal  
Associate Director, Human Resources

Room # E305, Paterson Campus  
973-684-6154

[dehannibal@pccc.edu](mailto:dehannibal@pccc.edu)

#### **Students**

Darleen McGrath Florance  
Director, Office of  
Accessibility Services  
Room # M244, Paterson Campus  
973-684-6395

[dmcgrathflorance@pccc.edu](mailto:dmcgrathflorance@pccc.edu)

If you feel that your needs are not being appropriately addressed,

contact: Jose Fernandez  
Associate Vice President Human Resources  
Title IX/ ADA/Section 504 Coordinator  
Room # 305, Paterson Campus  
973-684-6705  
[jfernandez@pccc.edu](mailto:jfernandez@pccc.edu)

## REASONABLE ACCOMMODATIONS

Passaic County Community College is committed to providing access to its programs for people with disabilities. The Office of Accessibility Services is dedicated to the equality of educational opportunity and the Office of Human Resources (HR) is committed to the equality of workplace opportunity. Both are steadfast to the creation of a campus environment that is free of discrimination and bias in matters affecting people with disabilities. The ODS and HR, in compliance with federal and state laws, ensures that no qualified individual with a disability is excluded from participation in, or be denied the benefits of, services, programs, or activities at Passaic County Community College. It is the College's intention and obligation to provide reasonable accommodation to qualified individuals with disabilities provided the accommodation does not create undue hardship on the financial or structural operation of the college.

**Students:** If you are a student with a disability and need an accommodation or the faculty member of a student who has requested or may need an accommodation, please contact:

Darleen McGrath Florance, Director,  
Office of Accessibility (Formerly Disability) Services  
Memorial Hall (M244), Paterson, NJ  
**Phone:** 973-684-6395  
**Email:** [ods@pccc.edu](mailto:ods@pccc.edu)

**Employees/ Visitors:** If you are an employee or a visitor with a disability and need an accommodation, or you are a supervisor of an employee who has requested or who may need an accommodation, please contact:

Debra Hannibal, Associate Director of Human Resources,  
Room # E305 Paterson Campus  
**Phone:** 973-684-6154  
**Email:**  
[dehannibal@pccc.edu](mailto:dehannibal@pccc.edu)

## PROCEDURE FOR REQUESTING REASONABLE ACCOMMODATIONS

It is the responsibility of the individual to request such accommodation in writing, as well as to provide the College with documentation of the disability. **Students** will provide documentation to the Office of Disability Services. **Non-Students** will provide documentation of the disability to the Office of Human Resources.

- (Medical reports or records, diagnostic evaluations, a letter (s) from a qualified medical professional are examples of such documentation).
- **Students** needing accommodations should contact the Office of Accessibility Services before registering for classes, or as early in the semester as they become aware of the need for accommodation.
- **Employees** needing accommodations should contact the Office of Human Resources as soon as they become aware of the need for accommodation. Depending on the complexity of the request, accommodations may require up

to six weeks to facilitate.

### **IMPORTANT - Accommodations are not retroactive.**

## **EVALUATION AND PROVISION OF ACCOMMODATIONS**

When the request for a reasonable accommodation is received, the designated office will:

1. Request documentation of the disability by a physician or other qualified professional.
2. Review the documentation provided to determine if the individual is a qualified individual with a disability.
3. Engage in an interactive process with the qualified individual with the shared goal of identifying a reasonable accommodation that will allow the individual to access and participate in the programs or activity of interest.
4. Research available accommodations and resources.
5. Consult with the ADA/Section 504 Coordinator, as necessary, in considering types of reasonable accommodations.
6. Consider the preference of the individual with a documented disability. The individual's preference will be given full consideration, however, the College may provide an alternative, equally effective accommodation.

## **GRIEVANCES AND APPEALS**

PCCC has established a procedure for filing complaints under the Americans with Disabilities Act ("ADA") and Section 504 of the Rehabilitation Act ("Section 504"). The College (PCCC) strives to maintain the highest standards of integrity and fairness in its policy of nondiscrimination on the basis of disability. As a result, the College has adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging any action prohibited by the ADA and Section 504 of the Rehabilitation Act. Individuals who believe they have been discriminated against on the basis of disability may file complaints pursuant to the procedures below. This may include, but is not limited to, issues related to academic or work accommodations, different treatment based on disability, disability related harassment or retaliation, physical accessibility, etc. Any of the time frames set out below may be extended for good reason, such as (but not limited to) when classes are not in session, the College is closed or upon mutual agreement by the individual filing the complaint and the ADA/Section 504 Coordinator.

### **Informal Grievance Procedure**

The College encourages informal resolution of concerns and complaints. If a qualified individual with a disability has a concern or complaint regarding any of the matters set forth in the first paragraph above, the individual may first, voluntarily, attempt to resolve the problem through an informal discussion with the Office of Accessibility Services (Darleen McGrath Florance) or the Office of Human Resources (Debra Hannibal).

1. To be timely, the individual must initiate this informal discussion with the ODS or HR within two (2) weeks of the alleged act that gave rise to the complaint.

2. If the grievance is satisfactorily resolved at the conclusion of the conference, the matter will be considered closed with no need for advancement to the formal grievance process.
3. If the conference is unsuccessful or the individual does not wish to voluntarily attempt to resolve the grievance with an informal process, that individual may file a formal grievance.
4. ODS or HR will document all informal grievance conferences by memorializing the date, time, persons present, issues in dispute, and agreements reached.

### **Formal Grievance Procedure**

In the event an individual is dissatisfied with the informal grievance resolution, or does not wish to voluntarily attempt to resolve the grievance with an informal process, the individual may file a formal complaint by contacting and filing a written complaint to the ADA/Section 504 Coordinator.

1. To be timely, the written complaint must be filed within two (2) weeks after the results of the informal process has been submitted; or if the individual does not choose to proceed with the informal process, within two (2) weeks of becoming aware of the need for an accommodation.
2. The complaint may be written using the information in the ADA/Section 504 Grievance Resolution form or by completing the *Grievance Resolution Form*, which is available in the Office of Student Affairs (A231), Human Resources (E305) or online at [www.pccc.edu/ods](http://www.pccc.edu/ods).
3. The form must be completed and returned to the ADA/Section 504 Coordinator.
4. If another type of communication is used to notify the College of a possible grievance, the individual filing the grievance will be given an opportunity to complete the Form and forward a copy of the form to ADA/Section 504 Coordinator.
5. Within twenty (20) business days of the receipt of the written complaint, the ADA/Section 504 Coordinator will work with all parties involved to resolve the grievance and notify all interested parties in writing of the decision.

### **Investigation/Determination**

An investigation, as may be appropriate, shall follow the filing of a complaint.

1. The ADA/Section 504 Coordinator or designee will conduct a thorough, non-adversarial investigation, affording all interested persons an opportunity to submit evidence relevant to the complaint.
2. All parties in the complaint will be notified that the formal grievance process has been initiated. The notification will include advising the parties that an investigation will be conducted, the nature of the allegations, and the expected time of completion.
3. The investigative process will include, but not be limited to, interviews of all interested parties and witnesses and the collection of pertinent documents, written statements and other evidence.
4. A written determination as to the validity of the complaint and a description of the resolution if any, shall be issued by the ADA/Section 504 Coordinator or designee and a copy forwarded to the complainant and all other interested parties no later than two (2) weeks after the filing of the complaint.
5. The ADA/Section 504 Coordinator shall maintain the files and records for PCCC relating to the complaints filed.



If the investigation results in a finding that a violation occurred, appropriate corrective action will be undertaken to both correct the effects of the violation on the complainant or others, where possible; and to prevent a recurrence of the events resulting in the filing of the complaint. The College will ensure that any agreed upon resolutions are implemented in a timely and equitable manner.

Inquiries or complaints that involve potential violations of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act may also be referred to the **U.S. Department of Education's Office for Civil Rights**, which can be reached at:

New York Office  
Office for Civil Rights  
U.S. Department of Education  
32 Old Slip, 26th Floor  
New York, NY 10005-2500

Telephone: 646-428-3900  
FAX: 646-428-3843; TDD: 800-877-8339  
Email: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

### **RETALIATION**

The College prohibits retaliation against any individual for filing a grievance under this process or against any other individual participating in the investigation of a grievance. Any such retaliation is against state and federal laws and Passaic County Community College Policy. Retaliation may subject the responsible person to disciplinary action. An individual who has participated in the grievance process in any capacity (for example, a neutral witness not associated with either party) is protected from retaliation and may file a grievance under these procedures with the ADA/Section 504 Coordinator if they have experienced a retaliation as a result of their participation.

### **ANTI-BULLYING BILL OF RIGHTS ACT**

All students must show courtesy and respect for each other and for faculty and other College employees. Students are expected to respect college property, as well as the property of others. Students are expected to comply with the direction of faculty in the conduct of their instructional activities. Students are prohibited from engaging in any type of harassment, intimidation, or bullying in accordance with the New Jersey Anti-Bullying Bill of Rights Act of 2010. This Act is not intended to alter or reduce the rights of any PCCC students with disabilities. Harassment, intimidation, or bullying are defined as any gesture or act whether written, verbal, physical, or any electronic communication that is reasonably perceived as motivated by any distinguishing characteristic that substantially disrupts or interferes with the College's orderly operation including PCCC sponsored events or the rights of students. These distinguishing characteristics include but are not limited to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability. A reasonable

person should know that such intimidation may physically or emotionally harm a fellow student or group of students.

## **ANTI-HAZING POLICY**

In compliance with the Timothy J. Piazza Anti-Hazing Law (NJ Public Law 2021 c208), Passaic County Community College prohibits hazing on or off campus by a College student or employee. A student means an individual who attends or has applied to attend or has been admitted to Passaic County Community College. A student, College-sanctioned club, organization, group or team (a Sanctioned Organization) found in violation of this Policy will be subject to discipline according to the College Student Code of Conduct. Any individual associate with a sanctioned organization who is not a student, will be disciplined in accordance with College policy. Criminal referrals and sanctions may also be imposed pursuant to applicable New Jersey anti-hazing laws, N.J.S.A. 2C:40-3.

### **DEFINITION OF HAZING**

Hazing is any action or situation which intentionally, knowingly, or recklessly causes, coerces or forces a student to do any of the following:

- (1) causes, coerces, or otherwise induces another person to commit an act that violates federal or State criminal law;
- (2) causes, coerces, or otherwise induces another person to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the person to a risk of emotional or physical harm or is otherwise deleterious to the person's health;
- (3) subjects another person to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;
- (4) subjects another person to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
- (5) subjects another person to abuse, mistreatment, harassment, or degradation of a sexual nature; or
- (6) subjects another person to any other activity that creates a reasonable likelihood of bodily injury to the person.

For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be considered to be "forced" activity. A student may not choose (give consent) to be hazed. The giving of consent does not excuse hazing activities. The good intention or the end result being positive will not be taken into consideration; if the action is considered hazing it is still in violation of the policy.

This applies to behavior on or off the Passaic County Community College campus. Events that are optional can be considered hazing due to the emotional status of the student and the fear of not being initiated for not participating.

All students should read and understand the Passaic County Community College Anti-Hazing Policy. Student should also familiarize themselves with the Timothy Piazza Anti-Hazing Law to best understand civil and criminal liability as it relates to acts of hazing in the state of New Jersey, N.J.S.A. 2C:40-3.

Any questions or needed clarification should be directed to the Associate Vice president/Dean of Student Affairs at [studentaffairs@pccc.edu](mailto:studentaffairs@pccc.edu).

### **Questions to ask when planning an activity:**

- Does the activity promote and conform to the ideals, values, and the mission of both the College and organization?
- Is it an activity that all members (current and initiates) can participate in together?
- Would the group's adviser and/or other College officials approve of the activity?
- Would your family approve of the activity?
- Would you like to see a story about the activity in the campus newspaper?
- Will this activity increase new members' respect for the group and all members of the group?
- Is the activity free of mental anguish or physical discomfort?
- Does the activity have inherent value in and of itself?

### **SANCTIONS FOR HAZING**

Sanctions for hazing may include the imposition of fines; the withholding of diplomas or transcripts pending compliance with the rules, or pending payment of fines; and the imposition of probation, suspension, dismissal, and any other sanctions the College deems appropriate.

In the case of a College organization which authorizes hazing in disregard of such rules, penalties may also include rescission of permission for that organization to operate on campus property or to otherwise operate under the sanction of the College.

### **IMMUNITY FOR VICTIMS/WITNESSES/THOSE OFFERING ASSISTANCE**

Passaic County Community College encourages all students to act responsibly and in particular for the well-being of another that can be helped to prevent bodily injury or other harm. To encourage reporting, PCCC reserves the right to offer victims of crimes, witnesses and those offering assistance various degrees of immunity including amnesty.

### **REPORTING REQUIREMENTS**

In accordance with the Timothy Piazza Anti-Hazing Law, Passaic County Community College publishes an anti-hazing report on actual findings of Passaic County Community College student organization conduct violations by organizations formally affiliated with the institution.

The report includes name of the organization, the date charges assessed, the actual charge, a general description of the incident, findings and sanctions (action plans) placed on the organization, and the date it was resolved. For additional information regarding Student Organization conduct processes, please review the Student Code of Conduct, the Student Handbook and/or the Club/Organization Handbook.

Passaic County Community College will maintain this anti-hazing report for the past 5 years of any and all information concerning violations of the Timothy Piazza Anti-Hazing Law on the College's website. This report will be updated twice a year on January 1 and August 1.

## **COMPUTER INTEGRITY POLICY**

### **Purpose**

Passaic County Community College provides computing resources, services, and facilities to support instruction, administration, and other mission-related activities. The use of these resources is a privilege extended to students, faculty, staff, community members, and affiliates of the College. Users of these resources, whether affiliated with the College or not, must comply with all College policies and are responsible for behaving in an ethical, legal, secure, and non-disruptive manner.

The College has implemented Acceptable Use Guidelines to assure that technology infrastructure and all related computing resources remain safe, secure, robust, and in compliance with applicable state and federal laws.

This policy provides acceptable use guidelines that supplement the Information Security Policy of the Board (Policy C207) for the Acceptable Use of Computer Network, Resources, and Facilities.

### **Scope**

This policy applies to all users of computing resources owned or managed by PCCC, whether affiliated with the College or not. Users include, but are not limited to, students, faculty, staff, community members, volunteers, visitors, contractors, and any organizations accessing services using College computing resources and facilities. Access to the College's information technology resources is a privilege that requires each member to act responsibly and guard against abuses. Therefore, both the community as a whole and each individual user have an obligation to abide by the following standards of acceptable use.

The term "computing resources" means all forms of computer-related equipment, technology infrastructure, services, tools, and information resources. These include, but are not limited to, computer systems, wired and wireless networks, applications and databases, Internet access, and online services.

### **User Responsibilities**

College Proprietary Information stored on computing devices, whether owned or leased by an employee of Passaic County Community College or a third party, remains the sole property of the College.

As a user of College computing resources, you may access, use or share College proprietary or sensitive or private information only to the extent it is authorized and necessary to perform the assigned task (e.g., your job duties).

For security and network maintenance purposes, authorized individuals within the College may monitor equipment, systems, and network traffic at any time, including traffic originating from employee-owned systems accessing College resources.

Passaic County Community College reserves the right to audit networks and College-owned systems on a periodic basis to ensure compliance with this policy, including traffic originating from employee-owned systems accessing College resources.

You have a responsibility to promptly report the theft, loss, or unauthorized disclosure of College proprietary or sensitive or private information.

### **Acceptable Use**

- You may not use another individual's account nor attempt to discover other users' login credentials.
- You may not permit anyone to use your College accounts for any reason.
- You are responsible for the appropriate use and safeguarding of all computing resources assigned to you, including computers, software, application and database access, and mobile devices.
- You may only use those computing resources you are authorized to use and use them only in the manner and to the extent authorized.
- You may not use computing resources to post, view, print, store, or send obscene, pornographic, sexually explicit, dangerous threats, hoax messages, and libelous, harassing, or offensive material.
- You may not use computing resources for advertising, commercial purposes, or personal financial, or other gain.
- Personal use of computing resources by College personnel that detracts from their assigned duties, interferes with administrative or academic use of computing resources, or is in violation of managerial or supervisory policy or procedure is prohibited.
- You may not monopolize computing resources or interfere with others' use of shared computing resources.
- You must comply with the law with respect to the rights of copyright owners in the use, distribution, or reproduction of copyrighted materials.
- You must honor all software licensing agreements and end-user licensing agreements.
- You may not gain (or attempt to gain) unauthorized access to computing resources nor enable others to do so.
- You may not seek to install or modify computing hardware, software, or systems owned by the College except to the extent permitted by your job duties (College personnel) or within the confines of approved course work and approved use of students' systems (students).
- You may not misrepresent your identity in any electronic communications.
- You may not store College information classified as Restricted or Confidential on systems or online services that are not approved or owned by the College.
- You must abide by applicable state and federal laws and College policies, and under no circumstances, engage in any activity that is illegal under local, state, federal, or international law while utilizing PCCC-owned resources.

### **Privacy**

The college recognizes that all members of the College community have an expectation of privacy for information in which they have a substantial personal interest. However, this expectation is limited by the College's need to obey applicable laws, protect the integrity of its resources, and protect the rights of all users and the property and operations of the College. The College reserves the right to examine material stored on or transmitted through its information technology facilities if there is reason to believe that the standards for acceptable use in this policy are being violated, or if there is reason to believe that the law or College policy is being violated, or if there is reason to believe there is an information security threat, or if required to carry on its necessary operations. Reasonable efforts will be made to notify the user of the need for access to information in which he or she has a substantial

personal interest stored on or transmitted through the College's information technology resources unless prohibited by law, inconsistent with College policy, or inconsistent with the College carrying out its normal operations. For example, information stored on the College's systems may be accessed by the College under certain circumstances, including but not limited to:

- Access by College technicians and system administrators to electronic records in order to address emergency problems, routine system maintenance, or other uses related to the integrity, security, and availability of the College's information technology systems.
- Information requested pursuant to the New Jersey Open Public Records Act which requires disclosure of electronic communication and other data on the College system subject to the exemptions within that Act. Such access is approved through the College Custodian of Records and all reasonable efforts are made to notify the user in question prior to the release of such information.
- Information required to comply with a valid subpoena, a court order, or e-discovery. Such access is approved by General Counsel.
- Audits and investigations undertaken by governmental entities or by College auditors.
- The need of the College to carry on its normal operations (e.g., in the case of accessing the electronic records of a deceased, incapacitated, or unavailable individual).

## **Policy Violations**

Violations include but are not limited to:

- Failure to respect the copyrights and intellectual property rights of others.
- Using your privileged access to retrieve a coworker's birth date and home address to send a surprise birthday card.
- Making more copies of licensed software than the license allows.
- Downloading, using, or distributing illegally obtained media (e.g., software, music, movies).
- Uploading, downloading, distributing, or possessing child pornography.
- Accessing, storing, or transmitting information classified as Restricted data (e.g., social security numbers, driver's license numbers, credit card numbers) without a valid business or academic reason or transmitting such information without using appropriate security protocols (e.g., encryption).
- Using third-party email services (e.g. Gmail, Yahoo) or non-encrypted email services to transmit College information classified as Restricted.
- Forwarding or auto-forwarding Restricted information to a non-Passaic County Community College email service.
- Using third-party cloud storage, data sharing, or media tools (e.g. iCloud, Carbonite, Dropbox, Facebook, and YouTube) to store, share or communicate College information classified as Restricted.
- Introduction of malicious programs into the network or systems (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
- Circumventing user authentication or security of any system, network, or account.

Violators of this policy are subject to disciplinary action up to and including termination of employment. If a suspected violation involves a student, a judicial referral may be made to the appropriate Dean. Incidents reported to the Dean will be handled through the College's Code of Student Conduct. It is a violation of this policy to unnecessarily delay acting on a directive to take corrective action to secure data or electronic credentials.

## **DRUG FREE SCHOOLS AND COMMUNITY ACT**

### **Drug-Free Schools and Communities Act**

The Drug-Free Schools and Communities Act requires that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by student on their campus or any part thereof.

In satisfaction of this mandate and in order to fulfill its obligations under the Drug Free Schools and Communities Act of 1989, 20 U.S.C. § 1145g, the College has formulated the following standards of conduct for its students and employees:

1. The possession, manufacture, use, or distribution of alcohol, marijuana, cannabis products or illicit drugs by students and employees on College property, College vehicles or as part of any of the College's officially recognized activities is prohibited.
2. Students may possess and use prescription drugs in accordance with the dosages prescribed by a licensed medical provider authorized to prescribe such medications.
3. Employees are prohibited from reporting to work and/or from operating or using any College equipment, machinery, or vehicle while under the influence of alcohol, marijuana, cannabis products or controlled substances
4. Students are prohibited from reporting to any curricular or co-curricular class/activity and/or from operating or using any College equipment, machinery, or vehicle while under the influence of alcohol, marijuana, cannabis products or controlled substances.

**Student Disciplinary Procedures** – Violations of these standards will be referred to the Dean of Student Affairs and Services and may be referred directly to local authorities. Students found guilty of violating these standards of conduct will be subject to one or more of the following sanctions: referral to an appropriate community drug/alcohol treatment program; disciplinary warning; disciplinary probation; restitution; revocation of privileges; restriction of activities; disciplinary suspension; disciplinary expulsion. Definitions and accompanying procedures of these sanctions pertaining to students can be found in the Student Code of Conduct. In addition, the violations may be referred to law enforcement agencies which may result in arrest and criminal conviction. The possible penalties for violating federal, state or local laws are described below. The College reserves the right to take any other action considered necessary by college officials.

**Guidelines** - In implementing this policy, the following guidelines will be followed:

1. All New Jersey laws pertaining to alcohol and drug use will be observed, including, but not limited to, legal drinking age, prohibitions against providing alcohol to minors, and restrictions against operation of a motor vehicle while under the influence of alcohol and/or drugs. Compliance with these laws will be assumed in what follows.
2. The laws of the State of New Jersey pertaining to the unlawful possession, use or distribution of illegal drugs and controlled substances shall be followed specifically. Violations will be referred to Public Safety and/or local law enforcement. If a person's behavior violates a College regulation and the civil law simultaneously, the College may take disciplinary action independent of that taken by local authorities.

3. No advertising for beer or other alcohol, marijuana or other cannabis products will be accepted in any campus publication or for display on campus.
4. Neither the college nor any group of Passaic County Community College, whether officially or unofficially, will be permitted to use any organizational funds held by the institution for the purchase of any kind of alcoholic beverage, marijuana or other cannabis products.

**Employee Disciplinary Procedures** – Employees who violate the above standards will be reported to the Director of Human Resources and may be referred to all applicable local authorities. Employees found to have violated these standards of conduct will be subject to progressive discipline up to and including termination of employment.

**Drug and Alcohol Abuse Prevention** - Passaic County Community College refers students with alcohol and drug abuse problems to community-based treatment and rehabilitation programs. The Division of Student Affairs annually conducts a Health Fair and periodically publishes written information, both of which emphasize the health risks associated with alcohol and drug abuse and drug and alcohol counseling, rehabilitation and reentry programs. In addition, the college sponsors numerous educational programs throughout the year. They are specifically concerned with information and prevention of alcohol and drug abuse and are open to all members of the college community.

The Office of Human Resources refers employees with alcohol and substance abuse problems to the Employee Assistance Program at Care Plus New Jersey. This program offers confidential support, short term counseling, referrals, and follow-up services to all employees, as well as their family members.

### **Description of Health Risks Associated with the Use of Illicit Drugs and Abuse of Alcohol**

- **Alcohol**
  - Profound acute impact on cognitive functioning, i.e., loss of inhibitions, disruption of memory functions.
  - Profound chronic impact on cognitive functioning, e.g., permanent memory impairment, dementia.
  - Impaired coordination.
  - Increased risk of cancer, stroke, heart disease, heart conduction disturbances, stomach lesions, intestinal track injury and liver damage.
  - Sexual functioning disturbances.
  - Increased risk of accidents, including drowning, fires and falls.
  - Increased risk of violence.
- **Amphetamines (Speed, Ups, Pep Pills, Meth)**
  - Elevated heart rate, blood pressure and respiration rate.
  - Decreased appetite.
  - Effects at high doses include: cognitive confusion, physical disorganization, inability to relax and sleep, teeth-grinding, dry mouth, muscle twitching, convulsions, fever, chest pain, irregular heart beat and lethal overdose.
- **Barbiturates, Sedatives, Tranquilizers (Yellow Jackets, Reds, Red Devils, Ludes, PCP or Angel Dust)**
  - Difficulty concentrating, maintaining coordination and staying awake.
  - Reduces cognitive and motor functioning.
  - Increases accident risks.



- Effects at high doses include: slurred speech, staggering, decreased ability to reason and solve problems, difficulty in judging distance and time, double vision, amnesia, depressed breathing, coma, brain damage and respiratory failure, especially when mixed with alcohol.
- **Cocaine (Coke, Crack, Blow)**
  - Increase heart rate, blood pressure, breathing rate, and body temperature.
  - Constriction of blood vessels.
  - Pupillary dilation.
  - Effects at high doses include: cognitive confusion and physical disorganization, perspiration, chills, elevated heart rate, nausea, vomiting, hallucinations and possible death from convulsions and respiratory arrest.
- **Hallucinogens (LSD or Acid, Mesc, DMT, DET)**
  - Alterations of sensory, emotional and cognitive functioning.
  - Elevated heart rate, blood pressure, and body temperature.
  - Pupillary dilation, nausea, muscle weakness, dizziness, tremors and exaggeration of normal reflexes.
  - Risk of accidents, disorientation, wide mood swings, flashbacks.
  - Possible psychosis.
- **Heroin (H, Horse, Smack)**
  - Reduces cognitive and physical prowess.
  - Blocks hunger.
  - Dull aggression.
  - Blocks menstrual cycle.
  - Reduces sex drive.
  - Constricts pupils.
  - Induces drowsiness and sedation.
  - Causes constipation, itchy skin.
  - Increases accident risk.
  - High risk of respiratory collapse with overdose.
- **Inhalants (Poppers, Snappers, Rush, Glue)**
  - Initial excitement, sedation and confusion.
  - Prolonged or regular use could cause bone marrow depression, cerebral damage, liver and kidney disorders, irregular heartbeat and blood pressure, and respiratory disorders.
- **Marijuana**
  - Risks of short term memory problems, lung damage, major slowdown in cognitive functioning, loss of alertness and productiveness.
  - Possible psychosis with chronic use.

## Federal Penalties and Sanctions for Illegal Possession of Controlled Substances:

### Federal Trafficking Penalties

| DRUG/SCHEDULE   | QUANTITY                                  | PENALTIES  | QUANTITY                                       | PENALTIES   |
|---|---|--|--|---|
| Cocaine (Schedule II)   | 500 - 4999 gms mixture                    | <b>First Offense:</b><br>Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual<br><b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual | 5 kgs or more mixture                          | <b>First Offense:</b><br>Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.<br><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.<br>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. |
| Cocaine Base (Schedule II)  | 28-279 gms mixture                        |  | 280 gms or more mixture                        |   |
| Fentanyl (Schedule IV)  | 40 - 399 gms mixture                      |  | 400 gms or more mixture                        |   |
| Fentanyl Analogue (Schedule I)  | 10 - 99 gms mixture                       |  | 100 gms or more mixture                        |   |
| Heroin (Schedule I)   | 100 - 999 gms mixture                     |  | 1 kg or more mixture                           |   |
| LSD (Schedule I)  | 1 - 9 gms mixture                         |  | 10 gms or more mixture                         |   |
| Methamphetamine (Schedule II)   | 5 - 49 gms pure or 50 - 499 gms mixture   |  | 50 gms or more pure or 500 gms or more mixture |   |
| PCP (Schedule II)   | 10 - 99 gms pure or 100 - 999 gms mixture |  | 100 gm or more pure or 1 kg or more mixture    |   |
| <b>PENALTIES</b>  |   |  |  |   |
| Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) | Any amount                                | <b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.<br><b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.  |  |   |
| Flunitrazepam (Schedule IV)   | 1 gm                                      |  |  |   |
| Other Schedule III drugs  | Any amount                                | <b>First Offense:</b> Not more than 10 years. If death or serious injury, not less than 15 yrs, Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.<br><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 30 yrs, Fine not more than \$1 million if an individual, \$5 million if not an individual.  |  |   |
| All other Schedule IV drugs (except Flunitrazepam)                                      | Any amount                                | <b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.<br><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.   |  |   |
| Flunitrazepam (Schedule IV)   | 1 gm or more                              |  |  |   |
| All Schedule V drugs  | Any amount                                | <b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.   |  |   |

|  |  |   |
|--|--|---|
|  |  | Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual. |
|--|--|---|

### Federal Trafficking Penalties - Marijuana

| DRUG        | QUANTITY   | 1st OFFENSE  | 2nd OFFENSE  |
|-------------|--|--|--|
| Marijuana   | 1,000 kg or more mixture; or 1,000 or more plants  | <ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$10 million if an individual, \$50 million if other than an individual</li> </ul>   | <ul style="list-style-type: none"> <li>Not less than 20 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$20 million if an individual, \$75 million if other than an individual</li> </ul> |
| Marijuana   | 100 kg to 999 kg mixture; or 100 to 999 plants   | <ul style="list-style-type: none"> <li>Not less than 5 years, not more than 40 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$5 million if an individual, \$25 million if other than an individual</li> </ul> | <ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$8 million if an individual, \$50 million if other than an individual</li> </ul>  |
| Marijuana   | more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants | <ul style="list-style-type: none"> <li>Not more than 20 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>                                       | <ul style="list-style-type: none"> <li>Not more than 30 years</li> <li>If death or serious injury, mandatory life</li> <li>Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>                                       |
| Marijuana   | 1 to 49 plants; less than 50 kg mixture  | <ul style="list-style-type: none"> <li>Not more than 5 years</li> <li>Fine not more than \$250,000, \$1 million other than individual</li> </ul>   | <ul style="list-style-type: none"> <li>Not more than 10 years</li> <li>Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>  |
| Hashish     | 10 kg or less  |  |  |
| Hashish Oil | 1 kg or less   |  |  |

**Note:** These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply. The charts were taken from United States Department of Justice, Drug Enforcement Administration, Drugs of Abuse. These charts summarize trafficking penalties under Federal law for various types of drugs.

### Alcohol/Drug Related New Jersey Laws and Penalties

| Driving While Intoxicated   |  |
|---|--|
| Statute   | Penalty  |
| <p><i>Operating Motor Vehicles while Under the Influence of Intoxicants (N.J.S.A. 39:4-50)</i></p> <p>A person is said to be legally intoxicated in New Jersey if their blood alcohol</p> | <p><b>First Offense</b></p> <p>Under New Jersey Law (P.L. 2003, CHAPTER 314), <i>if BAC is 0.08% or higher, but less than 0.10%</i>, the penalties are a fine of \$250-\$400; up to 30 day jail term; minimum of six hours per day for two consecutive days in an Intoxicated Driver Resource Center; installation of ignition interlock device in motor vehicle the person most often operates for a period of 3 months. insurance surcharge of \$1,000 a year for three years.</p> <p><i>If BAC is 0.10% or higher, but less than 0.15%</i>, the penalties are a fine of \$300-\$500; up to 30 day jail term; loss of license for 7-12 months; minimum of six hours per day for two consecutive days in an Intoxicated Driver Resource</p> |

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| <p>concentration is at or above 0.08%. A person may also be arrested and charged with driving while intoxicated (DWI) if the individual is determined to be under the influence of alcohol or drugs, regardless of the blood alcohol concentration level. A person can also be charged with or convicted of DWI for "allowing" an intoxicated driver to operate their vehicle.</p> | <p>Center; installation of ignition interlock device in motor vehicle the person most often operates for a period of not less than 7 months nor more than 1 year after license is restored. insurance surcharge of \$1,000 a year for three years.</p> <p><i>If BAC is 0.15% or higher</i>, in addition to the penalties above, installation of an ignition interlock device during the license suspension period and for a period of 9-15 months after license is restored.</p> <p><b>Second Offense</b><br/>Fine of no less than \$500 nor more than \$1000; loss of license for 2 years; community service for 30 days from 48 hours - 90 day jail term; 48 hours detainment in an Intoxicated Driver Resource Center; insurance surcharge of \$1,000 a year for three years; installation of an ignition interlock device for a period of 2-4 years after license is restored.</p> <p><b>Third Offense</b><br/>There are additional fines and charges of at least \$1,000; loss of license for 8 years; a 180-day jail term; insurance surcharge is \$1,500 per year for three years; installation of an ignition interlock device for a period of 2-4 years after license is restored.</p> <p><i>These fines and charges do not include court and legal fees.</i></p> |
| <p><i>Driving While License is Suspended due to DWI (N.J.S.A. 39:3-40)</i></p>   | <p><b>First Offense</b><br/>If a person is found driving while their license is suspended due to a conviction of Driving While Intoxicated; they will pay a fine of \$1,000; loss of license for a at least 18 months, no more than 30 months; 10-90 days of jail time; and revocation of registration certificate for the period driver's license is suspended (N.J.S.A. 39:3-40.1)</p> <p><b>Second Offense</b><br/>Fine of \$1,250; loss of license for 18-30 months; 10-90 days of jail time; and revocation of registration certificate for the period driver's license is suspended (N.J.S.A. 39:3-40.1)</p> <p><b>Third Offense</b><br/>Fine of \$1500; loss of license for 18-30 months 20-100 days of jail time; and revocation of registration certificate for the period driver's license is suspended (N.J.S.A. 39:3-40.1)</p>   |
| <p><i>Refusal to Take the Breathalyzer Test (N.J.S.A. 39:4-50.4a)</i><br/>Every motorist who operates a motor vehicle in New Jersey deems consent to submit to a chemical breath test to determine blood alcohol content. N.J.S.A. 39:4-50.2 (Implied Consent Statute).</p>  | <p><b>First Offense</b><br/>Fine no less than \$300, no more than \$500; loss of license for 7-12 months; installation of ignition interlock device in motor vehicle the person most often operates for a period of not less than 9 months nor more than 15 months referral to Intoxicated Driver Resource Center; other mandatory fines under N.J.S.A. 39:5-41</p> <p><b>Second Offense</b><br/>Fine no less than \$500, no more than \$1,000; loss of license for not less than 1 year nor more than 2 years; installation of an ignition interlock device for a period of 2-4 years after license is restored referral to Intoxicated Driver Resource Center; other mandatory fines under N.J.S.A. 39:5-41</p> <p><b>Third Offense</b><br/>Fine of \$1,000; loss of license for 8 years; installation of an ignition interlock device for a period of 2-4 years after license is restored referral to Intoxicated Driver Resource Center; other mandatory fines under N.J.S.A. 39:5-41</p> <p><i>A person can also be convicted of DWI without the results of a breathalyzer test.</i></p>  |

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|   | <i>In that case, they will suffer all the additional fines and penalties specified for the DWI conviction.</i>  |
| <i>Underage Driver who has Consumed Alcohol (N.J.S.A. 39:4-50.14)</i>   | <p>Any person under the legal age to purchase alcoholic beverages who operates a motor vehicle with a blood alcohol concentration of 0.01% or more, but less than 0.08%, by weight of alcohol in his blood, shall forfeit his right to operate a motor vehicle over the highways of this State or shall be prohibited from obtaining a license to operate a motor vehicle in this State for a period of not less than 30 or more than 90 days beginning on the date he becomes eligible to obtain a license or on the day of conviction, whichever is later, and shall perform community service for a period of not less than 15 or more than 30 days.</p> <p>In addition, the person shall satisfy the program and fee requirements of an Intoxicated Driver Resource Center or participate in a program of alcohol education and highway safety as prescribed by the chief administrator.</p>  |
| <b>Open Alcoholic Beverage Containers</b>   |   |
| <i>In the Car (N.J.S.A. 39:4-51a)</i>   | Anyone found to have an open or unsealed container holding alcoholic beverages in a car faces a fine of \$200 for a first offense and a fine of \$250 or 10 days of community service for a second offense.   |
| <p><i>On the Streets</i></p> <p>Passaic - Article II, Chapter 75, §75-23 of the Code of the City of Passaic</p> <p>Paterson – Part II, Chapter 113, §113-21 of the Code of the City of Paterson</p> | <p>Penalties for possessing and consuming alcoholic beverages in public vary from town to town.</p> <p>Passaic - No person shall, within the limits of the City of Passaic, consume any alcoholic beverage or have in his possession any unsealed alcoholic beverage container with an alcoholic beverage therein or discard any alcoholic beverage container while:</p> <p>In or on a public street, lane, roadway, avenue, pathway, sidewalk, public parking place, whether publicly or privately owned, park, playground, recreation area or any other public or quasi-public place or in any public conveyance or upon any land owned or occupied by any federal, state, county or municipal government or upon outdoor facilities owned or operated by the Board of Education of the City of Passaic.</p> <p>In any automobile, whether in motion, or parked, on any of the public streets, sidewalks, parking lots which are open to the public at large, whether publicly or privately owned, roadways, playgrounds, outdoor facilities owned or operated by the Board of Education of the City of Passaic, parks, shopping plazas or other thoroughfares open to the general vehicular traffic in the City of Passaic.</p> <p>Upon any private property not his own without permission of the owner or other person having authority to grant such permission.</p> <p>In or about any other public or quasi-public place or place to which the public is invited, including but not limited to any shopping plaza, business, banking, church, institutional, commercial or professional premises, except when such consumption or possession is with the express permission of the owner or other body, board or person having the authority to grant such permission.</p> <p>. Unless otherwise provided by Title 33 of the New Jersey Statutes Annotated, any person who shall violate or fail to comply with the provisions of this Article shall, upon conviction, be subject to a fine not exceeding \$2,000 or imprisonment for a term not exceeding 90 days or by a period of community service not exceeding 90 days as .</p> <p>Paterson - No person shall consume alcoholic beverages on any of the public streets, sidewalks, parking lots, roadways, pathways, playgrounds, parks or quasi-public areas or any other public property whatsoever within the city at any hour of the day or night unless a special permit is issued therefore in accordance with applicable statutes.</p> |

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| <p>Wayne –§38-30 of Article VII, Part 2of the Code of the Township of Wayne, 2014</p> <p>Wayne –§1-15 of Article IV, Part 1of the Code of the Township of Wayne, 2014</p> <p>Wanaque – §84.71 of Chapter 84, Part II of the Code of the Borough of Wanaque</p> | <p>Unless another penalty is expressly provided by New Jersey Statute, any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine in the amount of \$50. Fines for violation of § <u>113-22</u> are payable at the Violations Bureau without a court appearance. Costs of court of \$30 will be imposed, consistent with New Jersey Court Rule 7:11-4, for all such payments. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.</p> <p>Wayne - <a href="#"><u>Consumption of alcoholic beverage on public property: permit required.</u></a><br/> No person or persons shall consume alcoholic beverages, nor have in his/her possession any opened container with unconsumed alcoholic beverage therein, in a public area within the limits of the Township of Wayne, without first having obtained a permit allowing such consumption in such public area, said permit application to be obtained from the office of the Township Clerk and approval must be granted by the New Jersey State Division of Alcoholic Beverage Control.<br/> No person shall discard an alcoholic beverage container upon any public street, lane, sidewalk, public parking lot, public or quasi-public area or place or upon any private property not his/her own without the express consent of the owner.<br/> Persons violating this ordinance are subject to a term of imprisonment not to exceed 90 days, a fine not to exceed \$2,000 and/or a period of community service not to exceed 90 days</p> <p>Wanaque - No person shall consume or offer to another for consumption alcoholic beverages in or upon any public street, road, alley, sidewalk, park or playground or in, on or upon any land or building owned or occupied by any federal, state, county or municipal government or subdivision or agency thereof or upon land or buildings owned or occupied by any federal, state, county or municipal authority or in, on or upon any place to which the public at large is generally invited.<br/> No person shall have in his possession or possess any alcoholic beverages on, in or upon any public street, road, alley, sidewalk, park or playground or in, on or upon any land or building owned or occupied by any federal, state, county or municipal government or subdivision or agency thereof or upon land or buildings owned or occupied by any federal, state, county or municipal authority or in, on or upon any place to which the public at large is generally invited, unless the same is contained within a closed or sealed container.<br/> No person shall have in his possession or possess any alcoholic beverages, consume or offer consumption of the same to any person in and about any private property or quasi-public property without the express permission of the owner thereof.<br/> Nothing in the aforementioned subsections shall be construed to prohibit the consumption or sale of alcoholic beverages within any premises licensed for the plenary retail consumption of intoxicating liquors or in any place for which a special permit for a social affair has been issued by the Division of Alcoholic Beverage Control pursuant to its rules and regulations.<br/> Any person violating any of the provisions of this chapter shall be subject to a penalty of not more than \$200 or to imprisonment for a term not exceeding 10 days, or both, for each such conviction.<br/> Any person convicted for any violation of this chapter may, in the discretion of the Mayor and Council of the Borough of Wanaque, be denied further admittance to the parks of the Borough of Wanaque.</p> |
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**Alcohol and the Under-aged - The purchase and consumption of alcohol is a right extended by the state of New Jersey. The legal age of purchase and consumption of alcoholic beverages in the state of New Jersey is**

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| <b>twenty-one.</b>  |  |
| <i>Possession or Consumption of Alcohol, Cannabis, Marijuana or Hashish in Public places by the Underaged (N.J.S.A. 2C:33-15)</i> | Any person under the legal age to purchase alcoholic beverages who knowingly possesses without legal authority or who knowingly consumes any alcoholic beverage in any school, public conveyance, public place, place of public assembly, or motor vehicle is guilty of a disorderly person's offense and shall receive a written warning issued by a law enforcement officer to the underage person.  |
| <i>Purchase of Alcohol by/for the Under aged (N.J.S.A. 33:1-81)</i>   | An underage person who purchases or attempts to purchase alcohol, or lies about their age or a person of legal age who purchases alcohol for an under aged person faces a conviction of a disorderly person's offense, and a fine of not less than \$500. In addition, underage persons may be required to participate in a state-sponsored alcohol education program.   |
| <i>Serving an Alcoholic Beverage to a Minor (N.J.S.A. 2C:33-17)</i>   | Anyone who purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices that person to drink alcohol or makes real property owned, leased or managed by him available for the consumption of alcohol by under aged persons is a disorderly persons and may be sentenced to a term of imprisonment not to exceed 6 months; and a fine not to exceed \$1,000  |
| <i>Transfer of ID (N.J.S.A. 33:1-81.7)</i>  | Someone who is underage and uses another person's ID card to obtain alcohol or cannabis items, or someone of legal age gives their ID card to an underage person so that they can obtain alcohol or cannabis items, faces a fine of up to \$300 or up to 60 days in jail.  |
| <i>False ID (N.J.S.A. 2C:21-2.1)</i>  | A person who knowingly sells, offers, or otherwise transfers or intends to transfer a document that simulates a driver's license or other document issued by a government agency and that could be used to verify a person's identity or age is guilty of a crime of the second degree and can be sentenced to a term of imprisonment of 5 to 10 years and a fine of up to \$150,000. A person who knowingly exhibits, displays or utters a document or other writing which falsely purports to be a driver's license, birth certificate or other document issued by a governmental agency and which could be used as a means of verifying a person's identity or age or any other personal identifying information is guilty of a crime of the third degree and can be sentenced to up to 5 years in jail and a fine of up to \$15,000. |
| <i>Bartender Liability (N.J.A.C.13:2-23.1)</i>  | If a bartender either serves a minor or a visibly intoxicated customer, the bartender can be held liable for that customer's injuries as well as injuries to a third party due to the negligent driving on the part of the customer.   |
| <i>Host/hostess liability (N.J.S.A 2A: 15-5.6)</i>  | A host or hostess who provides alcoholic beverages to a visibly intoxicated guest can be held liable for injuries inflicted on a third party if that guest is involved in a motor vehicle accident.  |
| <b>Select New Jersey Drug Laws</b>  |  |
| <b>N.J.S.A 2C:35-10. Possession, Use or Being Under the Influence, or Failure to Make Lawful Disposition</b>                      |  |
| Simple possession, use or being under the influence of:   | <p><b>Marijuana:</b> Possession of more than 6 ounces of marijuana or more than 17 grams of hashish is a fourth degree crime punishable by a term of 0-18 months in jail and/or a fine of up to \$25,000</p> <p><b>Cocaine/Crack:</b> 0-5 years in jail and/or a fine of up to \$35,000, and mandatory loss of driver's license for 6 months to 2 years.<br/>Speed: same as cocaine.</p> <p><b>Psilocybin and LSD:</b> same as cocaine.</p>  |
| Use or possession with intent to distribute:  | <p><b>Marijuana:</b> 0-10 years in jail and a fine of \$750 to \$100,000, and mandatory loss of driver's license for 6 months to 2 years.</p> <p><b>Cocaine:</b> 3-20 years in jail (with a 3-5 year* mandatory sentence with no parole if amount exceeds 5 oz.) and a fine of \$1,000 to \$300,000 and mandatory loss</p>   |

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|   | <p>of driver's license for 6 months to 2 years.</p> <p><b>Speed:</b> 3-10 years in jail and a fine of \$1,000 to \$100,000, and mandatory loss of driver's license for 6 months to 2 years.</p> <p><b>Psilocybin(over one ounce)and LSD:</b> 0-5 years in jail and/or a fine of \$2,000 to \$35,000, and mandatory loss of driver's license for 6 months to 2 years.</p> <p>In addition to the foregoing fines, every defendant convicted of any drug offense or who goes into a drug diversionary program must pay a mandatory penalty ranging from \$500 to \$3,000 and a mandatory \$50 laboratory charge.</p> |
| Use or possession of drug paraphernalia with intent to use (N.J.S.A. 2C:36-2):  | Disorderly persons offense punishable by up to 6 months in jail and/or a fine of up to \$1,000and a mandatory loss of driving privileges for 6 months to 2 years.   |
| It is unlawful for any person to deliver drug paraphernalia to a person under 18 years of age.<br>Any person, 18 years or older, who uses, solicits or directs a juvenile (17 years or younger) to manufacture or distribute drugs is guilty of a second-degree crime | <p>Delivering drug paraphernalia to person under age 18 is guilty of a third degree crime and can be sentenced to a jail term of 3-5 years and a fine of up to \$15,000.</p> <p>Soliciting a minor to manufacture or distribute drugs is guilty of a second degree crime and will be sentenced to a term of imprisonment of at least five years and no more than 10 years and a fine of up to \$500,000</p>   |

**Some New Offenses and Stiffer Penalties that Can Affect the College Student**

| <b>New Offenses</b>  | <b>Stiffer Penalties</b>  |
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| <p><b>Designer Drugs</b> - These drugs, for example, Ecstasy and the look-alike, are now included in the list of controlled dangerous substances.</p> <p><b>Criminal Homicide</b> - If a person dies as a result of a drug given by another, the giver of the drug can be charged with criminal homicide.</p> <p><b>Drug-Free School Zones</b> - There is a special provision in this Act if you are on any school property (elementary or secondary) or within 1000 ft. of any school property or school bus or on any school bus and are convicted of distributing, dispensing or possessing with intent to distribute a controlled dangerous substance, you will be</p> | <ul style="list-style-type: none"> <li>• There is a penalty of mandatory loss or postponement of driving privileges of at least 6 months upon conviction of many drug offenses, for example, possession of drug paraphernalia such as pipes, sifters, spoons.</li> <li>• Especially harsh penalties are established to impose stern punishment for persons involved in illegal manufacture of drugs.</li> <li>• If a person distributes a drug to a minor (under the age of 17) or a pregnant female, there is now a stiffer penalty.</li> <li>• The Act provides for forfeiture provisions where the state may confiscate a motor vehicle in which any controlled dangerous substance is found, no matter how small the amount.</li> </ul> <p align="center"><b><i>Law enforcement officers are instructed to enforce all offenses strictly.</i></b></p> |



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| <p>sentenced to a term of imprisonment and a fine up to \$100,000 depending upon amount of the substance you possess. During part of this term of imprisonment you would not be eligible for parole.</p> |  |
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**RESOURCES**

Drug and Alcohol problems are treatable. Most often, an individual, responds to tailored treatments that assist in cessations and relapse prevention. Below please find several national, state and local resources that can assist you.

**College Community:**

**SAMHSA National Helpline-** 1-800-622-HELP (4357). <http://www.samhsa.gov>.

This free, confidential, 24/7, 365 day a year treatment referral and information service (in English and Spanish) is available for individuals facing mental health and/or substance based disorders.

**Drug Free NJ** - 1-800-238-2333 [www.drugfreenj.org](http://www.drugfreenj.org).

This addictions hotline of NJ provides trained clinically supervised, telephone specialists who are available 24 hours a day, 7 days a week to educate, assist, interview and/or refer individuals and families battling addictions. Calls are free and information shared is confidential.

**Passaic County Mental Health and Addiction Resources** <http://www.mhapassaic.org/resources/guide-to-mental-health-services-in-p-c/> There are a number of Mental Health and Addiction resources found in Passaic County. This link will provide you with information regarding these resources.

**Enrolled Students:**

**Passaic County Community College - The Office of Student Advocacy**

1-973-684-5554

[Student Advocacy - PCCC](#)

This office, located on the Paterson Campus (Founders Hall E203), can connect students with local community resources.

## **Family Educational Rights and Privacy Act (FERPA)**

FERPA stands for the Family Educational Rights and Privacy Act of 1974. It is a federal law governing the privacy and handling of educational records and giving specific rights to students. You can find more information about the law at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/students.html>

### **Who is covered by FERPA?**

FERPA covers students who are currently enrolled, or who were formerly enrolled, regardless of their age or status with regard to parental dependency.

FERPA does not cover students who applied to a school but did not attend, and deceased students.

### **What are “Educational Records”?**

Educational records are records that are maintained by the college as part of the educational process in any form (i.e. handwriting, print, tapes, film, microfilm, microfiche or electronic data storage). Educational records do not include alumni records, records made by the campus police, or records made for employment, medical or counseling purposes. Private notes (kept in the sole possession of the maker, not made with a student or other person present, used only as a personal memory aid, and not accessible to anyone other than the creator of the record) held by school officials that are not accessible or released to other personnel, are also excluded.

### **Who might have access to student information?**

- The student, and any third party with written permission from the student
- School officials (as defined by PCCC)
- Parents of a dependent student as defined by the Internal Revenue Service (an IRS copy of the most recent year’s federal tax form showing that the parent claims the student as a dependent must be provided before an educational record will be released)
- A person in response to a lawfully issued subpoena or court order, as long as PCCC makes a reasonable attempt to notify the student first

### **What kind of information can be disclosed to a third party?**

FERPA uses the term “Directory Information” to refer to information which may be released without specific written permission from the student, except in certain cases specified by the regulations. Most Directory Information is data that would not be considered harmful or an invasion of privacy if disclosed.

PCCC has determined the following items as Directory Information:

- Student’s name
- Address
- Phone Number
- E-mail address
- Major field of study
- Degrees and awards received
- Information which denotes accomplishments or achievements

- Individual and/or group photographs
- Dates of enrollment
- Number of credits in which enrolled (part-time/full-time status)

Currently enrolled students may request that directory information not be released by completing the Request for Non-Disclosure of Directory Information form and returning it to the Registrar's Office.

### **What is considered “Non-Directory Information”?**

Non-Directory Information is any educational record not explicitly classified as Directory Information. Examples of Non-Directory Information (this information will NOT be given to a third party without the written permission of the student):

- Student class schedule
- Religious affiliation
- Citizenship/nationality
- Disciplinary status
- Ethnicity
- Gender
- Grade point average (GPA)
- Marital Status
- Social Security number
- Grades and exam scores
- Test scores (SAT, ACT, COMPASS, final exams, etc.)

This private information will not be released to anyone (including parents) without written consent from the student except under strictly defined conditions.

What are some conditions under which educational records may be released?

PCCC is under no obligation to release records at any time, unless required by law. Records may, however, be released at the discretion of PCCC under the following circumstances:

- In the event of a health or safety emergency, student information may be released to the appropriate authorities as required to protect the safety of the students.
- Certain federal and state educational authorities may obtain educational records.
- Parents or guardians who can demonstrate by income tax returns that students are their dependents may be eligible to view records.
- PCCC may release student records in response to court orders or subpoenas.
- Military recruiters may request student information under the Solomon Amendment of 1996 which permits Department of Defense representatives to access school campuses and obtain student information for military recruiting purposes.

**Dual Enrollment Students:** According to the United States Department of Education, when students are enrolled in high school and a post-secondary institution (dual enrollment students), the two schools may exchange academic information. If the student is under 18, the parents still retain the rights under FERPA at the high school and may inspect and review any records sent by the postsecondary institution to the high school.

Students wanting to designate persons or agencies to have access to non-directory information must complete the FERPA Waiver Form. This form, which will grant access to the students protected

information, including academic progress, is not available on the website. This form must be obtained from the Office of Student Affairs in room A231 on the Main campus. Students may revoke these rights at any time in the Office of Student Affairs.

### **Who should I contact for more information?**

Contact the PCCC Registrar at (973) 684-6400 in the Enrollment and Student Services Center located at 225 Market Street.

### **Student Notification of Rights under FERPA**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U. S. Department of Education. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records.

These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Students should submit to the registrar, dean, or head of the academic department (or appropriate official) written requests that identify the record(s) they wish to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request amendment of the student's education records that the student believes is inaccurate or misleading. Students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school official responsible, for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the student, the school will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosures without consent, is disclosure to school officials with legitimate educational interests. A school official is defined as a person employed by the school in an administrative, supervisory, academic, or support staff position (including law enforcement unit and health staff); a person or company with whom the school has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW Washington, DC 20202-5920

## MEDICAL FINANCIAL APPEAL PROCEDURE

This procedure is designed for a student requesting a financial accommodation due to extenuating medical circumstances that have occurred during the **current** semester and prevented a student from completing their studies. Extenuating Medical Circumstances are defined as nonrecurring events that are directly impacting the student or the student's minor child. Documentation for this request is required and should indicate a serious personal medical situation that prevented the student from completion of the course.

**Please note, students are responsible for payment of bookstore charges; and, if granted, a medical financial appeal is a one-time only occurrence.** After processing a WITHDRAWAL/DROP OF COURSES with an academic advisor in the Center for Student Success or via email: [Success@pccc.edu](mailto:Success@pccc.edu), a student may pursue a Financial Appeal for an outstanding account balance, if the above rationale is applicable.

### Explanation/Next Steps:

1. Requests must be for **current** semester only.
2. Requests will not be considered for courses with posted grades already issued.
3. Relevant documentation must be supplied. Documents will include the medical appeal – documentation form provided by PCCC, and a letter from the physician on letterhead (prescription pad notes are not acceptable) indicating the time period that the student is unable to attend class. **Medical documentation must be faxed from the medical professional no later than three (3) weeks from the date of the initial meeting /virtual /remote contact with the Coordinator/designee, or the request could be denied.**
4. The College will review each request individually and a final decision will be based on the merits of the request and the documentation provided. Responses will be made within 2-4 weeks and the students will be notified via College email.
5. If applicable, students will receive a **credit to their account** to be used within 12 months from the decision date.
6. Regardless of the outcome of the decision, the student is responsible to pay any unearned financial aid. Rules and regulations governing Federal Financial Aid programs cannot be waived through this process. **N.B.: Any student receiving financial aid must meet with a financial aid counselor to discuss how a medical withdrawal will impact current and future financial aid.**
7. Forms that need to be completed in order to request a medical withdrawal can be obtained from the Main Offices at Wanaque (973.248.3000), at Passaic (973.341.1600), and from the Office of Student Affairs on the Main Campus (973.684.6309) in A231, or email: [StudentAffairs@pccc.edu](mailto:StudentAffairs@pccc.edu)
8. It is advisable that the student meet with an academic advisor, faculty advisor, or student development specialist to learn how a medical withdrawal will affect the student's academic planning grid.
9. **NOTE – The decision of the College is final**

Students pursuing a Medical/**Financial** Appeal must schedule an in-person/virtual/remote meeting through the Office of Student Affairs in **A231** on the Main Campus by calling **(973) 684-6309**, or emailing: [studentaffairs@pccc.edu](mailto:studentaffairs@pccc.edu).

## **NEW JERSEY CAMPUS SEXUAL VIOLENCE VICTIM'S BILL OF RIGHTS**

A college in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the university community in achieving these ends. The boundaries of personal freedom are limited by applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault and non-consensual sexual contact, respect for the individual and human dignity are of paramount importance. The State of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures and services designed to ensure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

The following Rights shall be accorded to victims of sexual assault that occur on the campus of any public or independent institution of higher education in the state of New Jersey and where the victim or alleged perpetrator is a student at that institution and/or when the victim is a student involved in an off-campus sexual assault.

### **1. Human Dignity Rights**

- to be free from any suggestion that victims must report the crimes,
- to be assured of any other right guaranteed under this policy,
- to have any allegations of sexual assault treated seriously; the right to be treated with dignity.
- to be free from any suggestion that victims are responsible for the commission of crimes against them,
- to be free from any pressure from campus personnel to
  - report crimes if the victim does not wish to do so,
  - report crimes as lesser offenses than the victim perceives the crime to be,
  - refrain from reporting crimes to avoid unwanted personal publicity.

### **2. Rights to Resources On and Off Campus**

- to be notified of existing campus and community based medical, counseling, mental health and student services for victims of sexual assault whether or not the crime is formally reported to campus or civil authorities.
- to have access to campus counseling under the same terms and conditions as apply to other students in their institution seeking such counseling,
- to be informed of and assisted in exercising
  - any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus and/or pregnancy.
  - any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.

### **3. Campus Judicial Rights**

- to be afforded the same access to legal assistance as the accused.
- to be afforded the same opportunity to have others present during any campus

- disciplinary proceeding that is allowed the accused.
- to be notified of the outcome of the sexual assault disciplinary proceeding against the accused.

#### 4. Legal Rights

- to have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported,
- to receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities,
- to full, prompt and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.

#### 5. Campus Intervention Rights

- to require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of victims by their alleged assailant,
- to be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available.

*Nothing in this "Campus Assault Victim's Bill of Rights" shall be construed to preclude or in any way restrict any public or independent institution of higher education in the State from reporting any suspected crime or offense to the appropriate law enforcement authorities.*

## NEW JERSEY DEPARTMENT OF HEALTH IMMUNIZATION REQUIREMENTS

The following are currently required for all Full Time NJ College Students.

- Proof of immunization for measles, mumps, rubella, and hepatitis OR** bloodwork proving immunity (titer) is acceptable in place of an immunization record.
  - 1 Dose MMR Vaccine and Measles booster or 2<sup>nd</sup> MMR; **OR** 2 doses of Measles Vaccine, 1 dose Mumps, and 1 dose Rubella
  - Complete series of Hepatitis B Vaccine
- Proof of immunization for Meningitis (Meningococcal vaccine)** (if required)
  - 1 Dose of MenACWY OR 2/3 doses of MenB. There is no bloodwork (titer) for this vaccine.
- A history of having had the aforementioned diseases is NOT acceptable.
- If there is a medical reason or religious reason for not being immunized, please provide written objections to the Office of student Affairs.
- High schools must retain student health records for 7 years after graduation – an easy way to obtain at no cost. Primary care providers, high schools or students can fax records to 973-684-8317.
- Visit the following websites for the fact sheets detailing these requirements:
  - [https://nj.gov/health/cd/documents/faq/meningococcal\\_faq.pdf](https://nj.gov/health/cd/documents/faq/meningococcal_faq.pdf)
  - [https://nj.gov/health/cd/documents/topics/mening/meningo\\_requirements\\_highered.pdf](https://nj.gov/health/cd/documents/topics/mening/meningo_requirements_highered.pdf)
  - <https://www.cdc.gov/meningitis/viral.html>
- PCCC follows the guidelines set forth for higher education by NJ Department of Health

(NJDOH) in accordance with the Centers for Disease Control (CDC) [www.cdc.gov](http://www.cdc.gov).

Only your healthcare provider can complete Part 2, however, a printout of your records will be acceptable if provided on the office letterhead of your healthcare provider. **Do not send originals - email attachments are fine.** Should you be missing a particular immunization, we will work with you so you will be in compliance no matter where you go once you graduate PCCC. You will only need to turn these records in one time.

Records are required prior to your next registration and if not received a “HOLD” may be placed on your record preventing you access to your academic account. Please take care of this matter promptly and know we are available to assist you in getting what you need to meet the legal requirements.

**Records may be:**

**Mailed to:**

Passaic County Community College  
One College Blvd (Room # A-231)  
Paterson, NJ 07505

**Emailed to:**

[Immunizations@pccc.edu](mailto:Immunizations@pccc.edu)

**Faxed to:**

973-684- 8317

All questions can be directed to the Office of Student Affairs at [immunizations@pccc.edu](mailto:immunizations@pccc.edu) or 973-684-6309.

**Exemptions:**

1. Students age 31 years old or older (MMR/Hep B Only)
2. Certain medical conditions in which immunization poses a health risk.
3. Clearly proscribed and documented religious exclusions.

*All forms need to be submitted to the Office of Student Affairs in A231 on the Main Campus, or emailed to [studentaffairs@pccc.edu](mailto:studentaffairs@pccc.edu). For additional information call 973.684.6309.*

**NONDISCRIMINATION, EQUAL OPPORTUNITY, AND AFFIRMATIVE ACTION  
POLICY AS TO STUDENTS AND EMPLOYEES**

Passaic County Community College, as a public institution, adheres to federal, state and local laws and regulations regarding nondiscrimination and affirmative action including New Jersey Law against Discrimination, Age Discrimination in Employment Act, Titles VI and VII of the Civil Rights Act, Title IX of Education Amendments Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act and the Americans with Disabilities Amendment Act. Passaic County Community College hereby gives notice of its nondiscrimination policy as to students and employees.

Continuing its policy to support equal opportunity for all persons, Passaic County Community College does not discriminate on the basis of race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, familial status,



liability for service in the Armed Forces of the United States, disability or nationality. This policy applies to the administration of Passaic County Community College's educational programs, activities, admission or employment practices.

Inquiries concerning matters related to Title IX or ADA/Section 504 Compliance at Passaic County Community College may be referred to the following person, who has been especially designated by the College to oversee the continued application of the College's nondiscriminatory policies:

José A. Fernández  
Associate Vice President of Human Resources  
Title IX Coordinator/  
Section 504 Compliance Officer (employees)  
Office of Human Resources-Room E305  
Telephone: (973) 684-6705

Inquiries, concerns, or complaints may also be referred to:

For Title IX  
Office for Civil Rights, *New York Office*  
U. S. Department of Education  
32 Old Slip, 26th Floor, New York, NY 10005-2500  
Telephone: (646) 428-3800  
Facsimile: (646) 428-3843  
[Email: OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

### **SMOKING POLICY**

PCCC is a smoke-free campus. Therefore, smoking is prohibited in all areas of the College, including but not limited to all College buildings, common areas, and parking lotson all campuses.

## *Student Responsibilities and Conduct*

### **I. Title of Regulation: Student Code of Conduct**

### **II. Objective of Regulation:**

This document describes the College's Student Code of Conduct. It specifies expectations for behavior, the sanctions that can be applied when rules are violated, and the jurisdiction, structure, and operation of the College's system for resolving conduct complaint cases. It is the responsibility of all Passaic County Community College students to familiarize themselves with these rules.

In keeping with the values defined in our Mission Statement, Passaic County Community College strives to maintain a supportive, open environment where learning and creativity can flourish. Passaic County Community College values honesty, integrity, and accountability. The College must take every opportunity to offer students both formal and informal experiences that foster learning, personal growth, and civic responsibility. As such, its rules are conceived for the purpose of furthering and protecting the rights of all members of the College community in achieving these ends.

Passaic County's rich diversity defines us and shapes our efforts. Passaic County Community College students are expected to respect all members of the community and resist behaviors that may cause danger or harm to others. All Passaic County Community College students are expected to observe established standards of scholarship and academic freedom by respecting the intellectual property (work) of others and by honoring the right of all students to pursue their education in an environment free from harassment, discrimination and intimidation. Students are expected to adhere to the civil and criminal laws of the local community, state, and nation and to rules, policies, and procedures set forth by the College.

### **III. Definitions:**

- A.** The term "**PCCC**" or "**College**" means Passaic County Community College.
- B.** The term "**Student**" includes all persons taking credit and non-credit courses at PCCC, pursuing undergraduate or continuing education studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with PCCC are considered "students."
- C.** The term "**Faculty Member**" means any person hired by PCCC to conduct classroom activities.
- D.** The term "**College Official**" includes any person employed by PCCC performing assigned administrative or professional responsibilities.
- E.** The term "**Member of the PCCC Community**" includes any person who is a student, faculty member, PCCC official, or any other person employed by PCCC.
- F.** The term "**College Premises**" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College.
- G.** The term "**Organization**" means any group of persons who have complied with the formal requirements for College recognition.
- H.** The term "**Judicial Affairs Committee**" means a standing committee of the Academic Council, the academic governing body of PCCC. The Judicial Affairs Committee is

authorized by the Bylaws of the Academic Council to determine whether a student has violated the Student Code of Conduct and to recommend the imposition of sanctions.

- I. The term “**Cheating**” includes, but is not limited to:
  1. use of any unauthorized assistance in taking quizzes, tests, or examinations;
  2. dependence upon the aid of sources beyond those authorized by the instructions in writing papers, preparing reports, solving problems, or carrying out the assignments; or
  3. the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff. (For additional information, see Academic Integrity Policy.)
- J. The term “**Plagiarism**” includes, but is not limited to, the intentional use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials. (For additional information, see Academic Integrity Policy.)
- K. The term “**Disruptive Behavior**” includes engaging in any reckless, tumultuous, or unlawful act or course of conduct outside of class, or engaging in any classroom behavior detrimental to the learning environment that may require the faculty member to warn or verbally dismiss the student from the classroom and/or request a security escort. This behavior includes, but is not limited to, acting out, participating in side conversations, and the use of cellular telephones, text messaging or other forms of audible or electronic devices. This provision is not designed to be used as a means to punish classroom dissent. The respectful expression of a disagreement with the teacher’s views is not in itself “disruptive” behavior.
- L. The term “**Expulsion**” means separation of the student from the College and being barred from College property and all College-sponsored events.
- M. The term “**Sexual Misconduct**” refers to an umbrella term that includes sexual harassment, sexual violence, domestic violence, dating violence and stalking, all of which are defined in [www.pccc.edu/TitleIX](http://www.pccc.edu/TitleIX) . Additionally, this term also refers to any act of a sexual nature. Examples include but are not limited to: use of any substance to incapacitate an individual; lewd or obscene conduct (public urination, sexual acts performed in public, surreptitiously taking and or distributing pictures of another person in a gym, locker room, or restroom, streaking, possession or distribution of pornographic material; possession or distribution of any obscene materials, as defined by the standards of the College community).
- N. The term “**Sexual Harassment**” refers to any unwelcome conduct of a sexual nature, including but not limited to unwelcome sexual advances; requests for sexual favors; or other verbal or nonverbal conduct of a sexual nature, including rape, sexual assault, unwelcome touching, patting or other physical contact, and sexual exploitation when submission is made either explicitly or implicitly a condition of employment, the basis of employment decision, the basis of academic determinations, or has the purpose or effect of interfering with the victim’s work performance or academic performance. In addition, depending on the facts, dating violence, domestic violence, and stalking may also be forms of sexual harassment.
- O. The term “**Hazing**” is defined as a disorderly offense if in connection with initiation of a student or fraternal organization, a person knowingly or recklessly organizes, promotes,

- facilitates or engages in conduct which may place another person in danger or bodily injury.
- P. The term “**Crime of Violence**” includes, but is not limited to, arson, burglary, robbery, homicide, sexual misconduct, assault, destruction/damage/vandalism of property and kidnapping/abduction.
  - Q. The term “**Stalking**” is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.
  - R. The term “**Cyber Bullying**” is defined as willful and repeated threats, harassment or intimidation intended to inflict harm through the medium of electronic media. This behavior may occur on or off-campus.

#### **IV. Purpose and Scope of the Student Code of Conduct:**

- A. The purpose of the Student Code of Conduct is to provide a set of rules and to ensure that all students receive fair treatment as described in this Student Code of Conduct when violations of the rules occur. Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct proceedings are conducted with fairness to all, but do not include the same protections afforded by the courts. Fair treatment assures written notice and a hearing before an objective decision-maker, as described within these procedures. No student will be found in violation of College policy without information showing that it is more likely than not that a policy violation occurred, and any sanction will be proportionate to the severity of the violation.
- B. The Student Code of Conduct will apply to students engaging in activities on campus, or at any of the Passaic County Community College premises as well as to College approved functions on or off campus.
- C. Special Provisions:
  - 1. Attempted Violations - PCCC will treat attempts to commit any of the violations listed in the Student Code of Conduct as if those attempts had been completed.
  - 2. College as Complainant - As necessary, PCCC reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of misconduct.
  - 3. False Reports - PCCC will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation.
  - 4. Immunity for Victims/Witnesses/Those Offering Assistance - The PCCC community encourages the reporting of conduct code violations and crimes. It is in the best interests of this community that victims, witnesses and those offering assistance report violations to College officials. To encourage reporting, PCCC reserves the right to offer victims of crimes, witnesses and those offering assistance various degrees of immunity including amnesty.
  - 5. Parental Notifications Pursuant to the Family Educational Rights and Privacy Act (FERPA). PCCC reserves the right to notify the parents/guardians of dependent students regarding any conduct violation. Regardless of dependency status, PCCC may contact the parents/guardians or family of any student to inform them of situations in which there is a health and/or safety risk. PCCC reserves the right to

- designate which college officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).
6. Notification of Outcomes - The outcome of a campus hearing is part of the educational record of the accused student, and is protected from release under federal law, FERPA. However, PCCC observes the legal exceptions as follows:
    - a. Complainants in non-consensual sexual contact/intercourse incidents have an absolute right to be informed of the outcome and sanctions of the hearing, in writing, without condition or limitation.
    - b. Complainants in sexual exploitation/sexual harassment complaints have a right to be informed of information regarding sanctions that personally identifies and is directly pertinent to them, such as the imposition of a restriction on physical contact between the complainant and the accused student. Otherwise, information on the outcome and sanction cannot be shared.
    - c. PCCC may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a college policy that is a "crime of violence". PCCC may release this information to the complainant in any of these offenses regardless of the outcome, but complainants are cautioned that FERPA does not permit them to re-release this information to others.
  7. Misconduct Online. Students are cautioned that inappropriate behavior conducted online can subject them to College conduct violations. Students must also be aware that blogs, web pages, and online postings are in the public sphere, and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The College may take action if and when such information is brought to the attention of College officials.

### **V. Violations:**

- A. Any student found to have engaged in the following misconduct is subject to the conduct sanctions set forth in the Student Code of Conduct:
  1. Assault or attempted assault, which may include sexual assault, rape, acquaintance rape, domestic violence, dating violence, physical abuse or injury of any individual. (For complete definitions refer to [www.pccc.edu/TitleIX](http://www.pccc.edu/TitleIX)).
  2. Threat, verbal assault or abuse or physical obstruction of any College community member. This includes verbal or physical disruption or obstruction of teaching, and/or of any individual, office or authorized College activity.
  3. Stalking, purposely and repeatedly following another person and engaging in acts over a period of time (no matter how short) evidencing a continuity of purpose with the intent of annoying or alarming that person or placing that person in reasonable fear for his/her safety.
  4. Discriminate, bully, intimidate, harass an individual or group on the basis of race, gender identity or expression, color, age, creed, religion, national or ethnic origin, sexual orientation, military status, or physical or mental disability.
  5. Engaging in any reckless, tumultuous, or unlawful act or disruptive behavior on-campus, or while attending an off campus, college-sponsored event and/or online.
  6. Hazing of another individual or group; willingly or knowingly organizing, promoting, facilitating or engaging in any conduct which places or may place another or group in danger of physical, emotional or psychological injury or distress.

7. Making excessive tumultuous noise which includes but is not limited to profanity or offensive language.
8. Obstruction or restraining the free movement of another or causing a campus disruption of authorized activities and/or events. Breach of peace, or aiding, a betting, or procuring another person to breach the peace on College premises at functions sponsored by or participated in by the College.
9. Use of cellular telephones, text messaging, or other forms of electronic devices during a classroom lecture, exam or College-sponsored program, unless previously approved by the instructor or other authorized administrator.
10. Unauthorized use, possession, or storage of any firearms, shotguns, pistols, knives, razors, explosives, or any other dangerous weapons, instruments, or dangerous chemical substances in or on College premises or at any functions sponsored by the College.
11. Use, possession, distribution or manufacture of narcotic or other controlled substances except as permitted by law.
12. Use, possession, or distribution of alcoholic beverages on College premises; public intoxication on College premises; driving under the influence of alcohol or other drugs on College premises. Alcohol use is not allowed at any PCCC events held on campus. Alcohol use at off campus events is the responsibility of the host facility and students must adhere to local and federal laws.
13. Smoking on College premises is prohibited.
14. Gambling on College premises or during functions sponsored by the College.
15. Acts of dishonesty, including, but not limited to the following:
  - a. Cheating, plagiarism, or other forms of academic dishonesty (see Academic Integrity Policy);
  - b. Furnishing false information to any College official, faculty member, or office;
  - c. Forgery, alteration, or misuse of any College document, record, instrument of identification, or electronic parking device;
  - d. Tampering with an election conducted by a College recognized student organization.
16. Engaging in any form of sexual harassment and/or sexual misconduct.
17. Misrepresentation of oneself or misrepresentation of an organization as being an agent authorized to act for or on behalf of the College.
18. Theft of or damage to College property; damage to property in the possession of or owned by a member of the College Community; or possession of stolen property on College premises.
19. Violation of federal, state, or local laws on College premises or at PCCC sponsored or supervised activities.
20. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
21. Unauthorized possession, duplication, or use of keys to any College premises or unauthorized entry to, or use of, College premises, which includes both indoor and outdoor space.
22. Violation of published College policies, rules, or regulations.

23. Misuse of computing facilities or network to interfere with the normal operation of the College computing system, including but not limited to:
  - a. Theft or unauthorized entry into a file, data, e-mail or other electronically stored information to use, read, transfer, alter the content, or for any other purpose;
  - b. Unauthorized use of another individual's identification, password or computer account;
  - c. Spamming, probing or hacking into other computers or computer systems.
  - d. Use of computing facilities to interfere with the work of another student, faculty member, or College official;
  - e. Use of computing facilities to send computer viruses, obscene, abusive, or threatening messages;
  - f. Uploading or downloading copyrighted material for personal use or distribution without authorization.
24. Abuse of the Judicial process, including but not limited to:
  - a. Failure to adhere to the appropriate directions of a College official;
  - b. Falsification, distortion, or misrepresentation of information before the Judicial Affairs Committee;
  - c. Disruption or interference with the orderly conduct of a Judicial Affairs Committee hearing;
  - d. Attempting to discourage an individual's proper participation in, or use of, the Judicial Affairs Committee hearing;
  - e. Attempting to influence the impartiality of a member of the Judicial Affairs Committee prior to, and/or during the course of, the hearing;
  - f. Harassment (verbal or physical) and/or intimidation of a member of the Judicial Affairs Committee prior to and/or after a hearing;
  - g. Failure to comply with the sanction(s) imposed under the Student Code of Conduct;
  - h. Influencing others or attempting to influence another person to commit an abuse of the Student Code of Conduct;
25. Severe hygiene problems which interfere with the learning environment of others.
26. Violation of state, local, or campus fire policies, including:
  - a. Failure to evacuate a college-owned building during a fire alarm;
  - b. Improper use of college fire safety equipment;
  - c. Tampering with or improperly engaging a fire alarm in a college building.

## **B. Violations of Law and College Discipline**

1. If a student is charged only with an off-campus violation of federal, state, or local law, these violations will not be subject to the Student Code of Conduct.
2. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding under the Student Code of Conduct, however, the College may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters will be handled internally within the College community.

## **VI. Conduct Procedures - (Non Sexual Harassment, Sexual Misconduct and/or Stalking violations)**

### **A. Complaints and Hearings**

1. Any member of the College Community may file a complaint against any student for violation of the Student Code of Conduct. Complaints will be prepared in writing and directed to the Dean of Student Affairs, the administrator responsible for the coordination of the College Student Code of Conduct. Any complaint must be submitted within five (5) days. Complaints may be submitted after a longer period of time has elapsed at the discretion of the Dean of Student Affairs.
2. The Dean of Student Affairs, his/her designee, or other College officials may conduct an investigation to determine if there is reasonable cause to believe that an alleged violation has occurred. In such cases a determination and/or if the complaint can be addressed administratively by mutual consent of the parties involved. Such disposition will be final, and there will be no subsequent proceedings. If the complaint cannot be disposed of by mutual consent, the Dean of Student Affairs may refer the matter to the Judicial Affairs Committee, or in the case of a lesser offense, handle as noted below:
  - a. Lesser Offenses - In the case of all lesser offenses deemed by the Dean of Student Affairs not to constitute acts that would result in suspension or expulsion of the student or students, the Dean of Student Affairs will determine whether a violation has occurred and the sanctions that are appropriate by an informal process which will include talking to the student(s), giving the student(s) information about the regulation(s) allegedly violated and an opportunity for the student(s) to state his/her side of the incident. If the Dean of Student Affairs finds that it is more likely than not that a rule was violated, the Dean of Student Affairs may impose conduct sanctions as follows:
    - i. Verbal reprimands
    - ii. Verbal reprimands confirmed in writing.
    - iii. Temporary suspension of parking privileges
    - iv. Smoking violation fine
    - v. College community service
    - vi. All of the aforementioned.
  - b. Other Offenses - In cases where because of a prior conduct record, or because the alleged violation is of such a nature that, in the opinion of the Dean of Student Affairs suspension or expulsion could be imposed, the Dean of Student Affairs will refer the student to the Judicial Affairs Committee.
3. All complaints will be presented to the accused student in a written form. Written Notice will be mailed to the address on record but can also be emailed to a student's official College email account. Notice is presumptively delivered upon being mailed or emailed. The letter of notice will state the alleged incident as well as stating all policies that the accused student is alleged to have violated. A time shall be set for a hearing preferably no more than ten (10) business days after the student has been notified.
4. Hearings shall be conducted by the Judicial Affairs Committee according to the following guidelines:



- a. The Judicial Affairs Committee which functions under the bylaws of the Academic Council will elect the Chairperson of the Committee.
- b. Each person involved as a complainant or as an accused student will be required to supply a written account of the incident.
- c. The accused student and the complainant will be notified by the Dean of Student Affairs in writing of the time and place of the hearing, the violations against him/her, and his/her right to identify witnesses on his/her behalf.
- d. The parties to the complainant will be given the opportunity to object to the participation of any member of the Judicial Affairs Committee on the basis of conflict of interest. The committee will determine the validity of the claim.
- e. An accused student in need of interpretive services will be permitted the option of requesting an interpreter approved by the Dean of Student Affairs to assist the student in the comprehension of questions from the committee and/or in the presentation of the student's responses to questions. The assisting individual may translate only that for which the student requires a precise translation and will not be permitted to edit such remarks or proffer commentary.
- f. At the conduct hearing, the Chairperson of the Judicial Affairs Committee will read the complaint alleging violations of the Student Code of Conduct.
- g. Hearings will be conducted in private.
- h. The Judicial Affairs Committee, at the discretion of the Chairperson, may accept pertinent records, exhibits, and written statements as information for consideration. In-person statements by eyewitnesses are preferred.
- i. All procedural questions are subject to the final decision of the Chairperson of the Judicial Affairs Committee. Formal rules of evidence, such as those applied in a criminal or civil court, do not apply.
- j. The complainant and/or the accused are responsible for presenting his or her own information to the Committee.
- k. The complainant, the accused, and the Dean of Student Affairs may identify witnesses who may have helpful information for the Committee. The Committee will determine what questions to ask of witnesses, with input the Committee considers helpful from the complainant, accused student, and the Dean of Student Affairs.
- l. After the hearing, the Judicial Affairs Committee shall determine by majority vote whether the student has violated each section of the Student Code of Conduct that the student is accused of violating. The Judicial Affairs Committee's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code of Conduct. The Committee will make a written recommendation to the Dean of Student Affairs about possible appropriate sanctions, if any violations of the Student Code of Conduct are found.

## **B. Sanctions**

1. The Dean of Student Affairs may impose the following sanctions upon any student found to have violated the Student Code of Conduct, but before doing so, the Dean of Student Affairs will consider the recommendation of the Judicial Affairs Committee and will consult with the Senior Vice President for Academic and Student Affairs.

The Dean of Student Affairs will notify the student. One or more of the following sanctions may be imposed for a single rule violation:

- a.** Warning - A notice in writing to the student that the student is violating or has violated College regulations.
- b.** Probation - A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any College regulation(s) during the probationary period.
- c.** Loss of privileges - Denial of specified privileges for a designated period of time.
- d.** Restitution - Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- e.** Suspension i.e. Separation of the student from the College for a given period of time with the term specified to the student. The conditions for readmission will be specified. A student suspended from the College forfeits all rights and privileges of a student. This may include the opportunity to attend any public and/or non-public College-sponsored functions. This may include being barred from PCCC premises. All suspension actions will be noted in the student's record. In certain circumstances the Dean of Student Affairs with approval of the Senior Vice President for Academic and Student Affairs may impose an interim suspension from PCCC prior to a hearing of the Judicial Affairs Committee. In the event of an appeal, the Senior Vice President for Academic and Student Affairs and/or the Dean of Student Affairs may continue any previous suspension until disposition of the appeal.
- f.** Expulsion - Separation of the student from the College and barring from College property and all College-sponsored events. An expelled student may apply for reinstatement after a year to the Senior Vice President for Academic and Student Affairs.

### **C. Appeals**

- 1.** A decision that a student did or did not violate PCCC regulations and/or a decision that imposed sanctions may be appealed by the accused student or complainants to the President of Passaic County Community College within five (5) school days of the decision. Such appeals will be in writing and will be delivered to the President or his or her designee. The President reviews the matter only to determine whether one of the following grounds for appeal has merit:  
was the original hearing conducted fairly in light of the alleged violation and information presented and in conformity with PCCC regulations and/or procedures;
  - a.** was the determination about whether the regulations and/or procedures were violated based upon substantial information; that is, was there information sufficient to justify the Committee's determination;
  - b.** was the sanction(s) imposed appropriate for the violation of the Student Code of Conduct which the student was found to have committed;
  - c.** is there new information sufficient to alter a decision because such information was not known to the person appealing at the time of the original hearing.
- 2.** The President, upon the filing of such appeal, may **(a)** affirm the decision as to whether PCCC regulations were violated and, if so, impose a sanction(s) or **(b)** remand to the original Judicial Affairs Committee and the Dean of Student Affairs

- and/or the Senior Vice President for Academic and Student Affairs to correct an error in following PCCC procedures.
3. The President will advise the student in writing within a reasonable time of his/her decision.

## **VII. Conduct Procedures - (*Sexual Harassment, Sexual Misconduct and/or Stalking violations*)**

Charges of sex discrimination, sexual harassment and sexual misconduct will be treated seriously and pursued in accordance with established College procedures ([www.pccc.edu/TitleIX](http://www.pccc.edu/TitleIX)).

## **VIII. Interpretation and Revision**

- A. Presidential Power - nothing in these regulations will be deemed to limit the final authority of the President of the College in all matters relating to violations of the Student Code of Conduct and the imposition of the discipline or sanction(s).
- B. The Student Code of Conduct should be reviewed periodically under the direction of the Dean of Student Affairs.
- C. Any question or interpretation regarding the Student Code of Conduct shall be referred to the Dean of Student Affairs.

# PASSAIC COUNTY COMMUNITY COLLEGE TITLE IX GRIEVANCE PROCEDURES

## SECTION I – OVERVIEW

Passaic County Community College affirms its commitment to ensuring an environment for all students and employees that is fair, humane, and respectful. Every person is entitled to learn and work in an environment free from sex discrimination, sexual harassment, and sexual misconduct. It is the policy of Passaic County Community College that sex discrimination, sexual harassment, and sexual misconduct in any form will not be tolerated. Charges of sex discrimination, sexual harassment, and sexual misconduct will be treated seriously and pursued in accordance with established College procedures.

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex against any person in education programs and activities receiving federal funding. Programs or activities receiving federal financial assistance include virtually all public and private colleges and universities, and all public elementary and secondary schools. Sexual harassment, sex discrimination, and sexual misconduct are prohibited under PCCC Board Policy B108: *Title IX: Sex Discrimination, Sexual Harassment, and Sexual Misconduct*. (**Appendix A**).

### 1.

#### GLOSSARY

- A. **Advisor** means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- B. **College and PCCC** means Passaic County Community College.
- C. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute harassment.
- D. **Complaint (formal)** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment.
- E. **Confidential Resource** means an employee who is not a Mandated Reporter of notice of sexual harassment.
- F. **Day** means a business day when PCCC is in normal operation.
- G. **Education program or activity** means locations, events, or circumstances where PCCC exercises substantial control over both the Respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by PCCC.
- H. **Finding:** A conclusion by a preponderance of the evidence that the conduct did or did not occur as alleged (as in a “finding of fact”).

- I. **Grievance Process Pool** includes any investigators, hearing officers, appeal officers, Advisors and any person who facilitates an informal resolution process and shall receive training as required by Title IX regulations.
- J. **Hearing Decision-maker or Panel** refers to those who have decision-making and sanctioning authority within PCCC's Formal Grievance process.
- K. **Investigator** means the person or persons charged by PCCC with gathering facts about an alleged violation of this Procedure, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
- L. **Notice** means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of *sexually harassing conduct*.
- M. **Official with Authority (OWA)** means an employee of PCCC explicitly vested with the responsibility to implement corrective measures for sexual harassment on behalf of PCCC. (See List of OWA in **Appendix B**).
- N. **Parties** include the Complainant(s) and Respondent(s), collectively.
- O. **Relevant Evidence** is evidence that tends to prove or disprove an issue in the complaint.
- P. **Remedies** are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to PCCC's educational program.
- Q. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment.
- R. **Resolution** means the result of an informal or Formal Grievance Process.
- S. **Sanction** means a consequence imposed by PCCC on a Respondent who is found to have committed an act of sexual harassment.
- T. **Sexual Harassment** is the umbrella category comprising the offenses of sexual harassment, sexual assault, stalking, dating violence and domestic violence. (See Section I Paragraph 11 B).
- U. **Title IX Coordinator** is the official designated by PCCC to ensure compliance with Title IX. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks. All references to the Title IX Coordinator shall include the Deputy Title IX Coordinator who shall act when the Title IX Coordinator has a conflict of interest or is otherwise unavailable.
- V. **Title IX Team** refers to the Title IX Coordinator, any Deputy Coordinators and any member of the Title IX Grievance Process Pool.

## 2. RATIONALE FOR PROCEDURE

This Formal Grievance Procedure is intended to comply with Title IX Rules and PCCC Board of Trustees Policy B108: *Title IX: Sex Discrimination, Sexual Harassment, and Sexual Misconduct*.

## 3. TITLE IX COORDINATOR

The Associate Vice President for Human Resources serves as the Title IX Coordinator and oversees implementation and compliance with PCCC's policies on sexual harassment. The Title IX Coordinator has the primary responsibility for coordinating PCCC's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent sexual harassment prohibited under these procedures. The Dean of Student Affairs and Services serves as the Deputy Title IX Coordinator.

## 4. INDEPENDENCE AND CONFLICT-OF-INTEREST

The Title IX Coordinator manages the Title IX Team and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

## 5. NOTICES/COMPLAINTS OF SEXUAL HARASSMENT – ADMINISTRATIVE CONTACT INFORMATION:

Notice or complaints of sexual harassment may be made using any of the following options:

### A. File a complaint with, or give verbal notice to, the Title IX Coordinator or Deputy Title IX Coordinator:

**José A. Fernández**

Associate Vice President  
for Human Resources/

**Title IX Coordinator**

Office of Human Resources (E 305)  
Passaic County Community College  
One College Boulevard, Paterson, NJ  
(973) 684-6705  
Email: [jfernandez@pccc.edu](mailto:jfernandez@pccc.edu)

**Sharon Goldstein, PhD**

Associate Vice President/Dean of  
Student Affairs and Services

**Deputy Title IX Coordinator**

Office of Student Affairs (A 230)  
Passaic County Community College  
One College Boulevard, Paterson, NJ  
(973) 684-6309  
Email: [sgoldstein@pccc.edu](mailto:sgoldstein@pccc.edu)

Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator, Deputy Title IX Coordinator or any other Official with Authority.

Inquiries about or concerns regarding Title IX policy and procedures can be made to the Title IX Coordinator. Inquiries may also be made to:

**Office for Civil Rights (OCR)**  
**U.S. Department of Education**  
32 Old Slip Road, 26th floor  
New York, NY 10005-2500  
Telephone: (646) 428 -3900  
Facsimile: (646) 428 -3843  
TDD#: (800) 877-8339  
Email: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

## **6. SUPPORTIVE MEASURES**

PCCC will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve access to PCCC's education program or activity, including measures designed to protect the safety of all parties or the College's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, PCCC will inform the Complainant, in writing, that they may file a formal complaint with PCCC either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the parties with respect to the supportive measures that are planned and implemented.

PCCC will maintain the confidentiality of the supportive measures to the extent possible, provided that privacy does not impair PCCC's ability to provide the supportive measures. PCCC will act to ensure as minimal an academic/occupational impact on the parties as possible. PCCC will implement measures in a way that does not unreasonably burden the other party.

## **7. EMERGENCY REMOVAL AND CONTESTING NO CONTACT ORDERS/SUPPORTIVE MEASURES**

PCCC can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. At the request of the Title IX Coordinator, this risk analysis is performed by the College Behavioral Intervention Team [CBIT] using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested within one day from receipt of notice, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this procedure to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency

removal under this policy will be grounds for discipline, which may include expulsion or termination.

PCCC will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a course, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

Where the Respondent is an employee, existing provisions for interim action are applicable.

Both Respondent and the Complainant will, upon request and consistent with PCCC policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and will be allowed to submit evidence in support of this request.

Both the Respondent and the Complainant, upon request and consistent with PCCC policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any supportive measure that directly affects a party, and will be allowed to submit evidence in support of this request.

## **8. PROMPTNESS**

All allegations are acted upon promptly by PCCC once it has received notice or a formal complaint. Complaints can take 90 days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but PCCC will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in PCCC procedures will be delayed, PCCC will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

PCCC's resolution process will run concurrently with any criminal justice investigation and proceeding, except for temporary delays as requested by law enforcement while it gathers evidence. Temporary delays should not last more than three days except when law enforcement specifically requests and justifies a longer delay.

## **9. JURISDICTION**

These procedures apply to the education program and activities of PCCC, to conduct that takes place on the campus or on property owned or controlled by PCCC, at PCCC-sponsored events, or in buildings owned or controlled by PCCC's recognized student organizations. The Respondent must be a member of PCCC's community in order for its policies to apply.



This procedure can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to PCCC's educational program. PCCC may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial PCCC interest.

Regardless of where the conduct occurred, PCCC will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity.

If the Respondent is unknown or is not a member of the PCCC community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local law enforcement if the individual would like to file a police report.

In addition, PCCC may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from PCCC property and/or events.

## **10. TIME LIMITS ON REPORTING**

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to PCCC's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

## **11. SEX DISCRIMINATION AND SEXUAL HARASSMENT**

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discrimination based on sex including sexual harassment. PCCC's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom.

The paragraphs below describe the specific forms of legally prohibited harassment that are also prohibited under PCCC policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of PCCC policy, though supportive measures will be offered to those impacted. All policies encompass actual and/or attempted offenses.

### **A. SEX DISCRIMINATION**

Pursuant to law under Title IX and PCCC policy, no member of the PCCC community shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity of the College.

When a member of the PCCC community is denied the benefits of, or is subject to discrimination under any education program or activity of the College because of sex, PCCC may also impose sanctions on the Respondent through application of the grievance process below.

When offensive conduct and/or harassment that 1) does not rise to the level of sex discrimination under Title IX and the regulations promulgated thereunder, or 2) that is of a generic nature and not based on a protected status, PCCC will respond pursuant to

procedures contained in the current student code of conduct and applicable employment policies.

### **B. *SEXUAL HARASSMENT***

The Department of Education’s Office for Civil Rights (OCR) regards Sexual Harassment as a specific form of unlawful sex discrimination under Title IX and the regulations thereunder.

Title IX regulations define Sexual Harassment as conduct on the basis of sex that encompasses one or more of the following:

1. An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s education program or activity; or
3. “Sexual Assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). (For more details please see **Appendix C**)

### **12. RETALIATION**

Any person who participates in the Title IX reporting and investigation process, either as a complainant, respondent, witness, or other party, may do so without fear of retaliation. Retaliation by any College employee or student is prohibited and grounds for disciplinary action pursuant to the grievance procedure set forth herein. Individuals found responsible for retaliation shall be sanctioned in accordance with Section II Paragraph 30.

### **13. WHEN A COMPLAINANT DOES NOT WISH TO PROCEED**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make a written request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law. If there is a verbal request, the same will be confirmed in writing and delivered via email, hand delivery and/or regular mail by the Title IX Coordinator.

The Title IX Coordinator has discretion to sign a formal complaint where doing so is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator may consider a variety of factors, including a pattern of alleged misconduct by a particular respondent, in deciding whether to sign a formal complaint. Title IX Coordinator’s decision to sign a formal complaint may occur only after the Title IX Coordinator has promptly contacted the complainant (i.e., the person alleged to have been victimized by sexual harassment) to discuss availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, and explain to the complainant the process for filing a formal complaint. Thus, the Title IX Coordinator’s decision to sign a formal complaint includes taking into account the complainant’s wishes regarding how the recipient should respond to the complainant’s allegations.

One of the factors in the Title IX Coordinator's decision will be the results of the violence risk assessment completed by the College Behavioral Intervention Team (CBIT) that shows a compelling risk to health and/or safety such as patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence and requires PCCC to pursue formal action to protect the community. PCCC may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and PCCC's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When PCCC proceeds with an investigation, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may, with the Complainant's written consent, act as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that PCCC's ability to remedy and respond to notice may be limited if the Complainant does not want PCCC to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the College's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the College to honor that request, PCCC will offer supportive measures to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by PCCC, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

#### **14. FALSE ALLEGATIONS AND EVIDENCE**

Deliberately false and/or malicious accusations under these procedures are a serious offense and will subject the individual to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline.

## **15. AMNESTY FOR COMPLAINANTS AND WITNESSES**

The College encourages reporting and seeks to remove any barriers to reporting by making the reporting procedure transparent and straightforward. PCCC recognizes that an individual, particularly a student, who has been drinking or using drugs at the time of the incident, may be reluctant to make a report of sexual misconduct or harassment for fear of being charged with other college policy violations. An individual who reports sexual misconduct either as a complainant or a third party witness, will not be subject to disciplinary action by the College for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

## **16. IMMEDIATE ASSISTANCE FOR A VICTIM OF SEXUAL ASSAULT OR VIOLENCE**

An individual who has been the victim of a crime, such as sexual assault or violence, is encouraged to get to a safe place and contact 911 or PCCC Public Safety (973-684-5403) immediately. Even if the individual does not wish to report the criminal conduct to the College or to local law enforcement they should still consider going to a hospital, both for their own health and well-being and so that evidence can be collected and preserved.

A victim should not shower, bathe, douche, brush their teeth, drink or change clothing, as evidence may be destroyed that will be needed in the event the crime is prosecuted. Medical providers may also facilitate and provide the following: (1) Emergency or follow-up medical services. The medical examination has two goals: first, to treat the full extent of any injury or physical trauma and to consider the possibilities of sexually transmitted disease or pregnancy; and second, to collect and preserve evidence as part of a “rape kit” or sexual assault examination for potential use in a criminal prosecution (provided only by a trained professional in a hospital) (2) HIV and STD testing and (3) Pregnancy testing. Any evidence collected will be critically important should the individual decide to make an official report at a later time.

Upon receiving a report of sexual misconduct, the College will provide the victim with a list of resources:

- A.** PCCC Center for Violence Prevention: 973-684-8093
- B.** Passaic County Women’s Center: 973-881-1450;
- C.** Passaic County Prosecutor’s Office Sexual Assault Response Team (SART) and the Sexual Assault Nurse Examiner (SANE): 973- 881-4800;
- D.** New Jersey Domestic Violence Hotline: 800-572-SAFE; or
- E.** National Domestic Violence Hotline: 800-799-SAFE.

## **SECTION II - RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE POLICY ON SEXUAL HARASSMENT UNDER TITLE IX**

### **1. OVERVIEW**

PCCC will act on any formal or informal notice/complaint of violation of the policy on Sexual Harassment under Title IX (“the Policy”) that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures.

The procedures below apply **only** to qualifying allegations of sexual harassment (as defined in the Section I Paragraph 1-Glossary and Section I Paragraph 11.B - Sexual Harassment) and retaliation (as described in Section I Paragraph 12 above) involving students, staff, administrators, faculty members or third parties.

All other allegations of misconduct unrelated to incidents covered by the Title IX Sexual Harassment Policy (B108 - *Title IX: Sex Discrimination, Sexual Harassment, and Sexual Misconduct*) herein will be addressed through procedures described in PCCC policies affecting students, staff, administrators, faculty members or third parties.

### **2. NOTICE/COMPLAINT**

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps that PCCC needs to take and will initiate at least one of the following responses:

- A. Offering supportive measures; and/or
- B. An informal resolution (upon submission of a formal complaint); and/or
- C. A Formal Grievance Process including an investigation and a hearing (upon submission of a formal complaint).

PCCC uses the Formal Grievance Process to determine whether or not the Title IX Policy has been violated. If the Title IX Policy has been violated, PCCC will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual harassment their potential recurrence, or their effects.

### **3. INITIAL ASSESSMENT**

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator engages in an initial assessment, typically within one to five days. The steps in an initial assessment can include:

- A. If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
  - 1. If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint.
- B. If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.

- C. The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- D. The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- E. The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
  - 1. If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assesses the request, and implements accordingly. The Title IX Coordinator will determine whether to initiate a complaint. If the Title IX Coordinator does not initiate a complaint, the Complainant may elect to initiate one later.
  - 2. If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available and will determine if the Respondent is also willing to engage in informal resolution.
  - 3. If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX:
    - a. If it does, the Title IX Coordinator will initiate the formal investigation and grievance process.
    - b. If it does not, the Title IX Coordinator determines that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply and will refer the matter accordingly. Please note that dismissing a complaint under Title IX is solely a procedural requirement under Title IX, and does not limit PCCC’s authority to address a complaint with an appropriate process and remedies.

**4. DISMISSAL (MANDATORY AND DISCRETIONARY)**

- A. PCCC must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:
  - 1. The conduct alleged in the formal complaint would not constitute sexual harassment as defined above (See Information Section I Paragraph 1 – Glossary and Section I Paragraph 11.b. – Sexual Harassment ), even if proved; and/or
  - 2. The conduct did not occur in an educational program or activity controlled by PCCC (including buildings or property controlled by recognized student organizations), and/or PCCC does not have control of the Respondent; and/or
  - 3. The conduct did not occur against a person in the United States; and/or
  - 4. At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the PCCC.

- B.** PCCC may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:
1. The Respondent is no longer enrolled in or employed by the PCCC; or
  2. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein or discontinue participation in the process.
  3. Specific circumstances prevent PCCC from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, PCCC will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties. This dismissal decision is appealable by any party under the procedures for appeal below. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

## **5. COUNTER-COMPLAINT**

PCCC permits the filing of a counter-complaint. Counter-complaints will be processed using the grievance procedures set forth within. Investigation of such complaints may take place after resolution of the underlying initial allegation; in which case a delay may occur. Counter-complaints will go through the initial assessment process described in Section II Paragraph 3.

## **6. RIGHT TO AN ADVISOR**

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is reasonably available. “Available” means the party cannot insist on an advisor who simply doesn’t have inclination, time, or availability. Also, the advisor cannot have institutionally conflicting roles such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

### **A. WHO CAN SERVE AS AN ADVISOR?**

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with throughout the resolution process. The parties may choose Advisors from inside or outside of the PCCC community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from PCCC, the Advisor will be trained by PCCC and be familiar with PCCC’s resolution process. PCCC cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the College is not obligated to provide an attorney. PCCC will not be responsible for providing “effective assistance of counsel” as Title IX regulations do not require that advisors be lawyers

providing legal counsel nor do these regulations impose an expectation of skill, qualifications, or competence.

If the parties choose an Advisor from outside the pool of those identified by PCCC, the Advisor may not have been trained by PCCC and may not be familiar with PCCC policies and the Title IX Sexual Harassment Formal Grievance Procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

#### **B. ADVISOR'S ROLE IN MEETINGS AND INTERVIEWS**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

#### **C. ADVISORS IN HEARINGS**

Under Title IX regulations, a form of cross examining is required during the hearing, but must be conducted by the parties' advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, PCCC will appoint a trained Advisor for the limited purpose of conducting any questioning of the other party and witnesses.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct questioning, the College will appoint an Advisor who will do so, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker(s) during the hearing.

#### **D. ADVISOR'S ROLE IN MEETINGS AND INTERVIEWS**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

PCCC cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, PCCC is not obligated to provide an attorney.

#### **E. ADVISOR VIOLATIONS OF PCCC POLICY**

All Advisors are subject to the same PCCC policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address PCCC officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during cross-examination at a hearing.



The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

#### **F. SHARING INFORMATION WITH THE ADVISOR**

Parties may share documentation and evidence directly with their Advisor, though it is important to be mindful of the privacy of this process. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by PCCC. PCCC may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by PCCC's privacy expectations.

#### **G. EXPECTATIONS OF AN ADVISOR**

PCCC generally expects an Advisor to adjust their schedule to allow them to attend PCCC meetings when planned but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

PCCC may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

#### **H. EXPECTATIONS OF THE PARTIES WITH RESPECT TO ADVISORS**

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) days before the hearing.

As a public entity, PCCC fully respects and accords the Weingarten rights of employees. For parties who are entitled to union representation, PCCC will allow the unionized employee to have their union representative serve as their advisor (if requested by the party).

### **7. INFORMAL RESOLUTION PROCESSES**

After a Formal Complaint has been filed, either party may request an Informal Resolution.

PCCC will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

Informal Resolution is a mechanism by which the parties reach a mutually agreed upon resolution of an allegation. In addition, the Title IX Coordinator must determine if an Informal Resolution mechanism is appropriate in the case. All agreements reached through the Informal Resolution process must be in writing and signed by all parties.

The Title IX Coordinator maintains records of any Informal Resolution that is reached, and failure to abide by the Informal Resolution agreement will result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution are not appealable.

Informal Resolution proceedings are private. All persons present at any time during the informal resolution process are expected to maintain the privacy of the proceedings in accordance with PCCC policy. Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose related to Informal Resolution. PCCC encourages parties to discuss any sharing of information with their Advisors before doing so.

#### **8. FORMAL GRIEVANCE PROCESS: NOTICE OF INVESTIGATION AND ALLEGATIONS**

Upon receipt of a formal complaint, The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the parties who are known. The NOIA shall include:

- A.** Notice of the recipient’s grievance process, including the informal resolution process.
- B.** Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined above in Information Section I Paragraph 11.B - Sexual Harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
  - 1.** the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and
  - 2.** the date and location of the alleged incident, if known.
- C.** The written notice will:
  - 1.** include a statement that the respondent is presumed not responsible for the alleged

conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

2. inform the parties that they may have an Advisor of their choice, who may be, but is not required to be, an attorney;
3. inform the parties that they may inspect and review evidence; and
4. include those provisions in the College's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the College decides to investigate allegations about the Complainant or Respondent that are not included in the notice, the College will provide notice of the additional allegations to the parties whose identities are known.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

The NOIA may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official PCCC records, or emailed to the parties' PCCC-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

## **9. RESOLUTION TIMELINE**

PCCC will make a good faith effort to complete the resolution process within a ninety 90 day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

## **10. APPOINTMENT OF INVESTIGATORS**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints an Investigator to conduct the investigation, usually within two (2) days of determining that an investigation should proceed.

## **11. ENSURING IMPARTIALITY**

Any individual materially involved in the administration of the resolution process [including the Title IX Coordinator, Investigator(s), and Decision-maker(s)] may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the grievance process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

PCCC operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by Preponderance of the Evidence.

## **12. INVESTIGATION TIMELINE**

Investigations are completed expeditiously the length of which will depend on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

PCCC will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

## **13. DELAYS IN THE INVESTIGATION PROCESS AND INTERACTIONS WITH LAW ENFORCEMENT**

PCCC may undertake a short delay in its investigation if circumstances require. Such circumstances include, but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of a party, a party's advisor and/or witnesses, and/or accommodations for disabilities or health conditions.

PCCC will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. PCCC will promptly resume its investigation and resolution process as soon as feasible. During such a delay, PCCC will implement supportive measures as deemed appropriate.

PCCC action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

## **14. ROLE AND PARTICIPATION OF WITNESSES IN THE INVESTIGATION**

Witnesses (as distinguished from the parties) who are students or employees of PCCC are expected to cooperate with and participate in PCCC's investigation and resolution process. Failure of employee witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., summer break, pandemic) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. PCCC will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

## **15. RECORDING OF INTERVIEWS**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made

aware of audio and/or video recording.

**16. RESTRICTIONS ON EVIDENCE GATHERING**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent; 4) the parties’ mental health history or treatment.

**17. REFERRAL FOR HEARING**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) calendar days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the Decision-maker–unless all parties and the Decision-maker agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision-maker(s).

**18. HEARING DECISION-MAKER COMPOSITION**

PCCC will designate a single Decision-maker or a three-member panel, at the discretion of the Title IX Coordinator. The single Decision-maker will also Chair the hearing. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision-maker(s) will not have had any previous involvement with the investigation or grievance process. The Title IX Coordinator may elect to have an alternate sit in throughout the hearing process in the event that a substitute is needed for any reason.

**19. EVIDENTIARY CONSIDERATIONS IN THE HEARING**

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of

responsibility is reached.

Any witness scheduled to participate in the hearing must have first been interviewed by the investigator(s), unless all parties assent to the witness' participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

After post-hearing deliberation, the Decision-maker renders a determination based on the preponderance of the evidence that is whether it is more likely than not that the Respondent violated the Policy as alleged.

## **20. NOTICE OF HEARING**

No less than ten (10) calendar days prior to the hearing, the Title IX Coordinator will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A.** The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- B.** Description of any technology that will be used to facilitate the hearing.
- C.** Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) days prior to the hearing.
- D.** A list of all those who will attend the hearing, the name of the Decision-maker(s) along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) days prior to the hearing.
- E.** Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- F.** Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and PCCC will appoint one. Each party must have an Advisor present. There are no exceptions.
- G.** A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
- H.** An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-maker will review during any sanction determination.
- I.** An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) days prior to the hearing.

- J. Notification that the parties cannot bring mobile phones/devices into the hearing.
- K. The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the College and remain within the 90 day goal for resolution.

## **21. ALTERNATIVE HEARING PARTICIPATION OPTIONS**

If a party or parties cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator at least five (5) days prior to the hearing.

The Title IX Coordinator can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator know at least five (5) days prior to the hearing so that appropriate arrangements can be made.

## **22. HEARING PROCEDURES**

Participants at the hearing will include the Chair, any additional panelists, the Investigator(s) who conducted the investigation, the parties, Advisors to the parties, any called witnesses, and anyone providing authorized accommodations or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties and the witnesses will then be excused.

## **23. JOINT HEARINGS**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

## **24. THE ORDER OF THE HEARING – INTRODUCTIONS AND EXPLANATION OF PROCEDURE**

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s) on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the

challenge.

## **25. INVESTIGATOR PRESENTS THE FINAL INVESTIGATION REPORT**

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

## **26. TESTIMONY AND QUESTIONING**

Once the Investigator(s) present their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors (“cross-examination”).

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request if agreed to by all parties and the Chair), the proceeding will pause to allow the Chair to consider it (and state it if it has not been stated aloud), and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may invite explanations or persuasive statements regarding relevance from the Advisors, if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Chair may elect to address those issues, consult with the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

## **27. REFUSAL TO SUBMIT TO CROSS EXAMINATION AND INFERENCES**

If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of



responsibility. The Decision-maker(s) must disregard that statement. Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some cross-examination questions, only statements related to the cross-examination questions they refuse to answer cannot be relied upon. However, if the statements of the party who is refusing to submit to cross-examination or refuses to attend the hearing are the subject of the allegation itself (e.g., the case is about verbal harassment or a quid pro quo offer), then those statements are not precluded from admission.

The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If a party's Advisor of choice refuses to comply with PCCC's established rules of decorum for the hearing, PCCC may require the party to use a different Advisor. If a PCCC-provided Advisor refuses to comply with the rules of decorum, PCCC may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

## **28. RECORDING HEARINGS**

Hearings (but not deliberations) are recorded by PCCC for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of PCCC will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

## **29. DELIBERATION, DECISION-MAKING, AND STANDARD OF PROOF**

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker(s) may – at their discretion – consider the statements, but they are not binding.

The Decision-maker(s) will review the statements and any pertinent conduct history provided by appropriate administrator and will determine the appropriate sanction(s).

The Chair will then prepare a written deliberation statement (“Written Determination”) and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence not relied upon in its determination, credibility assessments, and any sanctions.

This Written Determination under normal circumstances will be submitted to the Title IX Coordinator within five (5) days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

The Written Determination will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official PCCC records, or emailed to the parties' PCCC-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Written Determination will articulate the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by PCCC from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Written Determination will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent PCCC is permitted to share such information under state or federal law; any sanctions issued which PCCC is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to PCCC's educational or employment program or activity, to the extent PCCC is permitted to share such information under state or federal law.

The Written Determination will also include information on when the results are considered by PCCC to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

### **30. SANCTIONS**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- A.** The nature, severity of, and circumstances surrounding the violation(s)
- B.** The Respondent's disciplinary history
- C.** Previous allegations or allegations involving similar conduct
- D.** The need for sanctions/responsive actions to bring an end to the sexual harassment
- E.** The need for sanctions/responsive actions to prevent the future recurrence of sexual harassment
- F.** The need to remedy the effects of the sexual harassment on the Complainant and the community
- G.** The impact on the parties
- H.** Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this procedure are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

## **1. STUDENT SANCTIONS**

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- a. *Warning*: A formal statement that the conduct was unacceptable and a warning that further violation of any PCCC policy, procedure, or directive will result in more severe sanctions/responsive actions.
- b. *Required Counseling*: A mandate to meet with and engage in either PCCC-sponsored or external counseling to better comprehend the misconduct and its effects.
- c. *Probation*: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- d. *Suspension*: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at PCCC.
- e. *Expulsion*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend PCCC-sponsored events.
- f. *Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including PCCC registration) for a specified period of time.
- g. *Other Actions*: In addition to or in place of the above sanctions, PCCC may assign any other sanctions as deemed appropriate.

## **2. EMPLOYEE SANCTIONS/RESPONSIVE ACTIONS**

Responsive actions for an employee who has engaged in sexual harassment include:

- a. *Warning – Verbal or Written*
- b. *Performance Improvement Plan/Management Process*
- c. *Required Counseling*
- d. *Required Training or Education*
- e. *Reassignment*
- f. *Suspension without pay*

*g. Termination*

*h. Other Actions:* In addition to or in place of the above sanctions/responsive actions, the PCCC may assign any other responsive actions as deemed appropriate.

**31. WITHDRAWAL OR RESIGNATION WHILE CHARGES PENDING**

**A. STUDENTS**

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from PCCC, the resolution process ends, as PCCC no longer has disciplinary jurisdiction over the withdrawn student.

However, PCCC will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to PCCC. Such exclusion applies to all campuses of PCCC. A hold will be placed on their ability to be readmitted. They will also be barred from PCCC property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to PCCC unless and until the grievance process has been completed including, if applicable, all sanctions have been satisfied.

**B. EMPLOYEES:**

Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as PCCC no longer has disciplinary jurisdiction over the resigned employee.

However, PCCC will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with PCCC or any campus of PCCC, and the records retained by the Title IX Coordinator will reflect that status.

All PCCC responses to future inquiries regarding employment references for that individual may include that the former employee resigned during a pending disciplinary matter.

**32. APPEALS**

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within 5 days of the delivery of the Written Determination.

PCCC will designate a single appeals decision maker or a three-member appeal panel at the discretion of the Title IX Coordinator. No appeal panelists will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process. A single appeals decision-maker will be referred to as the Chair. If a three-member appeal panel is appointed, the Title IX coordinator will appoint one of the three members as Chair. The Request for Appeal will be forwarded to the Appeal Chair for consideration to determine if the request

meets the grounds for appeal (a Review for Standing). This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

**A. GROUNDS FOR APPEAL**

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Chair and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Chair will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given 5 days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Chair to all parties for review and comment.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision Maker(s) will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses. The Appeal Decision Maker(s) will render a decision in no more than 5 days, barring exigent circumstances. The decisions made by a multi person panel will be made by majority vote and apply the preponderance of the evidence standard.

A written appellate decision will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The written appellate decision will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the PCCC is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the PCCC is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' PCCC-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

**B. SANCTIONS STATUS DURING THE APPEAL**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

PCCC may still place holds on official transcripts and course registration pending the outcome of an appeal.

### **C. APPEAL CONSIDERATIONS**

1. Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
2. Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
3. An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
4. The Appeal Chair/Decision-maker(s) may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
5. Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
6. When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.
7. In rare cases where a procedural error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).
8. The decision to remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
9. In cases in which the appeal results in reinstatement to PCCC or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

### **33. RECORDKEEPING**

PCCC will maintain for a period of seven years records of:

- A. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
- B. Any disciplinary sanctions imposed on the Respondent;
- C. Any remedies provided to the Complainant designed to restore or preserve equal access to the PCCC’s education program or activity;
- D. Any appeal and the result therefrom;
- E. Any Informal Resolution and the result therefrom;
- F. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. PCCC will make these training materials publicly available on PCCC’s website; and
- G. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  - 1. The basis for all conclusions that the response was not deliberately indifferent;
  - 2. Any measures designed to restore or preserve equal access to the PCCC’s education program or activity; and
  - 3. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

PCCC will also maintain any and all records in accordance with state and federal laws.

**34. DISABILITIES ACCOMMODATIONS IN THE RESOLUTION PROCESS**

PCCC is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the PCCC’s resolution process.

Anyone needing such accommodations or support should contact the Title IX Coordinator who will determine which accommodations are appropriate and necessary for full participation in the process.

**35. REVISION OF THESE PROCEDURES**

These procedures supersede any previous procedures addressing Title IX sexual harassment and will be reviewed and updated periodically by the Title IX Coordinator. PCCC reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background federal laws which frame such policies and codes, generally.

These procedures are effective August 14, 2020.

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## **APPENDIX A**

### **PASSAIC COUNTY COMMUNITY COLLEGE BOARD POLICY**

#### **B108 TITLE IX: *SEX DISCRIMINATION, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT***

Passaic County Community College affirms its commitment to ensuring an environment for all students and employees that is fair, humane, and respectful. Every person is entitled to learn and work in an environment free from sex discrimination, sexual harassment, and sexual misconduct. It is the policy of Passaic County Community College that sexual discrimination, sexual harassment, and sexual misconduct in any form will not be tolerated. Charges of sex discrimination, sexual harassment, and sexual misconduct will be treated seriously and pursued in accordance with established College procedures. Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex against any person in education programs and activities receiving federal funding. Inquiries concerning the application of the above-mentioned Title IX statement to any policy, program, or other activity at Passaic County Community College may be referred to the Title IX Coordinator, who has been especially designated by the College to oversee the continued application of the Title IX and nondiscriminatory policies. Inquiries, concerns, or complaints may also be referred to the Director of the Office for Civil Rights, U.S. Department of Health and Human Services.

Approved: 7/21/2015



**APPENDIX B**  
**OFFICIALS WITH AUTHORITY**

The following employees have been designated as “Officials with Authority” by Passaic County Community College.

| <b>TITLE IX COORDINATORS</b>   |              |                     |        |
|--|--------------|---------------------|--------|
| Jose Fernandez, Associate Vice President,<br>Human Resources<br>Title IX Coordinator                                   | 973-684-6107 | jfernandez@pccc.edu | E-305  |
| Dr. Sharon Goldstein, Associate Vice<br>President/ Dean<br>Student Affairs and Services<br>Deputy Title IX Coordinator | 973-684-6919 | sgoldstein@pccc.edu | A-231A |
| <b>Office of the President</b>   |              |                     |        |
| Dr. Steven M. Rose   | 973-684-5900 | srose@pccc.edu      | E-301  |
| <b>Vice Presidents</b>   |              |                     |        |
| Dr. Jacqueline Kineavy, Sr. Vice<br>President Academic and Student Affairs   | 973-684-6300 | jkineavy@pccc.edu   | A-230  |
| Vice President Finance and<br>Administrative Services  | 973-684-6036 |                     | E-404  |
| Bradley Morton, Vice President<br>Information Technology   | 973-684-6626 | bmorton@pccc.edu    | E-502  |
| Todd Sorber, Vice President<br>Institutional Advancement   | 973-684-5656 | tsorber@pccc.edu    | HC307  |

**APPENDIX C**  
**TITLE IX: Examples**

**Examples of possible sexual harassment include:**

- A professor offers for a student to have sex or go on a date with them in exchange for a good grade. This constitutes sexual harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is promised or a bad grade is threatened.
- A student repeatedly sends graphic, sexually-oriented jokes and pictures around campus via social media to hundreds of other students. Many don't find it funny and ask them to stop, but they do not. Because of these jokes, one student avoids the sender on campus, eventually asking to drop a class they had together.
- A professor engages students in class in discussions about the students' past sexual experiences, yet the conversations are not in any way germane to the subject matter of the class. The professor asks about explicit details and demands that students answer them, though the students are clearly uncomfortable and hesitant.
- An ex-partner widely spreads false stories about their sex life with their former partner to the clear discomfort and frustration of the former partner, turning the former partner into a social pariah on campus.

- Chris has recently transitioned from male to non-binary, but primarily expresses as a female. Since their transition, Chris has noticed that their African Studies professor, Dr. Mukembo, pays them a lot more attention. Chris is sexually attracted to Professor Mukembo and believes the attraction is mutual. Chris decides to act on the attraction. One day, Chris visits Dr. Mukembo during office hours, and after a long conversation about being non-binary, Chris kisses Dr. Mukembo. Dr. Mukembo is taken aback, stops the kiss, and tells Chris not to do that. Dr. Mukembo explains to Chris that they are not interested in Chris sexually or romantically. Chris takes it hard, crying to Dr. Mukembo about how hard it is to find someone who is interested in them now based on their identity. Dr. Mukembo feels sorry for Chris and softens the blow by telling them that no matter whether they like Chris or not, faculty-student relationships are prohibited by the college. Chris takes this as encouragement. One night, Chris goes to a gay bar some distance from campus and sees Dr. Mukembo at the bar. Chris tries to buy Dr. Mukembo a drink and, again, tries to kiss Dr. Mukembo. Dr. Mukembo leaves the bar abruptly. The next day, Chris makes several online posts that out Dr. Mukembo as gay and raise questions about whether they are sexually involved with students. Dr. Mukembo contacts the Title IX Office and alleges that Chris is sexually harassing him.

### Examples of Stalking

- Students A and B were “friends with benefits.” Student A wanted a more serious relationship, which caused student B to break it off. Student A could not let go, and pursued student B relentlessly. Student B obtained a campus no-contact order. Subsequently, Student B discovered their social media accounts were being accessed, and things were being posted and messaged as if they were from them, but they were not. Whoever accessed their account posted a picture of a penis, making it look as if they had sent out a picture of themselves, though it was not their penis. This caused them considerable embarrassment and social anxiety. They changed their passwords, only to have it happen again. Seeking help from the Title IX Coordinator, Student B met with the IT department, which discovered an app on their phone and a keystroke recorder on their laptop, both of which were being used to transmit their data to a third party.
- A student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the student thanked the student and stated that it was not necessary and would appreciate it if the gift deliveries stopped. The student then started leaving notes of love and gratitude on the tutor’s car, both on-campus and at home. Asked again to stop, the student stated by email, “You can ask me to stop, but I’m not giving up. We are meant to be together, and I’ll do anything to make you have the feelings for me that I have for you.” When the tutor did not respond, the student emailed again, “You cannot escape me. I will track you to the ends of the earth. If I can’t have you, no one will.”

### Examples of Sexual Assault:

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come to his apartment. From 11:00 p.m. until 3:00 a.m., Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. Despite her clear communications that she is not interested in doing anything sexual with him, Bill keeps at her, questions her religious convictions, and accuses her of being “a prude.” He brings up several rumors that he has heard about how she performed oral sex on a number of other guys. Finally, it seems to Bill that her resolve is weakening, and he convinces her to “jerk him off” (hand to genital contact). Amanda would have never done it but for Bill’s incessant advances. He feels that he successfully seduced her and that she wanted to do it all along but was playing shy and hard to get. Why else would she have come to his apartment alone after the party? If she really didn’t want it, she could have left.
- Jiang is a sophomore. Beth is a freshman. Jiang comes to Beth’s home with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, soon become more intimate, and start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a babysitter at the age of five and avoids sexual relations as a result, is shocked at how quickly things are progressing. As Jiang takes

her by the wrist over to the bed, lays her down, undresses, and begins to have intercourse with Beth, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop but cannot. Beth is stiff and unresponsive during the intercourse.

- Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his apartment, and John comes on to Kevin, initiating sexual activity. Kevin asks John if he is really up to this, and John says yes. They remove each other's clothes, and they end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex, but he came to again. When Kevin runs into John the next day, he thanks him for the great night. John remembers nothing and decides to make a report to the Dean.

### **Examples of Retaliation:**

- Student-athlete A alleges sexual harassment by a coach; the coach subsequently cuts the student-athlete's playing time without a legitimate justification.
- A faculty member alleges gender inequity in pay within her department; the Department Chair then revokes his approval for her to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- A student from Organization A participates in a sexual harassment investigation as a witness whose testimony is damaging to the Respondent, who is also a member of Organization A; the student is subsequently removed as a member of Organization A because of their participation in the investigation.

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## MOVING ON TO SUCCESS

**Graduation** - The annual Commencement ceremony is held at the end of the spring semester. However, students completing their graduation requirements in August or December will have their degree posted to their transcript by the end of said month. All graduates are encouraged to participate in commencement exercises. Only students whose eligibility for graduation has been approved by their academic department and certified by the Registrar are permitted to participate in commencement activities.

All requirements of the program in which the student is matriculated, as stated in the current official copy of the College Catalog at the time of matriculation, must be met. The granting of a degree from Passaic County Community College will require no less than 60 college-level credits toward a college degree, with a minimum of 30 credits completed at Passaic County Community College.

Students must complete at least one-half of credits required in their major at Passaic County Community College. Students intending to graduate must apply for graduation through their student planning account which will notify the Registrar. No student may be awarded any degree from Passaic County Community College until successful completion of a College Writing Examination. NOTE: a student is eligible to take the College Writing exam after completion of EN101 and 1 Writing Intensive Course. The examination is administered regularly and a student may attempt the examination more than once if necessary. No student may be awarded the Associate Degree in Nurse Education until he/she has passed a comprehensive nursing examination near the end of his/her program.

Students must complete all the steps for graduation in order for their degree to be posted to their transcript and to receive a diploma. In order to ensure proper advisement, students are encouraged to apply for graduation before registering for their final semester.

**Important:** be sure you have taken and passed the College Writing Exam (CWE) and that you have no outstanding debts to the College.

1. Make an appointment with the department chair of your academic program to complete the graduation application. The Graduation application form can be downloaded from the student's self-service portal account in student planning. This is the preferred method of submission, as it will auto-upload the information. Do not forget to attach a copy of your degree audit to bring to your appointment with your department chairperson.
2. Please submit all applications by the following dates: fall semester (Nov 1), spring semester (April 1), summer semester (July 1).
3. Once the graduation application is received, the Registrar's Office will evaluate your academic record and notify you of your status via your students.pccc.edu email account. If you have any questions regarding the graduation process, please email [graduation@pccc.edu](mailto:graduation@pccc.edu)

## Passaic County Community College Frequently Called Offices

### **Paterson Campus**

1 College Boulevard

Paterson, New Jersey 07505-1179

(973) 684-6800, Fax (973) 684-5843

**GPS:** 188 Ellison Street, Paterson, New Jersey 07505

|  |                |
|--|----------------|
| ▪ Academic Affairs                     | 973-684-6500   |
| ▪ Adjunct Office                       | (973) 684-5508 |
| ▪ Admissions                           | (973) 684-6868 |
| ▪ Athletics                            | (973) 754-7192 |
| ▪ Bookstore                            | (973) 247-9406 |
| ▪ Bookstore Fax                        | (973) 247-9408 |
| ▪ Bursar                               | (973) 684-5202 |
| ▪ Career Services                      | (973) 684-5568 |
| ▪ Center for Student Success           | (973) 684-5524 |
| ▪ Center for Violence Prevention       | (973) 684-8093 |
| ▪ Child Development Center             | (973) 684-5915 |
| ▪ Continuing Education                 | (973) 684-6153 |
| ▪ Cultural Affairs                     | (973) 684-5448 |
| ▪ Dean of Student Affairs and Services | (973) 684-6309 |
| ▪ Disability Services                  | (973) 684-6395 |
| ▪ Educational Opportunity Fund         | (973) 684-5662 |
| ▪ Facilities                           | (973) 684-5999 |
| ▪ Financial Aid                        | (973) 684-6100 |
| ▪ Fire, Medical, Police                | 911            |
| ▪ Fitness Center                       | (973) 684-5042 |
| ▪ Food Pantry                          | (973) 684-5554 |
| ▪ Food Services/Cafeteria              | (973) 684-6838 |
| ▪ Game Room                            | (973) 684-5043 |
| ▪ I.T. Staff                           | (973) 684-6464 |
| ▪ Learning Resource Center             | (973) 684-5877 |
| ▪ Office of Student Activities         | (973) 684-7191 |
| ▪ Office of Student Advocacy           | (973) 684-5554 |
| ▪ Transfer Services                    | (973) 684-5568 |
| ▪ Veterans Services                    | (973) 684-6203 |

### **Passaic Academic Center**

2 Paulison Avenue

Passaic, New Jersey 07055

Main Number (973) 341-1600

Fax (973) 341-1601

Library (973) 341-1613  
Nursing Department (973) 684-5218  
Security (Main Desk) (973) 341-1610

**Public Safety Academy**

300 Oldham Road  
Wayne, New Jersey 07470

Main Number (973) 304-6020  
Fax (973) 720-0023  
Fire Science (973) 304-6025

**Wanaque Academic Center**

500 Union Avenue  
Wanaque, New Jersey 07420

Main Number (973) 248-3000  
Fax (973) 248-9620  
Food Services/Cafeteria (973)248-3015  
Library (973) 248-3021