

## Title IX Policy

**Sec. 1: Policy statement:** The Yeshiva is fully committed to maintaining a safe and secure environment for all students and employees, and maintaining an environment where all students are granted equal access to education based on the federal Title IX of the Education Amendments of 1972, and subsequent revisions. The latest regulatory update was published as a Final Rule in the Federal Register on 5/19/2020 is effective on August 14, 2020. Accordingly, the school adheres to a strict no-tolerance policy to prevent physical or emotional attacks or offenses of any type; including dating violence, domestic violence, sexual assault, and stalking, as well as harassment, or intimidation in any type or form. Sexual harassment, including sexual assault, dating violence, domestic violence, and stalking, is unlawful discrimination on the basis of sex. The Yeshiva's policy is to promptly and effectively respond to any incident of sexual violence or sexual misconduct in accordance with the Title IX Final Rule. Domestic Violence is defined in NJ as the occurrence of one or more of the following criminal offenses upon a person protected under the Prevention of Domestic Violence Act of 1990: Homicide, Assault, Terroristic threats, Kidnapping, Criminal Restraint, False Imprisonment, Sexual Assault, Criminal Sexual Contact, Lewdness, Criminal Mischief, Burglary, Criminal Trespass, Harassment, Stalking.

The Yeshiva takes as a serious responsibility its obligation to address all incidents of sexual misconduct, violence and offensive or inappropriate demeanor that take place in the school's educational program or activity. Behaviors under the following three categories will be addressed in this policy:

- Quid pro quo harassment by a school's employee
- Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access
- Instance of sexual assault (as defined in the Clery Act), including dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA)

The Yeshiva has designated Chanie Jacobowitz, M.S.W. and Moshe Gleiberman as the Title IX coordinators. As Coordinators, Mrs. Jacobowitz and Rabbi Gleiberman will be responsible to ensure that the formal complaint and grievance process is carried out in accordance with the protocol set forth in this policy. A key principle throughout this policy is to ensure the safety and privacy of all parties. Any student who is the victim of sexual misconduct or any person, employee, or student who has witnessed sexual misconduct may report the incident to either Title IX Coordinator. All students, faculty and staff as well as applicants for admission and employment are formally notified below of the Title IX Coordinators' names and contact information, which is also available on [www.yeshivanotices.org](http://www.yeshivanotices.org).

NAME OF TITLE IX COORDINATOR: Chanie Jacobowitz M.S.W.

WORK ADDRESS OF TITLE IX COORDINATOR: 601 Private Way, Lakewood, NJ 08701

EMAIL ADDRESS OF TITLE IX COORDINATOR: [cjacobowitz@bmg.edu](mailto:cjacobowitz@bmg.edu)

CELL PHONE NUMBER OF TITLE IX COORDINATOR: 732-604-0640

WORK PHONE NUMBER OF TITLE IX COORDINATOR: 732-367-1060 ext. 4219

NAME OF TITLE IX COORDINATOR: Moshe Gleiberman

WORK ADDRESS OF TITLE IX COORDINATOR: 617 6th Street, Lakewood, NJ 08701

EMAIL ADDRESS OF TITLE IX COORDINATOR: [mgleiberman@bmg.edu](mailto:mgleiberman@bmg.edu)

CELL PHONE NUMBER OF TITLE IX COORDINATOR: 848-525-8900

WORK PHONE NUMBER OF TITLE IX COORDINATOR: 732-367-1060 ext. 4248

**Sec. 2: Education programs to promote awareness and prevention:** The Yeshiva offers a primary prevention and awareness program to all incoming students, students, and new and current employees, including faculty. Staff members are available to provide this program on an on-going basis as needed. The program includes: 1. An audio-visual training covering the Department of Education required topics for new students and employees. Viewing times are provided in each student's registration packet each semester and to each employee at time of hire and again annually. Rabbi Gleiberman is also available in the Legion Building to arrange a personal viewing session at the employee's or student's convenience. Rabbi Gleiberman can be reached at (732) 367-1060, Ext. 4248. 2. Lectures on dating and related issues for new students are held at the beginning of the semester. Times are posted in Yeshiva in advance of the lecture. 3. The Yeshiva's comprehensive sholom bayis and chassanim program. Should one become a chosson, please reach out to Rabbi Gruenebaum at 848-525-4869. 4. One-on-one consultations concerning marriage and sholom bayis are available to all students and employees through Rabbi Gruenebaum's program.

**Sec. 3: Procedures the Yeshiva will follow:** In the case of a reported alleged offense or attack as described above in Sec. 1, the institution reserves the right to request that the alleged attacker leave the institution until such time as a disciplinary hearing can take place. The disciplinary hearing is described in Sec. 6 below, and will be based on the clear and convincing standard of evidence.

**Sec. 4: Possible sanctions and protective measures:** Any student found by a Yeshiva disciplinary committee to have committed one of these offenses will be subject to disciplinary action, often including expulsion from the campus. The Yeshiva is committed to a safe campus environment and will make alternative academic, living, transportation and/or working accommodations if requested by the victim, and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus disciplinary committees and/or local law enforcement. In the event that a victim obtains an order of protection, no contact order, restraining order, or similar lawful order against another student or employee, the Yeshiva will work with the victim to arrange accommodations in academic and housing arrangements as necessary.

**Sec. 5: Procedures victims should follow:** In the event of an incident or assault under this policy, caution should be exercised so as not to impede the preservation and collection of evidence, which may be necessary as proof of a criminal offense and/or obtaining protective orders. It should be noted that time is a critical factor with regard to accurate evidence collection, so prompt reporting to police is advised.

If you are aware of an attack in progress, please contact the authorities immediately by calling 911 and notify Yosef Meyer, the school's Director, Dormitory and Students at (732) 534-2544. The nearest police station is located at 321 Third Street, Lakewood, NJ 08701. Their phone number is (732) 363-0200.

Victims should report an attack to the police and Yosef Meyer, at the contact information provided above. If a student does not feel comfortable contacting the police directly, or would like the assistance of the Yeshiva's staff in contacting the police, he should call Yosef Meyer.

Victims of a crime have the right to refrain from reporting to the police. If a student makes that choice, their other rights under this policy and the Clery Act will still be protected. Yosef Meyer can be contacted in confidence for any necessary arrangements and assistance with any civil protections. In the event that a victim obtains an order of protection, no contact order, restraining order, or similar lawful order against another student or employee, the Yeshiva will work with the victim to arrange accommodations in academic and housing arrangements as necessary. If a student or employee reports a crime, their rights under this policy and the Clery Act will be provided in writing.

**Sec. 6: Procedures for Disciplinary Proceedings:** To begin proceedings, a formal complaint must be filed in writing with the Title IX Officer. Once a formal complaint has been filed, an investigation of the allegation will be initiated by a disciplinary committee whose members receive annual training on issues related to domestic violence, dating violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Any person on the disciplinary committee must be free from conflict of interest.

The committee will send the parties, and their advisors, a summary of the evidence directly related to the allegations, in electronic format or hard copy, with at least 10 days for the parties to inspect, review, and respond to the evidence before a formal hearing.

The committee will provide a prompt, fair and impartial hearing. A transcript or recording of any live hearing will be made. This hearing is not a replacement for any action taken by various external authorities. The hearing may take place in person or via a virtual meeting such as Zoom videoconference or similar.

The accuser and the accused are each entitled to the same opportunities to have others present during the disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Both parties as well as any witnesses will be interviewed in order to make a determination of the student's culpability. The standard of evidence employed for these proceedings will be the clear and convincing standard of evidence.

The accuser and the accused will be informed simultaneously, in writing, of the outcome of the disciplinary proceeding, up to and including immediate expulsion of the offender from the institution. The accuser and accused will also be informed simultaneously, in writing, of the institution's procedures for the accuser and the accused to appeal the results of the institutional disciplinary proceeding; any change to the results that occurs prior to the time that such results become final; and when such results become final.

**Sec. 7: Protecting victim confidentiality:** The proceedings of the disciplinary committee are not considered public records. In the event that any record of a report of domestic violence, etc. must be made available to members of the public, the names of victims and any identifying information would be redacted to the extent permissible by law. Names and identifying information of victims will not be included in any publicly available report of a crime or complaint made to the Yeshiva.

**Sec. 8: Available services for victims:** Confidential counseling for victims is available only through off site campus services, such as: The Lakewood Community Services Corporation (LCSC), located at 415 Carey Street, Lakewood, NJ 08701. Their phone number is (732) 901-6001. Mental health services are also available at The Center for Health Education, Medicine, and Dentistry (CHEMED), located at 1771 Madison Avenue, Lakewood, NJ 08701. CHEMED also provides a full range of primary health care services. Their phone number is (732) 364-2144. Prevention and counseling services are also offered by Ocean Mental Health, 81 Nautilus Drive, Manahawkin, NJ, 609-597-5327, and St. Francis Counseling Service, (732) 370-4010. Kol Tzedek, which is a culturally sensitive hotline for victims of abuse, can be reached at 718-250-3000. Victims may also contact the Shalom Task Force's Confidential Hotline at (718) 337-3700 for victim advocacy options and legal assistance.

**Sec. 9: Accommodations to students:** The Yeshiva is committed to a safe campus environment and will make alternative academic, living, transportation and/or working accommodations if requested by the victim, and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus disciplinary committees and/or local law enforcement. In the event that a victim obtains an order of protection, no contact order, restraining order, or similar lawful order against another student or employee, the Yeshiva will work with the victim to arrange accommodations in academic and housing arrangements as necessary.

**Sec. 10: Employee Policy:** Any employee with a complaint regarding sexual harassment, domestic violence, dating violence, sexual assault and stalking sexual harassment, should immediately contact the Department of Human Resources. Any supervisor or manager who becomes aware of conduct or an allegation of harassment, discrimination or retaliation, must contact the Department of Human Resources immediately. The Department of Human Resources will be responsible for investigating the complaint.

**Sec. 11: Written Explanation:** Any student or employee who reports to the Yeshiva that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus will be provided with the above written explanation of the Yeshiva's policy and the student or employee's rights and options.

**Sec. 12: Registered Offenders List:** In accordance with the CSCP Act of 2000, institutions of higher education are required to advise the campus community where they can obtain a list of registered offenders provided by the State. It also requires offenders to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of NJ, convicted offenders must register with their local police department, and the list is maintained by the Department of NJ State Police. The list is available at: <http://www.njsp.org/sex-offender-registry/index.shtml>. Lakewood is located in Ocean County and the zip code is 08701. Brick is also located in Ocean County and the zip code is 08724