

Annual Security Report

[Annual Security Report \(PDF\)](#)

General Policy Statement:

This Annual Security Report (ASR) is created and published by the University in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), 20 U.S.C. 1092f, and the Department of Education's regulations codified at 34 C.F.R. 668.41, 668.46 and 668.49, and the Drug Free Schools and Communities Act and Part 86 of the Department of Education's General Administrative Regulations. The ASR is available on the University's website at the University Police Department Webpage and is updated annually. The ASR is also distributed electronically to current and prospective students and employees no later than October 1st each year. Upon request, a paper copy of the report will be provided by University Police at its Headquarters.

University Law Enforcement Policies

Community safety is the primary responsibility of the **University Police Department**, administered by its Chief of Police who reports to the Vice President for Student Development and Campus Life. In addition to the Chief, the department is staffed by commissioned police officers and dispatch officers.

The department is staffed 24 hours a day, 365 days a year. Information and emergency telephone numbers are posted and published throughout campus. Officers at headquarters are in direct radio communication with officers on patrol. Patrols of the campus are made by police officers in highly visible police vehicles.

University police officers are trained and commissioned in accordance with NJSA 18A:6-4.2-4. University police officers complete 26-week training at the police academy approved by the State of New Jersey Police Training Commission and which is the same as required for municipal police officers. University police officers have complete authority to apprehend and arrest anyone involved in illegal acts on campus and enforce all New Jersey Motor Vehicle laws. All personnel receive additional in-service instruction through qualified sources throughout the state. This includes cardiopulmonary resuscitation (CPR) and first aid, as well as other relevant service skills.

The department has been assigned an identification number by the Federal Bureau of Investigation (FBI) and submits monthly reports of all criminal incidents under its jurisdiction to the New Jersey State Police. These reports are forwarded to the FBI and compiled into the Uniform Crime Report (UCR). The department works closely with local police and fire departments in the Township of Little Falls, Township of Montclair and City of Clifton, the New Jersey State Police and other law enforcement agencies. The department is equipped with the State Police Emergency Network (SPEN), affording immediate communication with neighboring law enforcement

agencies. The Department also maintains a written daily crime log listing all crimes that occurred on campus, in University's residence halls, off-campus, and on public property.

Crime Prevention

The Montclair State campus is an open one. There are no protective boundaries that separate it from surrounding communities and highways. Although the University police officers are highly visible in providing for the safety and welfare of the university community, there are precautions that everyone should take to avoid becoming a potential target of crime. For example, traveling alone after peak class hours to perimeter areas of the campus (such as distant parking lots or undeveloped portions of the campus) is not a safe practice. For this reason, we encourage students and employees to walk with a friend or in a group or to take the Campus Shuttle Bus. The department provides a number of services to help prevent crime that include the following:

- **Residence Life Orientation** – Students living on campus as well as commuting students, housing directors and assistants are made aware of topics and situations that might be encountered on the university campus. Topics include *Acquaintance Rape, Alcohol and Drug awareness, Theft Prevention* and *Safety on Campus*. Through crime prevention awareness, students living on and off campus learn ways and methods to minimize the chances of becoming the victim of a crime.
- **New Employee Orientation** – Through orientation, new employees to the university are made aware of crime prevention methods and strategies that will be helpful in reducing the chances of becoming a victim of crime on and off campus. Topics include *Theft Prevention, Safety on Campus* and *Workplace Violence*.
- **Bicycle Patrol** – Along with heightened foot patrols and mobile units, University Police Officers on bicycle patrol increase awareness and the visibility of officers is a deterrent to crime.
- **Self-Defense Training** – Offered by University Police Officers, this training is free and open to all members of the campus community. Training is offered periodically throughout the fall and spring semesters.
- **Crime Prevention** – A variety of educational programs are offered by the University, e.g. crime prevention officers conduct panel discussions in classes, at Residence Life, the Drop-in Center and Greek organizations. Topics include *Date/Acquaintance Sexual Assault, AIDS, Auto and Property Theft, Personal Safety Issues* and *Alcohol Awareness*. Brochures and other literature are available at the University Police Headquarters.
- **Rohypnol/GHB (Gamma Hydroxybutyrate) Awareness Education** – Rohypnol is a drug used legally for medical purposes in other countries but it is not a legal drug in the United States. Rohypnol, when combined with alcohol, has a sedating effect on the individual; this state allows an aggressor to assault the individual without the victim being able to defend themselves. Recently, Rohypnol related crimes on college campuses have risen dramatically. Through education and orientation, members of the university community are made aware of the dangers this drug poses, steps to take on reporting a Rohypnol related crime, as well as information and tips on how to avoid becoming a victim.
- **Operation ID** – This program assists members of the campus community in properly marking their property by collecting serial and model numbers of valuables, and offers suggestions for safeguarding jewelry.
- **Campus Crime Watch Program** – This program educates campus residents about safety and security on campus. Active observation techniques are taught to identify suspicious persons and activities that may occur in and/or around the Residence Halls.
- **Security Survey Program** – A crime prevention officer will survey any area on campus that members of the campus community believe may be unsafe.

- **Crime Updates** – Crime Prevention personnel provide the student newspaper, *The Montclarion*, with weekly police blotter information. Crime bulletins are also disseminated throughout campus via fliers, newsletters, electronic mail as well as other media sources.

Many incidents on campus can be avoided if people take personal safety seriously. Precautions such as locking doors, walking in groups or taking the Campus Shuttle Bus at night and keeping valuables out of sight are emphasized in student and employee orientation programs and reinforced throughout the year.

[Back to top](#)

Other services available on campus for personal safety are:

Escort Service

The University provides a technology-assisted escort program through the Campus Connect program and the Mobile Guardian application which may be installed on a mobile phone. This service uses Global Position System (GPS) technology to provide voluntary monitoring of movements from one area of campus to another. If a person does not reach their intended destination in the period of time specified, an alarm is sounded in police headquarters and police will respond to the user's location. Students who are not part of Campus Connect and wish to take advantage of this service or for further information about this application, visit **RAVE** online or speak with the Campus Connect or RAVE representatives on campus.

[Back to top](#)

Access to Facilities

Access to residence facilities is generally restricted to students and employees with a University ID Card and proper authorization. All other campus buildings are accessible by students, employees and faculty during normal business hours. During weekends and holidays, persons who require access to any building must first check in at the University Police Headquarters.

[Back to top](#)

Emergency Call Boxes

There are 124 emergency call boxes located throughout the campus. When the receiver is picked up, a dispatcher comes on the line to offer assistance. The call boxes are easily identified by large red and white colored emergency phone signs and a blue light overhead.

[Back to top](#)

Lighting

The quality and effectiveness of campus lighting are surveyed weekly and maintenance is ongoing. Modern lighting systems enhance visibility, and care is taken to keep walkways clear and free from encroaching trees and shrubs. If you observe severe lighting outages on campus that could jeopardize personal safety, please report immediately to University Police and we will notify Maintenance of the required repairs.

[Back to top](#)

Parking

All vehicles parked on campus property are subject to University parking regulations. Parking lots are clearly designated to require parking permits, tags and decals. Visitor parking and metered parking is available in designated areas. Handicapped parking is also available. Information about available parking and regulations can be found at [the Parking Services website](#).

[Back to top](#)

Shuttle Bus Service

Regular shuttle bus service is available 24 hours a day, seven days a week. Scheduled information is available at [Shuttle Services](#)

[Back to top](#)

Alcohol and Drug Policies and Procedures Applicable to Students

Montclair State University complies with all New Jersey statutes governing the consumption, sale and service of alcoholic beverages. A full statement of the alcohol policy is published in the Student Handbook and is available on the [Student Guide](#) webpage or upon request from the Office of the Dean of Students.

The University prohibits the possession, use and sale of illegal drugs. The full text of the drug policy is published in the Student Handbook and is available on the [Student Guide](#) webpage or upon request from the Office of the Dean of Students.

In order to provide members of the campus community with information on health risks and legal sanctions, substance abuse issues are addressed in programs offered throughout the year. Protocols addressing problems and providing assistance for those members of the campus community who may be impaired due to substance abuse, alcohol dependency and/or physical, mental or emotional disorders, are available upon request from the Office of the Dean of Students, Counseling and Psychological Services, University Health and Counseling Services, Human Resources Department and University Police.

The University complies with all state and federal statutes governing the possession and use of firearms, ammunition, explosives, hazardous devices, air guns and dangerous weapons. Students, faculty and staff are forbidden to use or possess firearms, dangerous weapons or explosives on campus.

[Back to top](#)

Drugs and Alcohol Policies

Drugs

The University prohibits the possession, use and sale of illegal drugs. The possession, use and sale of illegal drugs and controlled substances is a violation of University policy, the Student Code of Conduct, and federal and New Jersey law. Individuals engaging in this activity are referred to University Police for criminal prosecution. In addition, students and employees engaged in this activity will be subject to discipline. Illegal drugs or controlled substances refers to those defined as illegal under federal, state, and/or local laws

and include, but are not limited to, all forms of narcotics, depressants, stimulants, hallucinogens, or other drugs whose use, possession or transfer is restricted or prohibited by law (except for drugs prescribed by a physician or dentist and used according to instructions for the purpose for which they were prescribed).

When such activity occurs on campus, Montclair State University shall initiate appropriate measures, which may include disciplinary action. When such activity occurs off campus, Montclair State nevertheless may consider initiating disciplinary action if the University determines that the activity has a substantial adverse effect upon the University or upon individuals of the University community. In addition, such matters may be reported by the University to the appropriate law enforcement authorities.

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for FSA funds. Convictions only count against a student for aid eligibility purposes (FAFSA question 23c) if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid.

Since involvement with drugs may be associated with medical and psychological problems, students and others with drug problems may be referred to Psychological Services. Students should be aware that Montclair State continually develops and offers programs and courses on drug education and prevention. Individual and group counseling is also available on campus and off-campus at rates determined on a sliding scale, based on ability to pay.

Alcohol

The University prohibits the possession, use and sale of alcoholic beverages by persons under 21 years of age. The possession, use and sale of alcoholic beverages by persons under 21 years of age is a violation of University policy, the Student Code of Conduct, and New Jersey law. Individuals engaging in this activity are referred to University Police for criminal prosecution. In addition, students and employees engaged in this activity will be subject to discipline.

University policy related to possession and consumption of alcoholic beverages grows out of two principles: (1) the laws of the State of New Jersey must be strictly enforced and (2) any consumption must occur within a social framework wherein beverages are not the focus of the event.

Students and others with alcohol abuse problems should be aware that they may be referred to Psychological Services for referral and/or counseling information. In addition, a series of programs and courses on alcohol are offered by the University. Individual and group counseling is also available on campus and off-campus at rates determined on a sliding scale, based upon ability to pay.

All applicable state and municipal penalties will be imposed by the appropriate municipal, county or state court. In addition to Municipal and State penalties, there are Montclair State penalties for offenses committed. The Dean of Students or designee will be notified of all offenses and will initiate action as outlined in the Non-Academic Disciplinary Procedures of the Student Handbook. A copy of the campus guidelines concerning alcohol consumption may be obtained in the Dean of Students' Office.

New Jersey Laws Prohibiting Sale, Possession, Distribution, and Consumption of Alcohol

In New Jersey, the sale of alcoholic beverages to individuals under age 21 is prohibited. Furthermore, the sale of alcoholic beverages is prohibited unless under the authority of a license or permit. Sale of alcoholic beverages on the Montclair State University campus is permitted to individuals who are 21 years of age or older and restricted to the University Hall Conference Center or other college premises eligible for Alcoholic Beverage Commission Special Permits. Because a majority of Montclair State University students are under the age of 21, the sale and/or consumption of alcoholic beverages is permitted only in those areas and at those times when special permission has been obtained from the appropriate administrative office on campus.

Residence Halls and Hawk Crossings Apartments

No alcohol will be permitted in any of the residence halls or Hawk Crossings Apartments, including residents' rooms and common areas such as lounges and recreation rooms. Residents are held directly responsible for the conduct of their guests.

The University promotes an alcohol-free residence hall community as part of a strong academic environment. Because the majority of campus residents are under age and due to the challenges of alcohol abuse, alcohol is prohibited in the residence halls. Possession of alcohol, or empty alcohol cans, bottles, etc., constitutes a violation and may result in strict disciplinary action and/or dismissal from the residence community. Students may be asked to reveal the contents of bags, boxes, etc. if reasonable suspicion of possible alcohol possession exists.

The Village at Little Falls

Alcohol possession and consumption are permitted only in the Village apartments where all residents are of legal drinking age and where there are no guests who are not of legal drinking age and only inside the apartments.

In keeping with NJ laws regarding alcohol, and the University's own philosophy regarding substance use and abuse, only Village residents 21 years of age or older may possess and consume alcohol inside their apartments and only under the following conditions: 1) no alcohol deliveries are permitted to the apartments, 2) no alcohol is permitted outside the buildings or in hallways/stairwells, or other common areas outside of apartments and 3) no alcohol is given to individuals under 21 years of age. In addition, quantities of alcohol are limited based on the guidelines outlined in the Department of Residential Education and Services handbook.

Criminal Offenses and Penalties under New Jersey Law Pertaining to Abuse of Alcohol

N.J.S.A 33:1-2 makes it unlawful to directly or indirectly sell alcoholic beverages to any person of any age without a license or special permit issued by the New Jersey Alcoholic Beverage Control Commission. Sale is construed to include admission charges, the sale of cups, the sale of tickets and/or the acceptance of donations.

N.J.S.A 2C:33-17 states any alcoholic beverage available to a person under the legal drinking age, in public or private, without an adult parent or guardian present and consenting, is punishable by a fine of \$1,000 and/or up to six months in jail.

Note: It is NOT A DEFENSE to any of the above charges that the accused believed the person to be of legal drinking age, EVEN if that belief was reasonable. The only available defense is based on the presentation of a photographic identification card or driver license, issued by a state.

N.J.S.A 2C:33-15 provides for MINIMUM fine of \$500, suspension of driving privileges for six months and requires participation in an Alcohol Education Program for any person under the legal drinking age to possess, in any public place, any alcoholic beverage, regardless of whether or not the container is sealed.

N.J.S.A 39:4-50 provides for a MINIMUM \$200 fine for any operator or passenger in a motor vehicle found to be in possession of any open container of an alcoholic beverage, regardless of his/her age.

N.J.S.A 33:1-81 makes it an offense, punishable as outlined below, for:

- 1) a person under the legal drinking age to enter a licensed premise with the intent to purchase or consume alcoholic beverages;
- 2) a person under the legal drinking age to purchase or consume an alcoholic beverage on a licensed premise;
- 3) a person of legal drinking age to purchase an alcoholic beverage FOR a person under the legal drinking age;
- 4) a person under the legal drinking age to misrepresent or misstate his/her age in connection with the sale or service of any alcoholic beverage.

A person convicted of a violation of any of these provisions is subject to the following penalties for EACH violation: a MINIMUM fine of \$100 AND a MANDATORY one-year loss of driving privilege, AND court-ordered participation in an Alcoholic Education Program.

N.J.S.A 39:4-50 et. seq. provides penalties for any person convicted of operating a motor vehicle anywhere within this State, on public or private property, while under the influence of an alcoholic beverage or any drug (including lawful drugs if the operator's ability to safely operate a motor vehicle is impaired thereby).

New Jersey Laws Pertaining to Illegal Use of Drugs:

N.J.S.A. 2C:35-10. Possession, Use or Being under the Influence

a. a. It is unlawful for any person, knowingly or purposely, to obtain, or to possess, actually or constructively, a controlled dangerous substance or controlled substance analog, unless the substance was obtained directly, or pursuant to a valid prescription or order form from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by P.L.1970, c.226 (C.24:21-1 et seq.). Any person who violates this section with respect to:

- (1) A controlled dangerous substance, or its analog, classified in Schedule I, II, III or IV other than those specifically covered in this section, is guilty of a crime of the third degree except that, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, a fine of up to \$35,000.00 may be imposed;
- (2) Any controlled dangerous substance, or its analog, classified in Schedule V, is guilty of a crime of the fourth degree except that, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, a fine of up to \$15,000.00 may be imposed;
- (3) Possession of more than 50 grams of marijuana, including any adulterants or dilutants, or more than five grams of hashish is guilty of a crime of the fourth degree, except that, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, a fine of up to \$25,000.00 may be imposed; or
- (4) Possession of 50 grams or less of marijuana, including any adulterants or dilutants, or five grams or less of hashish is a disorderly person.

Any person who commits any offense defined in this section while on any property used for school purposes which is owned by or leased to any elementary or secondary school or school board, or within 1,000 feet of any such school property or a school bus, or while on any school bus, and who is not sentenced to a term of imprisonment, shall, in addition to any other sentence which the court may impose, be required to perform not less than 100 hours of community service.

b. Any person who uses or who is under the influence of any controlled dangerous substance, or its analog, for a purpose other than the treatment of sickness or injury as lawfully prescribed or administered by a physician, is a disorderly person.

c. Any person who knowingly obtains or possesses a controlled dangerous substance or controlled substance analog in violation of subsection a. of this section and who fails to voluntarily deliver the substance to the nearest law enforcement officer is guilty of a disorderly persons offense. Nothing in this subsection shall be construed to preclude a prosecution or conviction for any other offense defined in this title or any other statute.

2C:35-5. Manufacturing, distributing or dispensing

2C:35-5. Manufacturing, Distributing or Dispensing. a. Except as authorized by P.L.1970, c.226 (C.24:21-1 et seq.), it shall be unlawful for any person knowingly or purposely:

- (1) To manufacture, distribute or dispense, or to possess or have under his control with intent to manufacture, distribute or dispense, a controlled dangerous substance or controlled substance analog; or
- (2) To create, distribute, or possess or have under his control with intent to distribute, a counterfeit controlled dangerous substance.

N.J.S.A. 2C:35-5.3a. Manufacturing, Distribution or Possessing CDS (Bath Salts)

a. Except as authorized by P.L.1970, c. 226 (C.24:21-1 et seq.), it is unlawful for any person knowingly or purposely to manufacture, distribute or dispense, or to possess or have under his control with intent to manufacture, distribute or dispense flunitrazepam.

- b. A person who violates subsection a. of this section with respect to flunitrazepam in a quantity of one gram or more is guilty of a crime of the first degree and, notwithstanding the provisions of N.J.S.2C:43-3 or any other law, a fine of up to \$250,000.00 may be imposed upon the person.
- c. A person who violates subsection a. of this section with respect to flunitrazepam in a quantity of less than one gram is guilty of a crime of the second degree and, notwithstanding the provisions of N.J.S.2C:43-3 or any other law, a fine of up to \$150,000.00 may be imposed upon the person.

N.J.S.A. 2C:35-9 Strict Liability for Drug Induced Deaths

- a. Any person who manufactures, distributes or dispenses methamphetamine, lysergic acid diethylamide, phencyclidine or any other controlled dangerous substance classified in Schedules I or II, or any controlled substance analog thereof, in violation of subsection a. of N.J.S. 2C:35-5, is strictly liable for a death which results from the injection, inhalation or ingestion of that substance, and is guilty of a crime of the first degree.
- b. The provisions of N.J.S. 2C:2-3 (governing the causal relationship between conduct and result) shall not apply in a prosecution under this section. For purposes of this offense, the defendant's act of manufacturing, distributing or dispensing a substance is the cause of a death when:
 - (1) The injection, inhalation or ingestion of the substance is an antecedent but for which the death would not have occurred; and
 - (2) The death was not:
 - (a) too remote in its occurrence as to have a just bearing on the defendant's liability; or
 - (b) too dependent upon conduct of another person which was unrelated to the injection, inhalation or ingestion of the substance or its effect as to have a just bearing on the defendant's liability.
- c. It shall not be a defense to a prosecution under this section that the decedent contributed to his own death by his purposeful, knowing, reckless or negligent injection, inhalation or ingestion of the substance, or by his consenting to the administration of the substance by another.
- d. Nothing in this section shall be construed to preclude or limit any prosecution for homicide. Notwithstanding the provisions of N.J.S. 2C:1-8 or any other provision of law, a conviction arising under this section shall not merge with a conviction for leader of narcotics trafficking network, maintaining or operating a controlled dangerous substance production facility, or for unlawfully manufacturing, distributing, dispensing or possessing with intent to manufacture, distribute or dispense the controlled dangerous substance or controlled substance analog which resulted in the death.

N.J.S.A. 2C:35-10.2. Obtaining or possessing gamma hydroxybutyrate without a prescription

- a. It is a crime of the third degree for any person, knowingly or purposely, to obtain, or to possess, gamma hydroxybutyrate unless the substance was obtained directly, or pursuant to a valid prescription or order form from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by P.L.1970, c. 226 (C.24:21-1 et seq.).
- b. Notwithstanding the provisions of N.J.S.2C:43-3 or any other law, a fine of up to \$100,000.00 may be imposed upon a person who violates this section.

N.J.S.A. 2C:35-10.3. Obtaining or possession flunitrazepam without a prescription

- a. It is a crime of the third degree for any person, knowingly or purposely, to obtain, or to possess, flunitrazepam, unless the substance was obtained directly, or pursuant to a valid prescription or order form from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by P.L.1970, c. 226 (C.24:21-1 et seq.).
- b. Notwithstanding the provisions of N.J.S.2C:43-3 or any other law, a fine of up to \$100,000.00 may be imposed upon a person who violates this section.

N.J.S.A. 2C:35-10.3a Unlawful Possession of CDS (Bath Salts)

- a. It is a crime for any person, knowingly or purposely, to obtain, or to possess, substances containing: 4-methylmethcathinone (mephedrone, 4-MMC); 3,4-methylenedioxypyrovalerone (MDPV); 3,4-methylenedioxymethcathinone (methyone, MDMC), 4-methoxymethcathinone (methedrone, bk-PMMA, PMMC); 3-fluoromethcathinone (3-FMC); or 4-fluoromethcathinone (flephedrone, 4-FMC).
- b. A person who violates subsection a. of this section where the quantity involved is one ounce or more is guilty of a crime of the third degree.

c. A person who violates subsection a. of this section where the quantity involved is less than one ounce is guilty of a crime of the fourth degree.

N.J.S.A. 2C:35-11 Possession of Imitation CDS with Intent to Distribute and Distribution of CDS

a. It is unlawful for any person to distribute or to possess or have under his control with intent to distribute any substance which is not a controlled dangerous substance or controlled substance analog:

- (1) Upon the express or implied representation to the recipient that the substance is a controlled dangerous substance or controlled substance analog; or
- (2) Upon the express or implied representation to the recipient that the substance is of such nature, appearance or effect that the recipient will be able to distribute or use the substance as a controlled dangerous substance or controlled substance analog; or
- (3) Under circumstances which would lead a reasonable person to believe that the substance is a controlled dangerous substance or controlled substance analog.

Any of the following shall constitute prima facie evidence of such circumstances:

- (a) The substance was packaged in a manner normally used for the unlawful distribution of controlled dangerous substances or controlled substance analogs.
 - (b) The distribution or attempted distribution of the substance was accompanied by an exchange of or demand for money or other thing as consideration for the substance, and the value of the consideration exceeded the reasonable value of the substance.
 - (c) The physical appearance of the substance is substantially the same as that of a specific controlled dangerous substance or controlled substance analog.
- b. It is unlawful for any person to manufacture, compound, encapsulate, package or imprint any substance which is not a controlled dangerous substance, controlled substance analog or any combination of such substances, other than a prescription drug, with the purpose that it resemble or duplicate the physical appearance of the finished form, package, label or imprint of a controlled dangerous substance or controlled substance analog.
- c. In any prosecution under this section, it shall not be a defense that the defendant mistakenly believed a substance to be a controlled dangerous substance or controlled substance analog.
- d. A violation of this section is a crime of the third degree, except that, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, a fine of up to \$200,000.00 may be imposed.
- e. The provisions of this section shall not be applicable to (1) practitioners or agents, servants and employees of practitioners dispensing or administering non-controlled substances to patients on behalf of practitioners in the normal course of their business or professional practice; and (2) persons who manufacture, process, package, distribute or sell noncontrolled substances to practitioners for use as placebos in the normal course of their business, professional practice or research or for use in Federal Food and Drug Administration investigational new drug trials.

N.J.S.A. 2C:35-13 Obtaining CDS by Fraud

It shall be unlawful for any person to acquire or obtain possession of a controlled dangerous substance or controlled substance analog by misrepresentation, fraud, forgery, deception or subterfuge. It shall be unlawful for any person to acquire or obtain possession of a forged or fraudulent certificate of destruction required pursuant to N.J.S.2C:35-21. A violation of this section shall be a crime of the third degree except that, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, a fine of up to \$50,000.00 may be imposed. Nothing in this section shall be deemed to preclude or limit a prosecution for theft as defined in chapter 20 of this title.

N.J.S.A. 2C:36-2 Use or possession with intent to use; disorderly persons offense

It shall be unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance, controlled substance analog or toxic chemical in violation of the provisions of chapter 35 of this title. Any person who violates this section is guilty of a disorderly persons offense.

N.J.S.A. 2C:36-3. Distribute, dispense or possess or manufacture with intent to distribute or dispense; crime of fourth degree

It shall be unlawful for any person to distribute or dispense, or possess with intent to distribute or dispense, or manufacture with intent to distribute or dispense, drug paraphernalia, knowing that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, ingest, inhale or otherwise introduce

into the human body a controlled dangerous substance , controlled substance analog or toxic chemical in violation of the provisions of chapter 35 of this title. Any person who violates this section commits a crime of the fourth degree.

Criminal Penalties for Illegal Drug Use

Individuals who have been charged with a drug related offense that is not a first or second degree crime, will be transferred to Drug Court where they will be placed on probation up to 5 years and submit to drug rehabilitation treatment and intensive court supervision.

If an individual is convicted of a first degree crime, they are subject to imprisonment from 10 to 20 years, and a fine up to \$200,000.

If an individual is convicted of a second degree crime, they are subject to imprisonment from 5 to 10 years, and a fine up to \$150,000.

If an individual is convicted of a third degree crime, they are subject to imprisonment from 3 to 5 years, and a fine up to \$15,000.

If an individual is convicted of a fourth degree crime, they are subject to imprisonment up to 18 months and a fine up to \$10,000.

If an individual is convicted of a disorderly persons offense, they are subject to imprisonment up to 6 months and a fine up to \$1,000.

If an individual is convicted of a petty disorderly persons offense, they are subject to imprisonment up to 30 days and a fine up to \$500.

Individuals who are charged with a disorderly persons offense or petty disorderly persons offense, may be eligible for a conditional discharge subject to probation and supervisory treatment.

Individuals convicted of drug offenses may also be subject to mandatory loss of driving privileges of 6 months to 2 years unless the Court finds compelling circumstances that warrant an exception.

University Code of Conduct Excerpts Regarding Alcohol and Drugs

The members of the Montclair State University community recognize that the development of responsible student behavior and conduct is fostered by example, counseling, guidance, admonition and by adherence to University policies and regulations.

Montclair State University is committed to the overall educational and personal growth of its students. In order to facilitate this growth most effectively, it is essential to maintain an appropriate environment.

Thus the University requires the cooperation of all members of the campus community, both in and out of the classroom. To that end, the University establishes this set of policies, standards of behavior, regulations, procedures, sanctions and appeals processes. It is intended to prevent, limit and correct actions that may impede, obstruct or damage the educational environment, and threaten the maintenance of order.

While it is the goal of the disciplinary process to educate students as to the purpose and importance of abiding by prescribed codes of conduct, the University will also issue sanctions as are appropriate and necessary to ensure continued and/or future adherence to these codes, and to protect the general population from disruptive behavior.

This document and supporting materials have been developed to guarantee procedural fairness to students when there has been an alleged failure to abide by Montclair State's policies and regulations. Procedures may vary in formality given the gravity and nature of

the offense and the sanctions that may be applied. Terms and prohibited conduct not specifically defined here shall be defined with reference to New Jersey Statutes.

A general principle in all matters of student discipline will be that Montclair State University may base its determinations on a preponderance of the evidence. In cases of misconduct where a major penalty may be assessed, or in which a student so requests, the student will be informed in writing of the allegations and charges, will be given an opportunity to refute them, and will be afforded an avenue to appeal an adverse decision.

Montclair State University does not attempt to regulate the lives or activities of students except to assure its ability to accomplish its educational mission and to protect the health, safety and security of members of our community. Rules and regulations promulgated by the University, or by other agencies with applicability to the campus or its members shall be enforced, and students are expected to comply with them.

The code of student conduct applies to incidents which occur on the Montclair State Campus, at any Montclair State University-related facility, at any Montclair State University event, and to incidents which utilize computer or other equipment located on the Montclair State campus or at Montclair State-related facilities. Montclair State events include all athletic, academic and social events sponsored by any Montclair State-related organization, whether on or off campus.

A. Alcohol Violations

The standards of conduct that prohibit the unlawful possession, use or distribution of illegal drugs and alcohol by students are set forth in the Student Code of Conduct. Specifically, the Student Code of Conduct states the following conduct by a student involving alcohol shall be subject to discipline:

Drinking or being in possession of any alcoholic beverage in public areas of university premises not approved for such activity; and possession and/or consumption by a minor; public intoxication; and driving while intoxicated. Minimum sanction: Warning; Maximum sanction: Expulsion.

1. Common Sources/Bulk Containers: Possessing, furnishing, or serving from a common source of alcohol (i.e. kegs, mini-kegs, beer balls, punch bowls, or other approximate equivalent number of servings) is prohibited. Bulk containers and/or mass quantities of any alcohol (including 30-packs and any other quantity above one case of beer and the hard liquor equivalencies) are not permitted in apartments, suites, and/or individual rooms. Sanctions apply to all students (residents and non-residents) present at the time of the infraction and/or to all students (residents and non-residents) who were involved in any way in planning or hosting an event at which a common source or bulk container is provided. In addition, empty kegs, mini-kegs, or beer balls and any tapping devices are not permitted in any apartment, suite, or individual room and cannot be used as decorations or furnishings. Minimum sanction: Probation; Maximum sanction: Expulsion

2. Rapid Consumption: Objects and drinking apparatuses used to facilitate rapid consumption of alcohol, which include, but are not limited to, funnels and beer bongs, are prohibited. All residents present at the time of the infraction may be charged for a policy violation.

The discipline imposed by the University against a student for an alcohol violation shall be, at a minimum, a warning, and at a maximum, expulsion. In addition, the student may be subject to criminal penalties arising from a conviction for underage consumption, sale of alcohol to a minor, and the unlawful sale of alcohol.

B. Drug Violations

The University's Student Code of Conduct states the following conduct by a student involving illegal drugs shall be subject to discipline:

1. The distribution or sale of drugs, narcotics, barbiturates, hallucinogens, marijuana and amphetamines is prohibited.
2. The possession or use of controlled dangerous substances, marijuana or narcotics, including, but not limited to, opium (morphine, codeine, heroin) and every other substance not chemically distinguishable from them on campus or in any Montclair State-related premises is prohibited.

The discipline imposed by the University against a student for a drug violation shall be, at a minimum, probation, and at a maximum, expulsion from the University. In addition, the student may be subject to criminal penalties arising from a conviction for the possession, sale and use of illegal narcotics. Students convicted of crimes arising out of illegal drug use may also be declared ineligible for federal financial aid for a period of time.

Health Risks

Alcohol goes directly into the bloodstream, physically affecting the whole body. Some illnesses and health problems caused by alcohol include:

Alcohol Withdrawal: More commonly known as a "hangover", causes fatigue, thirst, headaches, nausea, aches and pains, sensitivity to light, difficulty concentrating, shakiness, irritability, depression, poor quality sleep and bloodshot eyes.

Weight gain: Use of alcohol can cause weight gain as most alcoholic beverages contain at least 100 calories per serving.

High blood pressure: Consuming more than three drinks in a sitting can increase your blood pressure temporarily, but repeated incidents of binge drinking can have long-lasting effects on blood pressure.

Sexual function: Binge drinking can have short-term effect on both male and female sexual function. Chronic binge drinking can lead to long-term sexual dysfunction.

Depressed immune system: Binge drinking (as well as other substance use) impairs immune system function leaving individuals more vulnerable to the common cold and other viruses.

Liver disease: Heavy drinking can cause fatty liver, hepatitis, cirrhosis and cancer of the liver. The liver breaks down alcohol at the rate of only one drink per hour.

Alcohol poisoning: Drinking large amounts can result in alcohol poisoning. *Vomiting related to alcohol consumption is a sure sign that an individual has alcohol poisoning and needs immediate medical attention.*

Heart or respiratory failure: Excessive drinking can have serious results including increasing one's heart rate, as well as heart or respiratory failure (which can lead to death).

Excessive alcohol use increases the risk for health problems. Alcohol Can Be Used Responsibly. If excessive drinking becomes a problem treatment is usually necessary. Alcoholism is a disease that cannot be cured but can be treated.

Health Effects of Drug Use

Cannabis (Marijuana) – *Greenish-gray mixture of the dried, shredded leaves, stems, seeds, and/or flowers of cannabis sativa or cannabis indica—the hemp plant*

Health Effects

- **Acute:** Drowsiness/relaxation; impaired short-term memory; impaired judgment, attention, coordination and balance; increased heart rate and appetite
- **Long Term:** Addiction; mental disorders: may be a causal factor in schizophreniform disorders; associated with depression and anxiety; chronic cough; bronchitis

Cocaine – *White crystalline powder that can be snorted, injected or smoked*

Health Effects

- **Acute:** Dilated pupils; increased body temperature, heart rate, and blood pressure; nausea; increased energy and alertness; decreased appetite; insomnia; in high doses: erratic and violent behavior, panic attacks
- **Long Term:** Addiction; restlessness; anxiety; irritability; paranoia; panic attacks; mood disturbances; insomnia; nasal damage and difficulty swallowing from snorting GI problems; HIV

Prescription Stimulants – *Amphetamine (Dexedrine, Adderall), Methylphenidate (Ritalin, Concerta)*

Health Effects

- **Acute:** Increased alertness, attention, and energy; irregular heartbeat; dangerously high body temperature; potential for cardiovascular failure or seizures
- **Long Term:** In high doses especially: anxiety, hostility, paranoia, psychosis; Addiction

Methamphetamine – *White, odorless, bitter-tasting crystalline powder that is easily dissolved in water or alcohol; can be ingested orally, intranasally, injected or smoked*

Health Effects

- **Acute:** Enhanced mood; increased heart rate, blood pressure, body temperature, energy and activity; decreased appetite; dry mouth; increased sexuality; jaw-clenching
- **Long Term:** Addiction; memory loss; weight loss; impaired cognition; insomnia; anxiety; irritability; confusion; paranoia; aggression; mood disturbances; hallucinations; violent behavior; liver, kidney, and lung damage; severe dental problems; cardiac and neurological damage; HIV, hepatitis

Inhalants– Volatile solvents, aerosols, gases, nitrites (poppers). Effects depend on the properties of the chemical, but inhalation is the common route of abuse

Health Effects

- **Acute:** Confusion; nausea; slurred speech; lack of coordination; euphoria; dizziness; drowsiness; disinhibition, lightheadedness, hallucinations/ delusions; headaches; suffocation; convulsions/seizures; hypoxia; heart failure; coma; sudden sniffing death (butane, propane, and other chemicals in aerosols)
- **Long Term:** Myelin break down leading to muscle spasms, tremors and possible permanent motor impairment; liver/kidney damage; addiction

Prescription Sedatives, sleeping pills, or anxiolytics (abuse) – *Central nervous system depressants include barbiturates (e.g., Nembutal) and benzodiazepines (e.g., Valium, Xanax)*

Health Effects

- **Acute:** Drowsiness, relaxation; overdose
- **Long Term:** Tolerance, physical dependence, addiction

Health Effects of Hallucinogens – *LSD, PCP, psilocybin, salvia, ketamine*

LSD

- **Acute:** Elation, depression, arousal, paranoia or panic; impulsive behavior, rapid shifts in emotions; distortions in perception; increased body temperature, heart rate, blood pressure; nausea; loss of appetite; sweating; dry mouth; jaw-clenching; numbness; sleeplessness; dizziness, weakness, tremors. **High doses:** Panic, paranoia, feelings of despair, fear of insanity and death.
- **Long Term:** Tolerance; frightening flashbacks, Hallucinogen Persisting Perception Disorder (HPPD).

Psilocybin

- **Acute: Low doses:** Relaxation; altered sensory perception; increased energy, heart rate; decreased appetite. **High doses:** Effects similar to LSD, including visual hallucinations, altered perceptions; nervousness, confusion, panic, paranoia.
- **Long Term:** Low addictive potential, however, may produce tolerance

Salvia

- **Acute:** Short-lived, but intense hallucinations, altered visual perception, mood, body sensations; emotional swings, feelings of detachment from one's body; highly modified perception of external reality and self; sweating
- **Long Term:** Unknown addictive potential

PCP

- **Acute:** Shallow, rapid breathing, increase in heart rate and blood pressure; nausea, blurred vision, dizziness; numbness; slurred speech; confusion; loss of coordination; muscle contractions; analgesia; altered perceptions; feelings of being separated from one's body
- **Long Term:** Unknown addictive potential

Ketamine

- **Acute:** Anxiety; agitation; insomnia; slurred speech; blurred vision; irregular heartbeat, nausea; hallucinations; memory problems
- **Long Term:** Cognitive impairment, including verbal and short-term memory; blurred vision; loss of coordination

MDMA (Ecstasy) – *A synthetic drug that has stimulant and psychoactive properties. It is taken orally as a capsule or tablet.*

Health Effects

- **Acute:** Euphoria; increased energy, alertness, and tactile sensitivity; decreased fear; increased/irregular heartbeat; dehydration; chills; sweating; impaired cognition and motor function; reduced appetite; muscle cramping; teeth grinding/clenching; hyperthermia, muscle breakdown, and death.
- **Long Term:** Impulsiveness; irritability; sleep disturbances; anxiety; addiction

Heroin, Opium (Street Opioids) – *Processed from poppy plants; a white or brownish powder or black sticky substance known as “black tar heroin.” Usually smoked or injected, could be taken orally (opium).*

Health Effects

- **Acute:** Euphoria; warm flushing of skin; dry mouth; heavy feeling in extremities; clouded thinking; alternate wakeful and drowsy states; itching; nausea; depressed respiration
- **Long Term:** Addiction; physical dependence; collapsed veins; abscesses; infection of heart lining and valves; arthritis/other rheumatologic problems; HIV; hepatitis C.

Prescription Opioid Abuse – *Hydrocodone, Oxycodone, Codeine*

Health Effects

- **Acute:** Pain relief, drowsiness, nausea, constipation. When injected or snorted: increased risk of depressed respiration leading to coma or death
- **Long Term:** Tolerance, addiction

Androgenic Anabolic Steroid Abuse – *Synthetic substances related to testosterone. Promote growth of skeletal muscle (anabolic) and the development of male sexual characteristics (androgenic) Taken orally, or by injection in doses much higher than would be prescribed.*

Health Effects

- **Acute:** Headaches, acne; fluid retention, gastrointestinal irritation, diarrhea, stomach pains, oily skin, jaundice, and hypertension. Infections can develop at the injection site.
- **Long Term:** Liver damage; cardiovascular disease; high blood pressure; increases in LDL (“bad” cholesterol); and decreases in HDL (“good” cholesterol); cardiac hypertrophy; atherosclerosis; addiction.

Source: *National Institute on Drug Abuse (NIDA). Retrieved from:*

Safety Risks from the Abuse of Alcohol and Drugs

[Adapted from the [Bowles Center for Alcohol Studies](#)]

Alcohol and other drugs interfere with messages to your brain and alter your perceptions, emotions, vision, hearing and coordination. Alcohol and drugs affect your judgment and can lead to dangerous behavior that puts you at risk for:

Accidental injuries: More than half of all drownings and fatal falls are alcohol or drug-related. 45% of emergency room visits are alcohol-related. 80% of patients in special units like burn centers have injuries related to alcohol use. Half of all physical injuries sustained on college campuses stem from alcohol use.

Car crashes: Even small amounts of alcohol make driving unsafe. Drunk driving is not only unsafe, it's illegal. Even a blood alcohol level of .05% (below the legal limit for driving in most states) makes you twice as likely to have a car crash. Almost half of all fatal auto crashes are alcohol- or drug-related. Drinking and boating can be a dangerous combination as well. One-third of boating fatalities are alcohol-related, and drunk boating is just as illegal as drunk driving.

Sexually Transmitted Diseases (STDs) including AIDS: You are more likely to ignore safety precautions such as condoms if you are under the influence of alcohol or other drugs.

Unwanted pregnancy: For the same reasons that alcohol and other drugs put people at greater risk for STDs, it also makes pregnancy a risk of substance abuse.

Sexual assault: When you're intoxicated, impaired judgment can stop you from noticing dangerous situations and people. Slowed thinking and reaction time makes you more vulnerable to being forced into sexual activity. It also makes people less likely to notice when they are hurting others. Alcohol is involved in many acquaintance rapes. Either party being drunk is not a legal excuse for assault.

Fights: Barroom brawls don't just happen in movies. Not only can you get hurt, you can get arrested. Two-thirds of violent behavior on college campuses involves alcohol.

Trouble with the law: Illegal drugs, underage drinking, drunk driving, public consumption—even giving guests alcohol—can get you into legal trouble.

Alcohol and Drug Counseling and Prevention Services

Counseling and Psychological Services (CAPS) along with Health Promotion believe that best preventive medicine is knowledge. We provide outreach activities and educational workshops on health and wellness issues. Topics are wide-ranging and uncompromising in nature. CAPS is located on campus in Russ Hall.

Education and counseling are provided so that students can reduce their risk for personal health issues. Counseling and Psychological Services and the office of Health Promotion both provide a nonjudgmental and confidential place for information, conversation and referrals about health and wellness related topics. The primary objective is to keep students well in all aspects of their life at Montclair State University so that they can perform optimally in this academic environment as well as achieve necessary life skills to stay well in the future.

A. Counseling and Psychological Services

Alcohol and Other Drug Program

The cornerstone of AOD treatment services at CAPS is the **Exploring Change and Healthy Options** or “ECHO” program.

The ECHO program provides students a non-judgmental environment to explore their alcohol and other drug use to help make informed decisions about their use of substances. Students who participate in the ECHO program receive an individualized feedback to facilitate an understanding of the role substances have in their lives.

The ECHO program includes three primary components:

- Initial assessment and review of alcohol and other drug (AOD) use
- Personalized assessment and feedback of current AOD use patterns
- Assignments designed to assist the student in making educated decisions about future use of alcohol and illicit substances

Typically the ECHO program involves two sessions (including an individual and group session).

People participate in ECHO for a variety of reasons including:

People may also participate in ECHO for one of the following reasons:

1. **Self-Assessment** – Those students who are interested in learning about how their alcohol and other drug use impacts their lives are encouraged to complete the ECHO program. Students are not required to stop using alcohol or other drugs; rather, they are asked to share honestly in a confidential and non-judgmental environment so that they can learn more about the role that alcohol and other drugs play in their lives.
2. **Alternate Sanctioning Program (ASP)** – ECHO is offered as a **voluntary** program to students who have been found responsible for violating Montclair State University’s alcohol and other drug policy. It is used to capitalize on the “teachable moments” that present themselves when students are in violation of Montclair State University’s alcohol and other drug policy.

****To schedule an ECHO, please call CAPS at [973-655-5211](tel:973-655-5211)****

Drug/Alcohol Resources Available to Students

CAPS provides programs for drug or alcohol counseling, treatment, rehabilitation and re-entry to students. CAPS is located in Russ Hall on the University campus and may be reached at **973-655-5211**. The following is a summary of the programs made available through CAPS:

Individual Counseling

Treatment for alcohol and other drug concerns takes a non-judgmental, brief motivational approach designed to increase a student’s desire to make positive changes regarding his or her alcohol and/or drug use. This approach emphasizes a student’s choice and motivation to change. Treatment often involves once-a-week meetings, which can be supplemented by weekly groups on campus or off campus.

Due to the short-term treatment model at CAPS, some students will be provided with off-campus referrals for more extensive support when that treatment is deemed most appropriate.

Group Counseling

CAPS offers a group for students who are contemplating making a change in their current use of alcohol, marijuana or other drugs. A commitment to self-exploration and a willingness to discuss their relationship with alcohol, marijuana or other drugs are required to be eligible to participate in this group.

Recovery Coaching

Recovery Coaching provides a supportive environment to learn how to create a healthy relationship with peers, family and community while cultivating a meaningful personal and professional life.

Recovery Room

The Recovery Room is an informal and confidential group for students to explore their alcohol and drug use, self-identify as recovering from alcohol and other drugs, or those seeking recovery resources, to network and support one another in a safe environment. This group is only open to Montclair State University students who are currently in recovery from alcohol or other drugs, actively seeking recovery resources or interested in exploring how alcohol and other drugs impact their lives. The Recovery Room meets on Tuesdays from 3 – 4:30 p.m. during the fall and spring semesters in the Drop-In Center.

Referrals

CAPS provides referrals for students who are in need of treatment services not provided by CAPS. Referrals for treatment would include (but are not limited to) long-term therapy services, couples counseling, family therapy, detoxification services, intensive outpatient treatment, and alcohol and drug rehabilitation services. Please call CAPS at **973-655-5211** if you need assistance with a referral off campus.

CAPS Alcohol Library and Resource Center

CAPS has a growing collection of self-help information and professional books related to alcohol and other drug abuse. Additionally, CAPS houses an array of brochures and handouts on the topic of chemical dependency.

Additional AOD information

The information provided is for educational purposes only and it should not substitute consultation with a trained professional

- **Alcohol Poisoning**
- **Calculate Your BAC**
- **Evaluate Your Drinking** (Centre for Addiction and Mental Health)
- **Northern New Jersey Alcoholics Anonymous**
- **Alcoholics Anonymous**

- **NIAAA Web Site on Binge Drinking:**
- **Facts On Tap**
- **Binge Drinking**
- **Dance Safe**
- **B.R.A.D.** (Be Responsible About Drinking, Inc)
- **Al-Anon** (for family members and friends of alcoholics)
- **Adult Children of Alcoholics**

The information provided is for educational purposes only and it should not substitute consultation with a trained professional

B. Health Promotion

Coordinated by the office of Health Promotion, Montclair State University's Alcohol and other Drug Prevention Project is a comprehensive, evidence-informed practice designed to implement and evaluate campus and community-based strategies to prevent high-risk drinking and substance use/abuse among college students. It is a collaborative effort involving Health Promotion, Counseling and Psychological Services, the Student Conduct Officer and many campus and community partners. Some initiatives of this project include:

Advisory Committee on Alcohol and other Drugs (ACAD): The Advisory Committee on Alcohol and other Drugs at Montclair State University is a coalition of campus and community members who collaborate on issues relating to substance use and abuse, and educational efforts within the campus. The Advisory Committee is responsible for developing, implementing and evaluating educational and environmental approaches aimed at reducing risk related to alcohol and other drug use. With the use of evidence-based educational programs, policy recommendations and on-going research, the Advisory Committee strives to provide members of the University community tools for making informed decisions that will foster academic success, personal development and a healthy balanced lifestyle.

Montclair Social Norms Project (MSNP): Current literature indicates that students tend to overestimate the amount of alcohol consumed and the amount of intoxicated behavior exhibited by their peers. This misperception creates a "false norm." Studies conducted at Montclair State University indicate that most students have zero to four drinks when they go out (2003-2011). The MSNP is a social marketing strategy that promotes healthier choices.

Educational harm reduction interventions: These initiatives are designed to empower students to make healthier and responsible choices. Among these programs are e-CHUG and e-Toke, which are online intervention programs.

- **e-CHUG** The electronic Check-Up to Go, is a brief, self-assessment that provides you with accurate, detailed and personalized feedback on your use of alcohol, and specific information and helpful resources in the Montclair State University community. **e-CHUG**
- **e-TOKE** The electronic THC Online Knowledge Experience is a brief, self-assessment that provides you with accurate, detailed and personalized feedback on your use of marijuana, and specific information and helpful resources in the Montclair State University community. **e-TOKE**

Substance Free Activities: Montclair State University provides a healthy and stable support structure for students in addition to their regular academic routine. There are hundreds of programs offered by various departments and student organizations that promote health and wellness and are substance free. For a list of programs and events check out the University Web Calendar.

For additional information and resources visit the [Health Promotion](#) page.

Drug and Alcohol Policy Applicable to Employees

Montclair State University is committed to providing a safe and productive work environment for all employees. To achieve this goal and to comply with the Drug-Free Workplace Act of 1988, all University employees are prohibited from possessing, distributing, manufacturing, consuming or being under the influence of alcohol, illegal drugs or controlled substances while on University premises. Employees are required to report to work and remain at work in a condition to perform their assigned duties free from the effects of alcohol or drugs.

Employees who appear to be under the influence of alcohol, illegal drugs or controlled substances shall not be permitted to work, particularly when the University has reasonable cause to suspect that their business judgment, personal safety, work performance or the safety of others may be impaired.

If there is reasonable cause to suspect that an employee is in possession of illegal drugs or controlled substances, the University reserves the right to conduct searches of its property, vehicles and facilities, including work areas, desks and lockers assigned to employees, at any time. In addition, it reserves the right to search an employee's person and/or personal property, such as but not limited to lunch boxes or bags, pocketbooks or briefcases if such property is brought onto University premises or into University vehicles. University Police shall conduct such searches when there is reasonable cause to believe that an employee may be in possession of alcohol, illegal drugs and/or controlled substances and/or if an employee's business judgment, job performance or the safety of others may be affected by the use of drugs or alcohol.

The University recognizes that drug abuse and/or dependency are medical/behavioral conditions that may be successfully treated. Employees with drug and/or alcohol problems are encouraged to request assistance from the Employee Advisory Program (EAP). The EAP is a confidential counseling service to help employees and their families who are experiencing problems with job performance because of drugs, alcohol, compulsive gambling, family and marital conflicts, stress, depression, interpersonal conflicts and anxiety. Participation in the EAP is voluntary and confidential; however, a request for assistance or participation in the EAP does not excuse an employee from charges of violation of University policy. The only exception to the EAP confidentiality provision occurs when the University refers an employee to the EAP provider as set forth in this policy. Information concerning EAP may be obtained from the Division for Human Resources.

Employees in violation of this policy are subject to appropriate disciplinary action, up to and including termination of employment.

[Back to top](#)

Sexual Assault, Dating and Domestic Violence, and Stalking Policies and Procedures

Montclair State University's Stand on Sexual Assault, Dating and Domestic Violence and Stalking

Montclair State University prohibits sexual assault, dating and domestic violence, and stalking. Montclair State University has adopted measures to educate the campus community on these crimes and instituted protocols to assist victims. Special emphasis is placed on

the needs, rights and privacy of the victim and the rights of the perpetrator. Montclair State University adheres to Federal, State and local requirements for intervention, crime reporting and privacy provisions related to these crimes.

Definition of Consent – Consent must be informed, voluntary and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats or duress is used. Consent to a sexual act is based upon active, informed, freely decided choice to participate in sexual contact or intercourse, and consent cannot be assumed or implied by silence or the absence of physical or verbal resistance. It is an affirmative, unambiguous and conscious decision. Consent for one type of sexual act does not imply consent to other form and must be ongoing throughout a sexual encounter. Past consent to sexual activity does not imply ongoing future consent with that person or consent to that same activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes, incapacitation or impairment by use of alcohol and/or drug consumption that meets this standard, or being asleep or unconscious.

Definition of Sexual Assault – any actual or attempted sexual contact with another person without that person's consent. Sexual assault, includes but is not limited to, intentional touching of another person's intimate parts without that person's consent; intentional sexual contact without that person's consent; coercing, forcing or attempting to coerce or force a person to touch another person's intimate parts without that person's consent; penetration, no matter how slight, without consent of the vagina or anus of a person by any body part of another person or by an object; penetration, of the mouth of a person by a sex organ of another person without that person's consent.

Definition of Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim is dating violence. The existence of such a relationship shall be determined based on a consideration of the following three factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. **Definition of Domestic Violence** – a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This may include but is not limited to, any behaviors that intimidate, manipulate, harass, assault, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound another. Domestic violence also includes violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law (current or former spouse or intimate partner, or a person with whom someone shares a child or another person who is a present or former household member).

Definition of Stalking – repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person; or such other course of conduct directed at a specific person that would cause a reasonable person to fear for her/his or other's safety, or to suffer substantial emotional distress.

Procedures for Reporting Sexual Assault, Dating and Domestic Violence, Stalking

It is our hope that no one within our campus community will become a victim of sexual assault, dating or domestic violence, or stalking. However, if it occurs, the University has created a Sexual Assault Response Team (SART) to meet all victim needs. SART is modeled after New Jersey State Standards and provides similar services on campus that would be obtained at official SART sites in the state. The team is trained to provide victim-centered, compassionate, comprehensive care directly on campus. SART is composed of the following members:

- University Police (**973-655-5222**): The Montclair State University Police Department is a fully sworn police agency. They have been specially trained in sexual assault law, victim rights and the emotional and physical needs of a victim. As a part of SART, they

provide criminal investigation at the request of the victim, and provide a safe means for reporting of such crimes observed by innocent bystanders. University Police also preserve evidence that may assist in proving that the alleged criminal offense occurred or to help obtain a protection order at the request of the victim. If requested by the victim, University Police will either report, or decline to report, the crime to local law enforcement and the County Prosecutor. University Police may be contacted by visiting their building on campus or calling 973/655-5222

- Sexual Assault Nurse Examiners (**973-655-4361**): University Health Center, and Counseling and Psychological Services have Registered Nurses and Nurse Practitioners who are trained as Sexual Assault Nurse Examiners (SANE). Their SART role is to provide medical care, preventive medications and forensic examination at the request of the victim for the preservation of evidence. This can all be done at the University Health Center. Campus Interpersonal Violence Advocates will be contacted by University Police or the University Health Center on behalf of the victim, or the victim may contact them directly at **973-972-1325** or **973-881-1450**.
- Campus Interpersonal Violence Advocates (**973-972-1325** or **973-881-1450**): Specially trained individuals from local advocacy agencies. As part of the SART response, campus interpersonal violence advocates provide emotional support, education and referrals at the request of the victim. The Sexual Assault Response Team is available 24 hours a day, seven days a week.

Montclair State University SART is available to any individual who is a victim of sexual assault within the campus grounds. This includes Montclair State University students, visitors and employees. SART is also available to Montclair State students who are victims of sexual assault that occur outside of Montclair State University property.

When a victim reports a sexual assault, all options, rights and services are explained. Upon consent from a victim, SART members will respond. The best interest of the victim will always take precedence. University Police will accompany the victim to the University Health Center after taking some initial information. At the Center, available services will be explained and the victim will decide at that time which of these services will be utilized.

Victims of sexual assault at Montclair State University have several options for care and services. The victim has the right to accept or decline any or all of the following:

- Receive medical care, i.e. evaluation and treatment for injuries and preventive medication for sexually transmitted diseases and pregnancy
- Receive forensic examination for evidence collection
- Receive the services of a Campus Interpersonal Violence Advocate.
- File criminal charges
- File civil charges
- File University disciplinary charges
- File for an order of protection, no-contact order, restraining order, or similar lawful order with a criminal, civil or tribal court or the University's Code of Conduct Officer
- If the victim wishes to avoid contact with the alleged perpetrator, interim protective measures will be provided by the University to class assignments, living arrangements, working arrangements, dining, transportation and other activities as are reasonably available. The University will provide such protective measures regardless of whether the victim chooses to report the crime to University Police or local law enforcement

- Report as a “Jane Doe” victim: This allows the victim to have a forensic examination but not file charges or release identity to anyone except the Sexual Assault Nurse Examiner. Evidence collected is stored for ninety days in case a victim chooses to file charges within that time period. A student who makes a report of sexual assault, dating and domestic violence, and stalking to the following offices will be kept confidential: Counseling and Psychological Services, the University Health Center, the Women's Center, and/or any professional religious leader/clergy. The incident is reported to University Police without revealing the victim's identity for statistical purposes only. Community warnings may be issued in any case of sexual assault if the safety of the community is at risk or public disclosure is required by law. A victim's identity will never be compromised.
- Seek sexual assault services off campus.

Students who have been the victim of sexual assault, dating or domestic violence and stalking may initiate disciplinary proceedings against the alleged perpetrator by contacting the Deputy Title IX Coordinator, in the Student Center, Room 400 or by phone at **973-655-4118**. University discipline proceedings include the right to a fair hearing before the University Conduct Officer or a hearing panel. The hearing shall be conducted in a reasonably prompt time frame and in accordance with the hearing procedures identified in the Student Code of Conduct. The finding must be based upon a preponderance of evidence. The complainant and accused are both provided the right to attend the hearing, testify, provide documents and questions to be read by the Conduct Officer, present witnesses, and to be advised by either an advocate or attorney. The University will issue a written outcome simultaneously to both parties that may include sanctions and permanent protective measures from the University, and shall provide each party the right to appeal the decision. The minimum sanction for sexual assault, dating and domestic violence, and stalking is probation, and the maximum is expulsion. For more information regarding the Code of Conduct and the student disciplinary process visit the **Student Guide**.

Employees who are alleged to have engaged in sexual assault, dating and domestic violence, or stalking must be reported to the Director of Equal Opportunity/Affirmative Action & Diversity/Title IX Coordinator of the University in the Division for Human Resources or by phone at **973-655-4349**. The individual filing the complaint against the employee may elect an informal resolution process or formal resolution process. The informal resolution process permits the complaint to be resolved by agreement of the parties. The formal resolution process permits the complainant and perpetrator to request interim protective measures, and present evidence to the Director who is required to complete an investigation within 45 days based upon the preponderance of the evidence, and submit his/her report to the President who shall make a final determination. The final decision of the President will be issued simultaneously to the complainant and alleged perpetrator and will include a right to appeal. Sanctions that may be imposed against employees may include permanent protective measures, oral reprimand, referral to the appropriate administrative office for removal, reassignment, or dismissal, and referral to the University Police, local law enforcement or the County Prosecutor for criminal prosecution. All disciplinary action will be in compliance with University policies, applicable collective bargaining agreements, and New Jersey law and regulations.

The University may not retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for exercising their rights or responsibilities under this section.

Anyone can notify SART about a sexual assault. Community members and University personnel are strongly encouraged to advise the Chief of University Police of any crime for statistical purposes. If someone prefers not to contact University Police or the University Health Center, other choices might be the Dean of Students, the Women's Center, Counseling and Psychological Services or Residence Life staff. All members of these departments have thorough knowledge of SART and can be helpful in assisting a victim.

If you or someone you know is the victim of a sexual assault your first priority should be your personal safety and to seek medical attention. To assist law enforcement and forensic examination, do not douche, bathe, shower or change clothes prior to a medical examination and do not wash sheets or bed clothing. It is essential to preserve DNA evidence to the maximum extent for prosecution and/or judicial proceedings. Anyone needing assistance should contact University Police immediately. It is important to recognize that all University personnel will assist a victim in reporting to law enforcement or receiving sexual assault services. Members of the community, such as personnel in the Dean of Student Office, Counseling and Psychological Services, Residential Education and Services, and the Women's Center are able to assist victims with reporting and attaining services.

In the State of New Jersey, crime victims are entitled to certain basic rights under the law including the right to make a victim impact statement at court, transportation to legal proceedings, and the right to be informed as to the progress and disposition of a criminal case. The **Crime Victims Bill of Rights** (NJS 52:4B-36) may be viewed online at the New Jersey Attorney General's Office of Victim-Witness Advocacy site. A copy of these rights will be given to all victims of crime but is available in paper format at University Police Headquarters.

In addition, survivors of sexual assault are afforded services and rights under the State of New Jersey Attorney General's directive on Providing Services to Victims of Sexual Assault. A copy of the standards is located on the **NJ Division of Criminal Justice** website. Paper copies of these standards are available at University Police Headquarters.

If you are uncertain that an assault occurred, contact a member of SART. Let someone with expert knowledge assist you in making this determination.

If you are a victim of Sexual Assault, Dating or Domestic Violence, or Stalking, you may contact any of the following for assistance:

- **Montclair State University Police Department**, phone: **973-655-5222**
- **Montclair State University Health Center**, phone: **973-655-4361**
- **Montclair State University Health and Counseling Services**, phone: **973-655-5211**
- **Montclair State University Dean of Students Office**, phone: **973-655-4118**
- **Montclair State University Women's Center**, phone: **973-655-5114**
- **Montclair State University LGBTQ Center**, phone: **973-655-7563**
- **Montclair State University Residence Life Office**, phone: **973-655-4155**
- **Safe and Sound (Essex County Rape Care Center)**, phone: **973-972-1325**
- **Passaic County Women's Center Rape Crisis Services**, phone: **973-881-1450**

Sex Offender Registry

The "**Campus Sex Crimes Prevention Act**" (section 1601 of Public Law 106-386) is a federal law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. The Act requires sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. The law further requires that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems.

For information regarding Megan's Law in the State of New Jersey and to search the **New Jersey Sex Offender Internet Registry**, maintained by the New Jersey State Police, visit their site. For information on how to register if you are a convicted sex offender, contact the MSUPD Detective Bureau for instructions.

Programs for Awareness and Prevention of Sexual Assault, Dating and Domestic Violence, and Stalking

The University provides programs to raise awareness and the prevention of sexual assault, dating and domestic violence and stalking. Specifically, the University provides the following:

- **Residence Life Orientation** – Students living on campus as well as commuting students, housing directors and assistants are made aware of topics and situations that might be encountered on the university campus. Topics include *Acquaintance Rape, Alcohol and Drug Awareness, Theft Prevention* and *Safety on Campus*. Through Crime Prevention awareness, students living on and off campus, learn ways and methods on how to minimize the chances of becoming the victim of a crime.
- **New Employee Orientation** – Through orientation, new employees to the university are made aware of crime prevention methods and strategies that will be helpful in reducing the chances of becoming a victim of crime on and off campus. Topics include *Theft Prevention, Safety on Campus* and *Workplace Violence*.
- **Self-Defense Training** – Offered by University Police Officers, this training is free and open to all members of the campus community. Training is offered periodically throughout the fall and spring semesters.
- **Crime Prevention** – A variety of educational programs are offered by the University, e.g. crime prevention officers conduct panel discussions in classes, at Residence Life, the Drop-in Center and Greek organizations. Topics include *Date/Acquaintance Sexual Assault, AIDS, Auto and Property Theft, Personal Safety Issues* and *Alcohol Awareness*. Brochures and other literature are available at the University Police Headquarters.
- **Rohypnol/GHB (Gamma Hydroxybutyrate) (aka Roofie) Awareness Education** – Rohypnol is a drug used legally for medical purposes in other countries but it is not a legal drug in the United States. Rohypnol, when combined with alcohol, has a sedating effect on the individual; this state allows an aggressor to assault the individual without the victim being able to defend themselves. Recently, Rohypnol related crimes on college campuses have risen dramatically. Through education and orientation, members of the university community are made aware of the dangers this drug poses, steps to take on reporting a Rohypnol related crime, as well as information and tips on how to avoid becoming a victim.
- **Bystander Intervention Awareness Program** – A full-fledged, full-throttle bystander intervention program provides training to small groups of students who are charged with delivering the message to larger groups that bystanders need to act even when they are unsure if their help is needed.

[Back to top](#)

Emergency Reporting Procedures and Communications Policy

If the campus community must be alerted when time is of the essence, information will appear in various methods, including the **Montclair State News System** to which one can subscribe to the **News RSS feed**; email messages sent to the campus community; **text messaging service**; in the student newspaper, **The Montclarion**; and the main **Montclair State University Web site**. Under some circumstances, public safety advisories will be distributed through electronic mail and paper leaflets suitable for posting.

The University Police Department encourages the campus community to report all crimes and suspicious activities and, when needed, to request police services. The department can be reached by dialing **973-655-5222**.

All reports of crime will be recorded, investigated and reported in accordance with the laws and regulations of the State of New Jersey and in accordance with the definitions used in the Uniform Crime Report system of the U.S. Department of Justice Federal Bureau of Investigation. Other incidents are recorded in accordance with state and campus protocols.

Reporting Emergency Situations

Please follow the following guideline when reporting any crime, suspicious person or emergency situation:

1. Provide the officer answering the emergency phone with your name and campus/home address.

2. Report the nature of your call (car accident, theft, etc...)
3. If medical assistance is needed, request it immediately and state the nature of the medical emergency.
4. Provide the officer on the phone with as many details as possible – Description of activity being observed.
 - Description of persons involved.
 - Location the person(s) was last seen or their direction of flight.
 - Description of any motor vehicle involved.
 - Presence of any weapons.
5. Stay on the phone until the officer receiving the call hangs up. Be calm, speak slowly and obtain the names and addresses of any witnesses.

[Back to top](#)

Campus Security Authorities

Campus Security Authorities Policy

What is the role of a CSA?

Campus Security Authorities (CSAs) receive reports of crimes and forwards them to University Police. CSAs are obligated to report crimes occurring on campus, in public areas bordering campus and in certain non-campus buildings owned or controlled by the University that involve homicide, murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, arrests related to the liquor, drug and weapons law violations, hate crimes, sexual assault, dating and domestic violence, stalking and other serious incidents that the University determines to represent a serious and ongoing threat to the campus. CSAs should report those crimes that have not been previously reported to University Police or another University CSA. The CSA is created to provide an alternate source for University employees and students to receive a report of a crime when the individual may be hesitant to report to University Police.

Who is not a CSA?

The following individuals are not designated as a CSA and are not authorized to receive or report a crime to University Police: Faculty without responsibility for student and campus activity beyond the classroom; physicians in Student Health who only provide care for students; clerical or administrative support staff; cafeteria staff; facilities maintenance staff; information technology staff, licensed mental health or pastoral counselors, when acting within the scope of their license or certificate; and other like functions. Individuals acting in a pastoral, medical or in a mental health counseling role (if within the scope of their employment for the University) can receive a report of a crime on a voluntary, confidential basis, that can then be included in the University's crime statistic report.

CSA Crime Reporting

When a crime is reported to a CSA, s/he should first ask the person if they would like to report it to University Police. If so, contact **973-655-5222**. If the CSA has firsthand knowledge/confirmation that the reporting party filed a police report with University Police, then they are not obligated to complete and submit a CSA report form. However, if the reporting party says they will file a police report with University Police and leaves (no CSA firsthand knowledge/confirmation that a police report was filed), then the CSA must still complete and submit a **Campus Security Authority Crime Report Form**.

CSA's are encouraged to report all crimes reported to them, on a timely basis, to University Police via a Campus Security Authority Crime Report Form. The CSA Crime Report Form can be submitted to University Police by email, by fax 973-744-6247 (via the **Report**

Form) or campus mail.

If the reported crime is made in good faith, meaning that there is reasonable basis for believing that the information is not rumor or hearsay, then the crime is reportable. CSA's, when interacting with the crime reporting party, need to gather incident information that would provide sufficient detail to properly classify the incident. This means CSA's need to document reporting party responses or lack thereof. Reporting party identifying information should only be included in the Report Form if the reporting party is willing to provide same (see Anonymous Reporting section below). CSA's should not investigate the crime or attempt to determine whether a crime, in fact, took place. **When in doubt, a CSA Report Form should be completed and submitted.**

How to Report a Crime

CSA's should complete and submit the Clery Act CSA Crime Report form online, by fax or mail the Crime Report Form to University Police. If you have questions, contact University Police and ask to speak with a Command Staff member or email us at:

msupolice@montclair.edu

What is done with CSA Report Forms

University Police reviews Crime Report Forms and makes a determination if an incident warrants a timely warning/emergency notification of the University community and whether it is a reportable crime in the Annual Security & Fire Report (ASFR). University Police will consolidate crime data from multiple sources, report qualifying crime data to the federal Department of Education, publish campus ASR and ASFR and inform the campus community when and where the ASR and AFSR are available. The ASR is posted on the University Police webpage at **www.montclair.edu/university-police**. The AFSR is posted on the University's Fire Safety web page. Hard copies are also available from University Police upon request.

Crime/Emergency/Confidential and Non-Emergency Reporting

Regardless of your status (CSA or non-CSA), all community members are encouraged to promptly report all campus related criminal incidents and other public safety related emergencies to University Police. For incidents requiring immediate attention, dial **973-655-5222** or use one of the "Blue Light" Emergency Phones located throughout campus. Non-emergency incidents may be reported by calling University Police at **973-655-5222**. University police also accept anonymous reports on their TIPS line at **973-655-8477** (TIPS) from any on-campus phone or via text messaging through the Rave E-Tips program. To utilize this system, all you have to do is text keyword "E-TIPS" a space and your message to 67283 from your cellular phone.

Campus Security Authorities List

The following is a list of individuals who are authorized to act as a CSA on behalf of the University. This list is not intended to be exhaustive in nature but identifies key figures who are obligated to forward a report of a criminal incidents to University Police and referral such conduct for discipline. CSAs include:

Position	All University Police Department Personnel
Division	SDCL
Phone	973-655-5222
Position	Dean of Students
Division	SDCL

Phone	973-655-4118
Position	Associate Deans of Students
Division	SDCL
Phone	973-655-4118
Position	Assistant Deans of Students
Division	SDCL
Phone	973-655-4118
Position	Residence Life: Executive Director, Assistant Directors and Associate Directors
Division	SDCL
Phone	973-655-5188
Position	Residence Life Community Directors and Assistant Directors
Division	SDCL
Phone	973-655-5188
Position	Residence Life Community Assistant and Desk Assistants
Division	SDCL
Phone	973-655-5188
Position	Student Academic Services (including CAST, ASRP, EOF and CADA: all advisors to students)
Division	SDCL
Phone	973-655-7809
Position	Director of Student Conduct
Division	SDCL
Phone	973-655-6981
Position	Campus Recreation: Director, Associate Directors, Supervisors and Building Managers
Division	SDCL

Phone	973-655-3340
Position	Center for Student Involvement: Professional staff and advisors to student organizations
Division	SDCL
Phone	973-655-7818
Position	Center for Career Services: Counselors, program directors for off-campus placements
Division	AA
Phone	973-655-5194
Position	Disability Resource Center: Director and advisors
Division	SDCL
Phone	973-655-5431
Position	LGBTQ Center: Director and peer student advocates
Division	SDCL
Phone	973-655-7563
Position	Health Promotion: Coordinators and peer student staff
Division	SDCL
Phone	973-655-4361
Position	Health Center: Director, nursing staff and any non-physician staff
Division	SDCL
Phone	973-655-4361
Position	Admissions: counselors, recruiters and peer student staff (ambassadors)
Division	SDCL
Phone	973-655-4444
Position	Athletics: Director, assistant and associates;
Division	SDCL

Phone	973-655-5234
Position	Equity and Diversity/Women's Center: Director and associates, student staff
Division	SDCL
Phone	973-655-5114
Position	Student Center: Director and student staff
Division	SDCL
Phone	973-655-7546
Position	Financial Aid: Director and associates, counselors
Division	SDCL
Phone	973-655-4461
Position	Colleges and Schools: Deans, Assistant Deans, Associate Deans, internships or special off-campus program coordinators and student advisors in CEHS, CART, SBUS, Graduate School, CHSS, CSAM, Nursing and University College
Division	AA
Phone	973-655-4444
Position	Provost's Office: Provost, associates
Division	AA
Phone	973-655-4382
Position	International Engagement: Executive Director, and Study Abroad Programs counselors
Division	AA
Phone	973-655-6862
Position	Facilities: Parking Services employees
Division	Facilities
Phone	973-655-7580
Position	Library: Dean and associates, guards and librarians
Division	Library

Phone	973-655-4298
Position	Office of the President: President, Government Relations, Chief of Staff/Ethics
Division	Office of the President
Phone	973-655-4212
Position	Board of Trustees: appointed members, student representatives and support staff
Division	Board of Trustees
Phone	973-655-4213
Position	VP Student Development and Campus Life: Vice President and Associates
Division	SDCL
Phone	973-655-4311
Position	Information Technology: help desk staff, technicians and any staff assisting end users
Division	IT
Phone	973-655-4100
Position	Registrar's Office: Registrar and associates, any staff that has close interaction with students
Division	AA
Phone	973-655-4376
Position	Human Resources: VP and associates/assistants, Payroll/Benefits/Employee Relations administrators
Division	HR
Phone	973-655-5293
Position	Finance and Treasury: VP and associates, account and audit administrators, accounts payable/receiving administrators, and Student Accounts supervisors
Division	FT
Phone	973-655-4199

If you have questions about your role and responsibilities as a CSA, feel free to contact the University Police at msupolice@montclair.edu or Captain. Kieran Barrett at **973-655-7440**.

Other documents:

1. **Campus Security Authorities – Training**
2. **Campus Security Authorities Crime Report**

[Back to top](#)

Daily Crime Log

The University Police maintains a daily crime log of all criminal incidents which includes offense title, location of offense, time of offense, and disposition of the offense if known at the time of reporting or if not in conflict with a police investigation. The log is updated every two days and is available for viewing at University Police Headquarters.

[Back to top](#)

Campus Emergency Response and Immediate Warning

Montclair State University firmly believes that community members are entitled to the most current and informative warnings when serious campus emergencies occur. Through a variety of methods such as **text messaging**, email, LED signage, postings and verbal announcements, the University will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus.

Montclair State University Timely Warning Report Policy

While maintaining the confidentiality of victims, Montclair State University issues timely warning reports to notify the campus community of crimes that involve homicide, murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson and other serious incidents that the University determines to represent a serious and ongoing threat to the campus. The University may distribute timely warning reports using a variety of means, including emails, text messages, social media sites, flyers, and website announcements posted on the general **University website** as well as the **University Police website**.

To report an incident that may warrant the issuing of a timely warning, immediately contact University Police at **973-655-5222**.

A. Circumstances necessitating a timely warning

Timely warnings are issued on a case-by-case basis for certain crimes or other serious incidents reported to campus authorities or University Police and that pose "serious and ongoing threats" to students and employees on campus or in the immediate campus community. In deciding whether to issue a timely warning, the University considers all of the facts surrounding the incident such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Incidents that may result in issuing a timely warning include the following crimes:

- Murder

- Criminal Homicide
- Manslaughter
- Sexual Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

B. Circumstances for a timely warning

The University will issue a timely warning as soon as it determines there is a serious and ongoing threat to students or employees on campus and/or in the immediate campus community. Considerations taken into account for the determination of a timely warning include the nature of the crime (severity), the continuing danger to the University community, and the risk of compromising law enforcement activity. The determination will be made based on the information that University Police has available to it at the time and may be updated for more pertinent information.

C. Responsibility for issuance of timely warnings

The Chief of Police of the University Police Department or his designee is responsible for preparing and distributing timely warning reports. University Police may be reached at **973-655-5222**. In addition, in the absence of the Chief of Police, the Vice President for Student Development and Campus Life may issue such warnings.

D. Distribution of timely warnings

In most instances, the timely warning will be issued through the University's email system to students, faculty and staff. Depending on the particular circumstances of the crime or threat, University Police may also post a notice through text messages, flyers posted in residence halls, academic buildings, and the Student Center, social media outlets, and announcements posted on the **University website**.

E. Elements of the timely warning

The intent of a timely warning is to enable members of the campus community to protect themselves. A timely warning will include information that promotes safety and aids in the prevention of similar crimes, such as the following information:

- A brief statement of the incident, general locations given
- Possible connection to other incidents, if applicable
- Physical description of the suspect, if available
- Date and time of the incident

- Other relevant information

F. Reporting Crime

Anyone with information about a crime or other serious incident should report the circumstances to University Police, by phone **973-655-5222** or in person at the University Police Department Headquarters, adjacent to the Red Hawk Parking Deck. To report a crime or an emergency off campus, dial 911. You may also use the emergency “blue light” phones or alert systems stationed around campus.

G. Confidential reporting procedures

If you are a victim of or witness to a crime and do not want to pursue action within the university system or the criminal justice system, you may still want to consider making a confidential report. The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the University can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution and may result in a timely warning report.

Community members may call the TIPS line on campus at **973-655-8477** and leave as descriptive information as is possible for investigation or response. In addition, individuals can send texts with immediate relay to the University Police Department. You can text a crime tip to the University Police texting the keyword “E-TIPS”, a space, and your message to 67283. University Police will investigate any anonymous report.

Montclair State University Emergency Response/Notification to Incidents and Evacuation Procedures Policy (Updated 6/2012)

Policy Statement:

This policy establishes the emergency response and notification procedures for Montclair State University. This policy has been established to ensure to the greatest extent possible the safety and welfare of the Montclair State University students and employees. This policy is aligned with and in compliance with the Higher Education Opportunity Act which requires all Title IV institutions, without exception, to have and disclose emergency response procedures in response to a significant emergency or dangerous situations involving an immediate threat to the health or safety of students or employees occurring on the campus. For specific evacuation procedures, the Montclair State University website will provide advance details of egress.

Upon *confirmation* of an ongoing significant emergency or dangerous situation that poses an imminent threat to the safety of campus community members, the University will immediately issue emergency notifications to the campus community. While it is impossible to predict every significant or dangerous situation that may occur on campus, the following identified situations shall warrant an emergency notification after confirmation.

- a) Armed/Hostile Intruder
- b) Bomb/Explosives (threat)
- c) Communicable disease outbreak
- d) Severe weather
- e) Terrorist incident
- f) Civil unrest
- g) Natural disaster
- h) Hazardous materials incident
- i) Structure fires

University officials that will be involved in determining when an emergency notification is warranted include the President, Vice President for Student Development and Campus Life, Vice President for Advancement, Vice President for Facilities, Chief of Police, and Provost.

The University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing the notification will:

- a) Compromise the efforts of first responders
- b) Compromise efforts to assist the victim
- c) Increase the vulnerability of campus safety
- d) Compromise efforts to contain, respond or mitigate the emergency

Confirmation of an Emergency or Dangerous Situation:

Reports of emergency or dangerous situations that pose an imminent threat to the safety of campus community members may originate from various sources including:

- Reports from first responders
- Reports from established warning points
- Reports from other campus departments
- Reports from citizens through 9-1-1 directed calls from off campus

Confirmation of these situations will occur through several different processes:

Criminal Nature:

Emergency or dangerous situations that pose an imminent threat to the safety of campus community members and that are criminal in nature will be considered confirmed if a law enforcement officer or other credible witness observes the situation as it is occurring. For situations that are criminal in nature which are not apparent or not directly observed by law enforcement, confirmation will be made by University Police Chief or Command level staff and, in their absence, the Officer in Charge.

Command level staff will review the readily available information and determine if there is enough information to reasonably conclude a significant emergency or dangerous situation poses an imminent threat to the safety of campus community members is occurring on campus. Command level staff may consult with additional departments and policy level personnel as practical without jeopardizing life safety.

Other Emergency or Dangerous Situations:

Confirmation of non-criminal situations will be determined after readily available information is reviewed by campus emergency management, law enforcement, or policy level personnel.

Established Warning Points:*

Established warning points are considered entities with subject matter expertise on particular hazards that may affect campus. When a warning is issued by one of these entities it is considered confirmed, however, additional consultation with campus officials will occur as practical without jeopardizing life safety.

- National Weather Service: Warnings for weather events, flood events, and wildfires. Warnings for flash flood events.

- State of NJ or US Health/CDC or Public Health: Communicable disease/public health emergencies.
- Responsible Fire Agency: Structure fire and hazardous material events.

*This is not all-inclusive, but a sampling of established warning points.

Population Notified/Segmented Notification:

The University shall provide notice of significant emergency or dangerous situation occurring on campus that poses an imminent threat to the safety of campus community members to all students, employees and visitors on campus through widespread messaging unless the emergency or dangerous situation is wholly contained to one building or area within a building and widespread messaging is determined to be unnecessary based upon the facts and circumstances. This decision was made based on the analysis of identified risks to the campus and to prevent accidental exclusion of a segment of campus population that the emergency notification was intended for.

In the situations when a single facility/area is involved, facility alarms, public address systems, phone-trees, and other technologies of the facility may be utilized to provide warning. Campus personnel may also provide warning if needed and feasible. Should a segmented emergency notification be issued, on-going assessments of the situation will occur and a campus-wide notification will be sent as necessary.

Emergency Notification Content:

The content of an emergency notification will be created by the Vice President responsible for the unit affected, in consultation with the President, the Vice President for Advancement and the Chief of Police. The message content will depend on the situation and the notification method. However, the following information will be included in all initial emergency notifications regardless of the situation or method:

- A description of the situation (flash flood warning, dangerous situation, etc)
- Relevant safety instructions (move to higher ground, shelter in place, etc)
- A third element of where to get more information (i.e., university website) will be included in the initial notification if feasible. Because of text character limits, or the immediate availability of information, the third element of where to get information may not always be included in the initial emergency notification if in text format.

Pre-scripted Emergency Notifications:

To the greatest extent possible, the institution will develop and utilize pre-scripted emergency notifications that have been collaboratively developed and agreed upon by University Police, Emergency Management, University Communications, and appropriate vice president level personnel. The development of these notifications facilitates faster dissemination. Pre-scripted notifications have been developed primarily for the Rave Alert system, the Montclair State University website, and the Montclair State University emergency information line.

During situations for which a pre-scripted notification has not been developed, or when the responsible official determines different content is needed the guidelines listed above will be followed to craft these notifications.

Additional content considerations:

As feasible, after the situation description, relevant instructions, and additional information sources are provided, the following content should be considered for inclusion:

- Campus operating status (open, closed, etc)
- Information update frequencies
- Additional instructions that are not specific to life safety

Notification at the conclusion of a significant emergency or dangerous situation:

As deemed appropriate by the responsible institution official, an “all clear” notification should be considered at the conclusion of a significant emergency or dangerous situation. These notifications should include campus operating status if relevant.

Operation of Notification Systems::

The primary method of issuing an emergency notification is the Rave Alert system. The Rave Alert system is capable of sending text messages, voice messages, and emails to registered users.

Registered users are responsible for maintaining correct contact information and for regularly checking registered devices and accounts. This is the primary alerting tool for campus-wide notification as it utilizes both “active” and “passive” alerting functions. The campus recognizes the need for public safety partners in the broader community to have situational awareness of emergencies that occur on campus, and as such, select members of the broader public safety community are registered to receive campus-wide Rave Alerts.

Alert notifications may also be distributed through the University’s emergency information telephone line, social media sites, public address systems, building public address systems, University personnel announcements, and the use of on-campus digital signage.

The campus website is designed to accommodate increased traffic during emergency situations so that both University students, employees and visitors are provided with emergency notifications and information. The website will be the primary point to disseminate information to the broader community, including parents.

Criteria for Emergency Notifications:

The following factors will be considered to determine if a significant emergency or dangerous situation occurring on campus and posing an imminent threat to the safety of campus community members exists that would warrant emergency notification:

1. Life Safety Considerations:
 - a. What is the potential for injury or death?
 - b. What is the potential for damage?
 - c. What is the potential for interruptions to critical services?
2. Situation:
 - a. What is the impact to the campus?
 - b. Is the situation stable, what is the potential for the situation to worsen?
 - c. What is the urgency of the situation?

3. Audience:

- a. Who needs to receive the notification?

4. Limitations:

- a. Are there any known limitations of the notification systems?

Emergency Notification Officials and Their Responsibilities:

The following officials are responsible for initiating an emergency response notice on behalf of the University:

Montclair State University Police Department

The Police Department is responsible for initiating emergency notifications regarding criminal occurrences. The Chief of Police, Command staff or their designee are responsible for contacting University Communications to initiate additional notification methods (Montclair State University website, Emergency Information Line). Law enforcement is responsible for providing the necessary content to University Communications.

University Communications:

University Communications is responsible for maintaining and disseminating emergency notifications that utilize:

- The University website
- The Montclair State University Emergency Information Line Campus social media sites
- Internal campus email systems and Rave Alert System

Post-Emergency Notifications

University Communications in consultation with the Vice President having supervisory authority over the affected unit and Chief of Police will assume responsibility for messages after the emergency has been resolved.

Emergency Response Organization:

The campus maintains an Emergency Operations Plan which outlines responsibilities of campus departments during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular departments or positions. University departments are responsible for developing emergency response and continuity of operations plans for their areas and staff. This plan is available for view on the Montclair State University website with network credentials.

Emergency Response Education:

Information about emergency response procedures is provided at the beginning of each semester at student orientation, and it is re-emphasized throughout the year on a campus-wide basis as other relevant advisories are issued, such as those posted at the start of winter. Information on how to receive emergency notifications is also located in the campus disclosure policy, which is provided electronically to the entire campus community on an annual basis.

Every campus building is equipped with an emergency evacuation sign which illustrates the emergency evacuation route and plans are also available online for view at any time and as part of the Clery Annual report.

Furthermore, the campus emergency website provides information and instructions about hazards that are likely to affect campus.

Emergency Response Test Procedures:

The Rave Alert system, Montclair State University webpage, and campus emergency information line are tested twice a year, once during the fall semester, and once during the spring semester. During these scheduled test periods campus community members are encouraged to register for alerts and to become familiar with where emergency information can be found. These events are announced through internal campus e-mails. In addition to the emergency notification system test, the campus conducts tabletop exercises and participates in drills and exercises with community partners as opportunities to do so become available.

The residence halls, with University Fire Safety, conduct emergency evacuation drills at the beginning of each semester. Other campus facilities are responsible for organizing and conducting their own emergency evacuation drills.

Actual emergencies serve as tests of the notification system.

The University may at any time issue informational warnings in a timely matter on unconfirmed threats to the community. Certain information may be withheld if it were to compromise efforts to contain the emergency. On an annual basis, the emergency warning shall be tested if no actual emergency should have occurred or if activated for a real emergency will be evaluated for proficiency. Community members should visit the main **Montclair State University** website or the **Emergency Website** for the most up-to-date information. Should the Web be inaccessible, contact University Police at **973-655-5222**.

To view specific building evacuation plans please visit **Exit Plans**.

To view the Montclair State University Emergency Response plan please visit (note a NetId is needed for access): **Montclair State University Emergency**.

Back to top

Missing Persons Notification Policy and Procedures

In compliance with the Higher Education Reauthorization Act of 2008, the purpose of this policy is to provide the procedures for reporting, investigating, and send notice in response to a student of Montclair State University believed to be missing.

A person is presumed missing when his/her absence for 24 hours is inconsistent with their established patterns of behavior and the deviation cannot be readily explained. Before presuming that a person is missing, reasonable measures should be taken to determine that the person is not at their off-campus place of residence and that no one familiar with the person has seen or heard from the person for an unusual period of time or is aware of where they may be.

Any member of the University community, including both employees and students, who is concerned that a member of the University community has been missing for 24 hours should contact University Police, 973-655-5222.

By nature the absence of a student may many times be not of consequence, however, it is essential that the University employees and students take seriously any report that a student may be missing. New Jersey State Law, specifically "Patricia's Law", may supersede this policy when a person in critical danger (i.e. an overt abduction, a victim of domestic violence, disabled individuals) in that immediate notification may be necessary to assist in the location of an at-risk missing individual.

Identifying an Emergency Contact Person

Resident students: A resident student is any student residing in a University operated residential facility under a University housing agreement. All resident students are required to designate an emergency contact person, or persons, through the University's computer-based NEST system (Network Engagement and Student/Staff Transactions) prior to check in at their residence hall. If a student moves to another University residence facility the student is required to verify the emergency notification information upon admittance to that hall.

Non-resident students: All enrolled students at the University, regardless of living circumstances, are encouraged to designate an emergency contact person, or persons, through the University's computer-based NEST system (Network Engagement and Student/Staff Transactions).

Every student (resident and non-resident) has their own NEST account and may enter or change, under personal information/addresses, a designated contact person at any time by updating their emergency contact information.

Only certain entities within the University with proper clearance have access to the emergency contact information (note: all persons indicated as a person that a report can be made to have access) and students should know that confidentiality is a factor. If a student is under the age of 18 and is not emancipated, the University must notify the student's custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to any person designated by the student as his/her contact.

Reporting and Investigating Missing Persons

Persons can report students missing to any official of the University, who then must notify the University Police Department within 24 hours of the determination that the student is missing. Residence Hall staff, building directors, Dean of Students personnel, among others, may many times be first contacts to report missing students. There is no waiting period for an individual to report a missing person. The Montclair State University Police Department will investigate, following established police protocol, all cases of missing persons that are brought to their attention. The University Police Department will serve as the lead investigating agency unless superseded by a Prosecutor's Office or State of New Jersey or federal agency with appropriate jurisdiction. At any time, the person reporting a missing person may report to any other law enforcement agency that a person is missing. The University Police Department will contact any agency where the missing person may live, work or be reported to be within.

Informing Designated Contact Person

The University Police Department will inform the student's identified emergency contact person, or persons, that a student is missing within 24 hours of receiving a missing person report. In cases where the student is under the age of 18 and or unemancipated, or where the missing student may be at risk, University Police shall also notify the student's custodial parent or guardian within 24 hours of the determination that the student is missing, unless more immediate contact is warranted.

Individuals to Contact to Report Missing Students

While anyone can report a student missing, the following non-exhaustive list indicates key personnel to report missing persons at any time and certainly if missing for 24 hours:

Position	All University Police Department Personnel
Division	SDCL
	973-655-5222
Position	Dean of Students

Division	SDCL
	973-655-4118
Position	Associate Deans of Students
Division	SDCL
	973-655-4118
Position	Assistant Deans of Students
Division	SDCL
	973-655-4118
Position	Res Life: Executive Director, Assistant Directors and Associate Directors
Division	SDCL
	973-655-5188
Position	Res Life Community Directors and Assistant Directors
Division	SDCL
	973-655-5188
Position	Res Life Community Assistant and Desk Assistants
Division	SDCL
	973-655-5188
Position	Student Academic Services (including CAST, ASRP, EOF and CADA: all advisors to students)
Division	SDCL
	973-655-7809
Position	Director of Student Conduct
Division	SDCL
	973-655-6981
Position	Campus Recreation: Director, Associate Directors, Supervisors and Building Managers

Division	SDCL
	973-655-3340
Position	Center for Student Involvement: professional staff and advisors to student organizations
Division	SDCL
	973-655-7818
Position	Center for Career Services: counselors, program directors for off-campus placements
Division	AA
	973-655-5194
Position	Disability Resource Center: Director and advisors
Division	SDCL
	973-655-5431
Position	LGBTQ Center: Director and peer student advocates
Division	SDCL
	973-655-7563
Position	Health Promotion: Coordinators and peer student staff
Division	SDCL
	973-655-4361
Position	Health Center: Director, nursing staff and any non-physician staff
Division	SDCL
	973-655-4361
Position	Admissions: counselors, recruiters and peer student staff (ambassadors)
Division	SDCL
	973-655-4444
Position	Athletics: Director, assistant and associates;

Division	SDCL
	973-655-5234
Position	Equity and Diversity/Women's Center: Director and associates, student staff
Division	SDCL
	973-655-5114
Position	Student Center: Director and student staff
Division	SDCL
	973-655-7546
Position	Financial Aid: Director and associates, counselors
Division	SDCL
	973-655-4461
Position	Colleges and Schools: Deans, Assistant Deans, Associate Deans, internships or special off-campus program coordinators and student advisors in CEHS, CART, SBUS, Graduate School, CHSS, CSAM
Division	AA
	973-655-4444
Position	Provost's Office: Provost, associates
Division	AA
	973-655-4382
Position	Global Education Center: Executive Director, and Study Abroad Programs counselors
Division	AA
	973-655-6862
Position	Facilities: Parking Services employees
Division	Facilities
	973-655-7580
Position	Library: Dean and associates, guards and librarians

Division	Library
	973-655-4298
Position	Office of the President: President, Government Relations, Chief of Staff/Ethics
Division	Office of the President
	973-655-4212
Position	Board of Trustees: appointed members, student representatives and support staff
Division	Board of Trustees
	973-655-4213
Position	VP Student Development and Campus Life: Vice President and Associates
Division	SDCL
	973-655-4311
Position	Information Technology: help desk staff, technicians and any staff assisting end users
Division	IT
	973-655-4100
Position	Registrar's Office: Registrar and associates, any staff that has close interaction with students
Division	AA
	973-655-4376
Position	Human Resources: VP and associates/assistants, Payroll/Benefits/Employee Relations administrators
Division	HR
	973-655-5293
Position	Finance and Treasury: VP and associates, account and audit administrators, accounts payable/receiving administrators, and Student Accounts supervisors
Division	FT
	973-655-4199

[Back to top](#)

Whistleblower Protection and Anti-Retaliation

It is prohibited to take retaliatory action against any individual who is performing their responsibilities under this ASR. Community members are encouraged to forward information of any kind as related to crime on campus and should take comfort that no action will be taken against them for the reporting of criminal statistics, violations of policy or points of inquiry.

[Back to top](#)

Crime Statistics

Institutions of higher education are required to release certain crime statistics in compliance with the Jeanne Clery Act. These statistics include the three most recent years collected upon crimes required to be reported by the Jeanne Clery Act that are applicable to Montclair State University. Total on-campus crimes include any of the listed offenses that occurred on University property. Residence hall figures are a subset of the total on-campus crimes to enhance transparency for residents. Public property crimes include those locations adjacent to University property or as reported by other agencies. Off-campus statistics are counted for those crimes that may occur at properties off the main campus that are University controlled sites, satellite locations and University sponsored instructional, athletic or social events located off campus grounds.

Homicide

Year	2016
Total On Campus	0
Residence Halls	0
Public Property	0
Off Campus	0
Year	2015
Total On Campus	0
Residence Halls	0
Public Property	0
Off Campus	0
Year	2014
Total On Campus	0
Residence Halls	0

Public Property	0
Off Campus	0

Negligent Manslaughter

Year	2016
Total On Campus	0
Residence Halls	0
Public Property	0
Off Campus	0
Year	2015
Total On Campus	0
Residence Halls	0
Public Property	0
Off Campus	0
Year	2014
Total On Campus	0
Residence Halls	0
Public Property	0
Off Campus	0

Sexual Offenses: Rape

Year	2016
Total On Campus	7
Residence Halls	5