

Sexual Assault,
Dating Violence,
Domestic Violence
and Stalking:

Education and Resources



Berkeley College[®]

Your **potential** is our **promise**.[®]

If you are, or think you have been, the victim of sexual assault, intimate partner violence, or stalking, you are not alone. Berkeley College cares about you, your safety, and your well-being. We want you to be informed and to understand your rights and options. If you have any questions about the material in this brochure, feel free to contact the Berkeley College Title IX Coordinator, Sherrille Shabazz, EdD, Vice President, Student Development and Campus Life, TitleIXCoordinator@BerkeleyCollege.edu, 646-948-1361.

To see the Title IX (and Non-Title IX) Sexual Harassment and Sexual Misconduct Policy, go here: <https://berkeleycollege.edu/pdf/Title-IX-Non-Title-IX-Sexual-Harassment-and-Sexual-Misconduct-Policy.pdf>

For more information about the Title IX, Violence Against Women Reauthorization Act of 2013 ("VAWA") and New York Education Law Article 129-B, go to: <https://berkeleycollege.edu/about/administration/general-counsel/title-ix/index.html>

Sexual Assault

Sexual assault is having or attempting to have sexual contact with another individual without consent or where the individual cannot consent because of age or temporary or permanent mental incapacity (see below for definition of consent, including incapacitation). Sexual contact includes: sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g., penis, finger, hand, or tongue) or an object, or requiring another to penetrate themselves with a body part or an object, however slight; or sexual touching of the private body parts, including, but not limited to, contact with the breasts, buttocks, groin, genitals, or other intimate part of an individual's body for the purpose of sexual gratification.

Consent to a sexual act requires a clear, affirmative, current, and mutual agreement to take or permit such action. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon an individual's sex, sexual orientation, gender identity, or gender expression. Although consent need not be verbal, verbal communication is often the most reliable means of ensuring consent to sexual activity. Consent to any one or prior sexual act does not constitute consent to any other or future sexual act. Consent to sexual activity may be withdrawn at any time, in which case the activity must cease immediately. Consent cannot be obtained by physical force, threats, or intimidation. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by a lack of consciousness or being asleep, being involuntarily restrained, or can exist if an individual's ability to make decisions is otherwise compromised. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given by a person who is under the legal age of consent. In addition, consent cannot be given by an individual with a mental, intellectual, physical or other disability that renders them incapable of giving consent.

Dating and Domestic Violence

Dating and Domestic Violence includes any act of violence against a Complainant who is or has been involved in a sexual, dating, domestic, or other intimate relationship with the Respondent, or against a person with whom the Respondent has sought to have such a relationship, as follows:

i. Dating Violence: includes any act of violence committed by a person:

(a) Who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and

(b) Where the existence of such a relationship shall be determined based on a consideration of the following 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.

ii. Domestic Violence: includes any act of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under New Jersey and/or New York, respectively; state law, or by any other person against an adult or minor Complainant who is protected from that person's acts under New Jersey and/or New York state law, respectively; Dating or Domestic Violence may also include forms of Sexual Harassment under this policy, including Sexual Assault, Sexual Exploitation, and Stalking.

Stalking

Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress.

Course of conduct means two or more instances including but not limited to unwelcome acts in which an individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

REPORTING, INVESTIGATION AND ADJUDICATION

This Brochure contains information about on-campus and off-campus resources available to Berkeley College students and associates. Additionally, it provides general information and recommendations about what to do in the immediate aftermath of a sexual assault. Information about student and associate rights, reporting options, confidentiality and privacy, supportive measures, the College investigation process and the College adjudication process is provided in the Title IX Sexual Harassment and Sexual Misconduct Procedures, the Non-Title IX Sexual Harassment and Sexual Misconduct Procedures for Students and the Non-Title IX Sexual Harassment and Sexual Misconduct Procedures for Associates.

- The Title IX Sexual Harassment and Sexual Misconduct Procedures apply to reports of Sexual Assault and to reports of Title IX Sexual Harassment, including Dating Violence, Domestic Violence and Stalking, that are reported to have occurred against a person in the United States, and within the Berkeley College Education Program or Activity. These procedures are available at: <https://berkeleycollege.edu/pdf/Title-IX-Sexual-Harassment-and-Sexual-Misconduct-Procedures.pdf>
- The Non-Title IX Sexual Harassment and Sexual Misconduct Procedures for Students apply to Title IX Sexual Harassment, including Dating Violence, Domestic Violence and Stalking, that are reported to have occurred against a person outside the United States, or outside the Berkeley College Education Program or Activity and to reports of non-Title IX/Other Sexual or Gender Based Harassment and/or Sexual Exploitation, exclusive of any conduct covered by the Title IX Sexual Harassment and Sexual Misconduct Procedures. These procedures are available at: <http://berkeleycollege.edu/pdf/Non-Title-IX-Sexual-Harassment-and-SexualMisconduct-Procedures-for-Students.pdf>
- The Non-Title IX Sexual Harassment and Sexual Misconduct Procedures for Associates apply to Title IX Sexual Harassment, including Dating Violence, Domestic Violence and Stalking, that are reported to have occurred against a person outside the United States, or outside the Berkeley College Education Program or Activity and to reports of non-Title IX/Other Sexual or Gender Based Harassment and/or Sexual Exploitation, exclusive of any conduct covered by the Title IX Sexual Harassment and Sexual Misconduct Procedures. These procedures are available at: <http://berkeleycollege.edu/pdf/Non-Title-IX-Sex-Harass-and-Sex-MisconductProcedures-for-Associates.pdf>

CONFIDENTIAL ASSISTANCE

(For contact information for the below individuals, go to the “**Resources**” section that begins on page 8 of this brochure):

1. For students: you can speak to a Personal Counselor located at each campus.
2. For associates: you can contact the Employee Assistance Program (EAP).

PRESERVATION OF EVIDENCE

In the immediate aftermath of a sexual assault, the most important thing for you to do is to get to a safe place. Whether it be in your home, with a friend, or a family member, your immediate safety is what matters most. We urge you to seek medical attention as soon as it is safe to do so, including a specialized medical examination, to collect important evidence that may help confirm the identity of your attacker.

In addition, to preserve important DNA evidence after a sexual assault, you should make every effort to NOT:

- Bathe or shower
- Use the restroom
- Change clothes
- Comb hair
- Clean up the crime scene
- Move anything your attacker may have touched

Even if you have not yet decided whether to report the crime, receiving a specialized medical exam soon after your attack and preserving important evidence will improve the chances that the police can access and evaluate the stored evidence in the future. For more detailed information on this important topic, go to the Rape, Abuse, and Incest Network website (<https://rainn.org>).

SEXUAL ASSAULT FORENSIC EXAM

Within 96 hours of a sexual assault, an individual can request a Sexual Assault Forensic Examination at a hospital. Even if 96 hours have elapsed, the exam is still recommended. This is commonly referred to as a sexual assault or rape kit. While there is no charge for a sexual assault kit, there may be a charge for medical services. Some insurances may provide coverage for these medical charges. If a person does not want their insurance company billed due to privacy or safety issues, they are encouraged to inform the hospital personnel at that time.

A person may choose to have a Sexual Assault Forensic Exam to preserve possible DNA evidence and receive important medical care. You are not required to report the crime to have an exam, but the process gives you the chance to safely store evidence should you decide to report at a future time.

A sexual assault can be a traumatic and frightening experience. It is important to remember that if this ever happens to you, there are people who can help. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services. More information may be found here:

<https://ovs.ny.gov/sites/default/files/brochure/crime-victims-rights-ny-crime-victims.pdf>
or by calling 800-247-8035.

Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>.

For more information on the Sexual Assault Forensic Exam process visit:

<https://www.rainn.org/articles/rape-kit>

A list of off-campus community resources is provided, beginning on page 10.

SEXUALLY TRANSMITTED INFECTIONS

If you have sexual contact with another person, there is always a risk of contracting a Sexually Transmitted Infection (STI), as well as a potential for pregnancy. STI symptoms are not always obvious. If you think you may have been exposed, it is best to see a doctor. Additional information on testing for STIs and emergency contraception is available at:

<https://www.health.ny.gov/diseases/communicable/std/clinics/>

Additional resources on STIs can be found at the following websites:

<https://www.rainn.org/articles/sexually-transmitted-infections-stds>

<https://www.cdc.gov/std/>

HOW TO HELP A FRIEND AFTER A SEXUAL ASSAULT

IF THE ASSAULT JUST OCCURRED

Make sure your friend is safe and gets help, for example, medical attention; filing a police report; or contacting rape advocacy services. But don't push. Just make sure your friend knows the available options, and that you will provide support in any way you can.

AT ANY TIME AFTER THE ASSAULT

Listen

Sometimes assault victims just need to talk about their attack. Some victims will want to talk more than others. Allow your friend the freedom to choose when, where, and how to talk about the trauma. Avoid judging your friend. Just listen and assure your friend that you are there for support.

Believe

Believe what your friend tells you and make certain to communicate that belief repeatedly. Expect a friend in crisis to be, and act, confused.

Do Not Interrogate

Do not pressure your friend to talk. Limit the number of questions you ask; asking too many probing questions might make your friend feel that you are doubtful or that you need proof of what happened.

Do Not Blame

Reinforce that your friend is NOT to blame for the attack and that a range of feelings (whatever they may be) are normal.

Protect Your Friend's Privacy

Do not share what was told to you in confidence. Get your friend's permission before you disclose anything to anybody.

Be Patient

Recovery from sexual assault trauma can seem slow; let your friend determine the pace of recovery.

Educate

Educate yourself and your friend about common reactions associated with sexual assault. These reactions can be physical, emotional, social, or academic. Common reactions may include, but are not limited to, shame, withdrawing socially from other friends, sadness, crying spells, anger, and irritability.

Know Your Limits

If you are uncomfortable talking about sexual assault, that's OK. Helping your friend identify who might be the right person to talk to about the attack can also be supportive. There are times when professional help is best and you can help your friend find a trained counselor, when ready.

PREVENTING VIOLENCE¹

TAKING ACTION TO STOP VIOLENCE

Everyone can play an active role in stopping domestic violence and sexual assault before it occurs by becoming an engaged bystander and helping to establish an environment where healthy and positive relationships are based on respect, safety, and equality.

Moreover, taking steps to stop harassment or violence can make a significant difference in someone's life, and send a powerful message to the Berkeley College community as a whole about which social norms are acceptable and which are unacceptable.

¹ Excerpted and adapted from: <http://nomore.org/take-action/preventviolence/>

SO, WHAT DOES AN ENGAGED BYSTANDER LOOK LIKE?

An engaged bystander is someone who intervenes when witnessing behaviors that promote, condone, or encourage domestic or sexual violence. **Intervening does NOT mean putting yourself in danger or increasing the risk to others.** Safety is key in deciding when and how to respond to any type of violence.

Over time, intervening can help eliminate the following negative social norms that perpetuate domestic and sexual violence in our culture:

- Glorifying abusive power over other individuals
- Objectifying or demeaning individuals
- Tolerating violence and aggression
- Promoting gender dominance
- Sexually abusive or physically violent hazing
- Blaming victims for what happened to them

If you see or hear something that does not feel right, speak up. If you do not feel safe, call the police or go to the authorities.

Above all, trust your gut. A gut feeling can be your best guide if a situation just doesn't seem right.

IF YOU SEE, HEAR, OR SUSPECT THAT SOMEONE IS IN IMMEDIATE DANGER CALL 911.

On-Campus Resources Non-Confidential Reporting Options

Title IX Coordinator

Sherrille Shabazz, EdD

Vice President, Student Development and Campus Life

TitleIXCoordinator@BerkeleyCollege.edu

646-948-1361

Available before and after normal business hours at 646-948-1361

Deputy Title IX Coordinator (Students)

LaTysha Gaines, MPA

Campus Operating Officer, Woodland Park

LaTysha-Gaines@BerkeleyCollege.edu

973-368-9857

Available before and after normal business hours at 201-364-5407

Deputy Title IX Coordinator (Associates)

Janette Williamson

Director of Human Resources

Janette-Williams@BerkeleyCollege.edu

973-200-1025

The College has designated Title IX staff to address and respond to inquiries and complaints related to sexual assault, intimate partner violence, and stalking (see page 6). Title IX staff (including Title IX investigators) receive annual training on topics such as: investigations of sexual violence; the effects of trauma; impartiality; the rights of the respondent; the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made pursuant to state law and College policy and procedures; and other issues related to sexual assault, intimate partner violence, and stalking.

Public Safety and Emergency Management Department

Robert Maguire

Assistant Vice President, Public Safety and Emergency Management

973-278-5400 ext. 1188

24/7 resources and hotlines are available. See the National Hotlines (page 15) and Off-Campus Community Resources (page 10).

Additional Non-Confidential Campus Resources For Assistance

Students may want or need to contact the following departments during or after an investigation to ensure they understand any immigration or financial aid-related issues or ramifications that may arise.

For immigration-related assistance, contact the Berkeley College International Student Department at 212-687-3730 or International@BerkeleyCollege.edu.

For financial aid-related assistance, contact the Financial Aid Department for your campus or email StudentFinance@BerkeleyCollege.edu.

The telephone numbers for the Berkeley College campuses are listed on the website at <https://berkeleycollege.edu/admissions/tuition-financial-aid/index.html>.

Confidential On-Campus Support for Students

Students who wish to obtain confidential assistance or access off-campus resources without making a report to the College may do so by speaking with a confidential resource as identified in the list below:

NEW YORK

NEW YORK CITY

12 East 41st Street, New York, NY 10017

[Vincent Mas](#)

Personal Counselor

914-377-5545

Vincent-Mas@BerkeleyCollege.edu

NEW JERSEY

NEWARK

536 Broad Street, Newark, NJ 07102

Vincent Mas

Personal Counselor

914-377-5545

Vincent-Mas@BerkeleyCollege.edu

WOODBRIIDGE

430 Rahway Avenue, Woodbridge, NJ 07095

Christine Kedi

Personal Counselor

973-368-9769

Christin-Kedi@BerkeleyCollege.edu

WOODLAND PARK

44 Rifle Camp Road, Woodland Park, NJ 07424

Christine Kedi

Personal Counselor

973-368-9769

Christin-Kedi@BerkeleyCollege.edu

ONLINE

Santa Rock

Personal Counselor

973-826-9085

SGR@BerkeleyCollege.edu

Confidential Support for Associates

Employee Assistance Program

Reliance

Confidential, toll-free crisis line 855-775-4357

Off-Campus Community Resources New York

Manhattan

New York-Presbyterian/Columbia Hospital University
Medical Center

(Free counseling)

630 W. 168th Street, New York, NY 10021

212-305-9060

The College has a Memorandum of Understanding with “DOVE” (Domestic and Other Violence Emergencies) program at New York Presbyterian / Columbia University Medical Center. DOVE offers 24/7 free, comprehensive care to victims of sexual assault and domestic violence, among other things. The DOVE program offers medical services, sexual assault forensic examinations, mental health counseling, and other resources.

[Domestic and Other Violence Emergencies \(DOVE\)](#)

New York-Presbyterian/Columbia University Medical Center

622 West 168 Street

New York, NY 10032

212-305-9060

Email: dove@nyp.org

[St. Luke’s Roosevelt Crime Victims Treatment Center](#)

(Free assessment, counseling, referrals, and support groups)

411 W. 114th Street, Room 6D, New York, NY 10025

212-523-4728

[Sexual Assault Hotline](#)

212-523-4728

[New York City Police Department/Sex Crime Report](#)

24/7 Crime Hotline

212-732-8662

[New York City Police Department Special Victims Division](#)

646-610-7272

[New York City Police Department](#)

Midtown South Precinct

357 W. 35th Street, New York, NY 10001

212-239-9811

New Jersey

Woodland Park

St. Joseph's Regional Medical Center

703 Main Street, Paterson, NJ 07503
973-754-2000

Passaic County Women's Center

1027 Madison Avenue, Paterson, NJ 07501
24-Hour Hotline: 973-881-1450
Outreach Office: 973-881-0725
Email: infopcwc@passaiccountywomenscenter.org
www.passaiccountywomenscenter.org

Shelter Our Sisters/Center for Hope and Safety

(Resources for women and children affected by domestic violence)
Administrative Office
405 State Street, Hackensack, NJ 07601
201-498-9247
24-Hour Hotline: 201-944-9600

Shelter and Program Offices

(Referral for emergency shelter and domestic violence programs for all affected by domestic violence)
PO Box 217, Hackensack, NJ 07602
201-836-1075
Fax: 201-836-7029
TTY: 201-836-3071

Project CHILD

(Resources for children affected by domestic violence)
31-11 Broadway, Fair Lawn, NJ 07410
201-300-6666
201-300-6667
www.shelteroursisters.org

Woodland Park Police Department

5 Brophy Lane, Woodland Park, NJ 07424
973-345-8111

Newark

UMDNJ University Hospital

150 Bergen Street, Newark, NJ 07103
973-972-4300

Family Service League

(Resources for all those affected by domestic and sexual violence)
60 South Fullerton Avenue, Suite 109, Montclair, NJ 07042
973-746-0800

SAVE of Essex County

(Resources for families and individuals affected by domestic and sexual violence)
60 South Fullerton Avenue, Suite 109, Montclair, NJ 07042
24-Hour Toll-Free Rape Care: 877-733-2273

Newark Police Department

5th Precinct
480 Clinton Avenue, Newark, NJ 07108
973-733-6000

Woodbridge

Raritan Bay Medical Center

530 New Brunswick Avenue, Perth Amboy, NJ 08861
732-442-3700

Robert Wood Johnson University Hospital

865 Stone Street, Rahway, NJ 07065
732-381-4200

Rape Crisis Intervention Center

29 Oakwood Avenue, Edison, NJ 08837
732-321-1189 Hotline: 877-665-7273

Woodbridge Police Department

1 Main Street, Woodbridge, NJ 07095
732-634-7700

New Jersey State Resources

New Jersey Domestic Violence Resources by County

<https://www.nj.gov/dcf/women/domestic/>

New Jersey Domestic & Violence Hotline for confidential assistance:

1 (800) 572-SAFE (7233)

24 hours a day/7 days a week

New York State Resources

New York State Office for the Prevention of Domestic Violence

<https://opdv.ny.gov/contact.html>

New York State Domestic & Sexual Violence Hotline for confidential assistance:

1-800-942-6906

Report sexual assault on a New York college campus to the New York State Police:

1-844-845-7269

National 24-Hour Hotlines

National Sexual Assault Hotline
800-656-HOPE (4673)

National Domestic Violence Hotline
800-799-7233

To locate additional information and resources in your area visit:
<https://www.itsonus.org/>

Nationwide Listing of Police Contact Information
A nationwide listing of police and sheriff departments by state is located at: www.policelocator.com

Legal Assistance Resources

American Bar Association Commission on Domestic Violence's National Domestic Violence Pro Bono Directory at: <https://www.probono.net/dv/>

RAINN (Rape, Abuse and Incest National Network) database of local sexual assault support service providers at: <https://centers.rainn.org/>

Find Legal Services of New Jersey (LSNJ) Legal Services Offices locations at:
<https://www.lsnj.org/legalservicesoffices.aspx>

Urban Resource Institute Central Office
75 Broad Street, Suite 505
New York, New York 10004
Email: info@urinyc.org
Main: 646-588-0030
Fax: 646-588-0033
www.urinyc.org

The Legal Aid Society (New York City)
<https://www.legalaidnyc.org/>
212-577-3300

New York City Bar
<http://www.nycbar.org/for-the-public/free-legal-services>

The Legal Aid Society of Westchester County
<https://www.laswest.org/>
914-286-3400

Legal Services of the Hudson Valley
<https://www.lshv.org/>
877-574-8529



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