



STUDENT HANDBOOK

2022-2023

North Central College, 30 North Brainard Street, Naperville, Illinois, 60540

The information in this document was the best available at the time of release. North Central College endeavors to present an accurate overview of the policies, programs, facilities, and personnel of the College in this document. However, due to the COVID-19 pandemic and other unique circumstances, that may occur in the future, North Central College reserves the right to alter, amend, or institute interim policies regarding any information described in the document without notice or obligation including teaching and learning methods, and locations. This document is updated regularly, and published to the College website, through the Office of Student Affairs.

Note Regarding COVID-19:

By virtue of enrollment at North Central College, all students accept established policies, procedures, guidelines, and behavioral expectations related to the COVID-19 pandemic. For more information on the College's policies and response visit the COVID-19 website, [here](#). COVID-19 policies are enforceable via the Compliance policy (pg.28), located under the Responsibility to the College and Its Members section of this handbook.

TABLE OF CONTENTS

Introduction	5
Mission Statement.....	5
Statement of Student Conduct	5
Responsibility to Ourselves	6
Alcohol Policy.....	6
Drug Policy	8
Consequences of Alcohol and Drug Violations	9
Medical Amnesty	11
Drug and Alcohol Use Education and Prevention.....	12
Smoking and Tobacco Policy.....	18
Health Insurance	19
Immunization Policy	19
Registration Confirmation	21
Financial Responsibility	21
Responsibility to the Integrity of One's Education	23
Credit and Credit Hours Policies	23
Syllabus	24
Final Examinations	24
Class Attendance.....	24
Withdrawing for Financial Aid Recipients.....	27
Withdrawing for the Semester	27
Academic Honesty	27
Grade Appeals.....	29
Responsibility to the College and its Members	31
Activities and Events	31
Bullying, Intimidation and Threats	31
Compliance	31
Conduct that Endangers	32
Conduct Unbecoming	32
Contract Policy	32
Damage and Vandalism	32
Demonstration Guidelines	32
Discouraging Policy Violations	35
Disruption	35
E-mail	36
Fires, Fire Alarms and Fire Equipment	36
Fire Safety	36
Fraudulent Use of College Resources	37
Free Expression	37
Gambling	37

Hazing	37
Key Policy	38
Laser Pointers	38
Littering	38
Lockers	38
Obstruction	39
Parking and Vehicle Regulations	39
Parking Enforcement	42
Posting Policy	44
Pranks	45
Public Gathering Spaces	45
Retaliation	45
Sales, Surveys and Solicitation	46
Statement of Acceptable Use of Information Technologies	46
Statement of Acceptable Use of Campus Property	51
Student Identification Cards (Cardinal Cards)	52
Theft and Unauthorized Borrowing	53
Trespassing	53
Truthfulness	53
Video and Audio Recording Policy	53
Weapons and Firearms Policy	53
Residence Life and Housing Policies	56
The College's Responsibility to Students	63
Asbestos Management Plan	63
Crime Statistics	63
Department of Campus Safety	63
Directory Information	63
Discrimination, Harassment, Sexual Misconduct and Retaliation	64
Consensual Relationships	152
Pregnant and Parenting Students	155
Emotional Support Animal Policy	157
Service Animal Policy	160
Credentialing Policy for External Media	162
Driver Certification	163
Emergency Response Plan	164
Emergency Procedures	165
Enrollment Verifications	166
Family Educational Rights and Privacy Act (FERPA)	166
Flag Policy	167
Filing a Formal Complaint	167
Hazard Communications Standard	164
Housing Accommodations	170
Lock Outs	170
Lost and Found	170
Mental Health Emergency Contact Policy	170
Privacy - Safeguard Rule	171
Student Record Retention	171

Office of Residence Life Staff	172
Unmanned Aircraft Systems (Drones)	172
Voter Registration	173
Daily Crime Log	173
Weekly Safety Reports	173
Student Conduct Procedures	174
Conduct Process Administration	174
Privacy.....	175
Preponderance of the Evidence	175
Hearings	175
Administrative Hearings	177
Hearing Panels	177
Student Rights	180
Sanctions	182
Interim Sanctions	185
Appeals	185
Felony Charges, Indictments or Convictions	186
Disciplinary Action for Off-Campus Behavior	187
Cooperation with Local Law Enforcement	187
Legal Proceedings Outside of the College	187
Withdrawing from the College during Disciplinary Proceedings	187

INTRODUCTION

Welcome to the 2022-2023 academic year. The entire staff is looking forward to helping you make the most of your college experience, whatever your background or interests. As a North Central College student, you have access to resources and opportunities to nurture your talents and prepare you well for a productive future. I encourage you to take advantage of all that the College has to offer both inside and outside of the classroom. In short, work hard, have fun, and learn! This COVID-19 pandemic has impacted all of us in many challenging ways. Please also be good to yourselves and to each other. I hope that you seek out support and resources, as you need it, from the staff, faculty, and your peers.

This handbook provides you with the expectations that strengthen our community and contribute to the success of all students. In the pages that follow, you will also learn about College processes and resources that may be of use to you. If ever I can be of help as you pursue the best possible experience at North Central, I hope that you will let me know.

Wishing you the best for a healthy and successful year,

Jessica Brown

Vice President for Student Affairs and Athletics

MISSION STATEMENT

North Central College is a diverse community of learners dedicated to preparing students to be curious, engaged, ethical, and purposeful citizens and leaders in local, national and global contexts.

STATEMENT OF STUDENT CONDUCT

North Central College is a diverse community of faculty, staff, and students representing numerous ethnic, racial, cultural, and religious backgrounds. As a community, we share a common interest in creating an environment that encourages the growth and development of all of our members. While classroom learning is a pillar of the North Central College experience, the College seeks to offer a variety of complementary personal development opportunities. To promote a rich and productive learning environment, the College offers the following Statement of Student Conduct, as well as a set of policies and procedures that each student accepts becoming a member of the College community. It should be noted that the content of this Student Handbook and the policies herein supersede all previous student handbooks and related content.

The North Central College Statement of Student Conduct is a simple one, and finds its origins in the need any community has to promote – and at times enforce – respect among its members. This statement does not seek to outline the minimally acceptable level of behavior; instead, the College hopes the language and the spirit of this statement will encourage the development of a “community” in the full sense of the word. When a student becomes a member of the North Central College community, that

student agrees to abide by all College policies and to accept four responsibilities: to self, to the integrity of one's education, to the College, and to the community. Students found in violation of any part of the policy, written or implied, will be sanctioned appropriately. In return for students' acceptance of this code of conduct, the College also accepts its responsibility to provide for its students.

RESPONSIBILITY TO OURSELVES

The collegiate experience at North Central College invites students to become part of a diverse community of learners who are curious, engaged, ethical, and purposeful citizens and leaders. North Central College asks that students take personal ownership of the community into which the student enters, and to understand that the community is built upon appropriate standards of behavior. These standards of behavior should lead students to live in ways that exhibit leadership, ethics, and values in students' lives on campus and beyond.

Before students can fully pursue an education within the North Central College community, each individual must commit to treating themselves with respect. Such self-respect is fundamentally a commitment to personal integrity and individual wellness. Those who are committed to personal integrity show a willingness to be accountable for their actions. Those who are committed to individual wellness strive for comprehensive personal health. In doing so, they avoid practices which harm the body and the mind, such as excessive consumption of alcohol, the recreational use of drugs, or other self-destructive behaviors. These committed individuals conduct themselves honestly, thoughtfully, and consistently with the values of the community.

As violations of the standards outlined below represent a lack of concern for the individual pillars of the College community, significant violations of all subsequent policies could result in disciplinary action. Items that are illegal, prohibited, or against College policy to possess and/or are used in activity that violates policy may be subject to confiscation and/or disposal. For information about the College's Student Conduct Process, please review the final section of this handbook.

Alcohol Policy

North Central College recognizes that personal choices involving the use of alcohol have an impact on both the individual and the community. The College's alcohol policy, written in accordance with Illinois State law, supports the mission of the institution and its academic and student development goals.

North Central College students are subject to all Federal, State, and Local laws pertaining to alcohol. In the event prosecution occurs outside the College, violators also may be subject to the College's Student Conduct Process. Additionally, North Central College, as an educational institution, sets supplementary community standards for its members that are over and above prescribed Federal, State, and Local laws. North Central College alcohol policies include:

- A. **Public Consumption:** Consumption of alcohol on College property is prohibited – regardless of age – unless it is being offered as part of an official College program or event in a specially designated location. While alcohol may be safely consumed in residence hall rooms by students and guests who are 21 years of age or over, specific rules apply (see additional policies below).

Note - Tailgating: Students, regardless of age, are prohibited from tailgating at sporting events or other functions on College property unless accompanied by a parent or guardian.

B. Of-Age Alcohol Policy: Students who are 21 years of age or over may possess or consume alcohol in residence hall rooms provided that all other individuals in a room, suite, or apartment are of legal drinking age (see note below), and the door to the room is closed. Alcohol may not be consumed in residence hall balconies, lounges or public areas within the residence hall or apartment building. Please note, any alcohol present when College policies are being violated is subject to confiscation and immediate disposal, even if one or more of the students involved in the incident is 21 years of age or older.

1. Students of the legal age of 21 are prohibited from being present where alcohol is being consumed by individuals under the age of 21. Presence is defined as being in the room, suite, vehicle or other location proximal to the possession or use of alcohol.
2. Students who are 21 years of age or older who wish to transport alcohol on campus may do so only if the alcohol is in an unopened, sealed container(s), and covered from open view.
3. The atmosphere of a room in which there is possession and/or consumption of alcohol must not create significant noise or disturbances, and the door of this room must be closed.
4. Students who live off-campus at a local residence are expected to abide by all local laws and ordinances related to alcohol. Of-age students who host underage students at an off-campus gathering where alcohol is present may be found in violation of this policy.

C. Underage Alcohol Policy:

1. Students under the age of 21 are prohibited from possessing, distributing, or consuming alcohol.
2. Students under the age of 21 are also prohibited from being present where alcohol is being consumed, even if the individual(s) possessing or consuming the alcohol are of the legal age of 21, and are following all other guidelines. Presence is defined as being in the room, suite, vehicle, or other location proximal to the possession or use of alcohol.
3. It is expected that underage students abide by local laws and ordinances related to alcohol, whether on or off campus. If it is determined that an underage student consumed alcohol at an off-campus location, the student may be found in violation of this policy.

Note: Presence of Underage Roommates. Underage students whose roommates, apartment mates or suitemates are 21 years of age or older may be present when alcohol is possessed or consumed in the student's residence hall room, suite, or apartment. However, underage roommates are not permitted to consume alcoholic beverages themselves. If guests who are under the age of 21 are found anywhere in a room, suite, or apartment where alcohol is being consumed, all of the individuals will be subject to disciplinary action regardless of age.

Note: College Sponsored Events. Alcohol is occasionally served as part of an official College program or event in a specifically designated location (for example: Homecoming in the Residence Hall/Recreation Center). In situations like this, underage students may be present where alcohol is being consumed by of-age students or guests, but may not consume alcohol themselves.

- D. **Intoxication and Behavioral Responsibility:** Students who choose to consume alcohol are expected to do so responsibly. Intoxication itself is a violation of the North Central College alcohol policy. In addition, students who are highly intoxicated, in the opinion of the College staff member present at the time, will be transported to the hospital via ambulance at cost to the student.
- E. **Substance Free Halls:** A substance-free designation is given to any living environment where alcohol and alcohol paraphernalia are prohibited. Any room in which all residents are under the age of 21, in addition to all rooms in Geiger Hall, Seager Hall, and Rall Hall, are substance-free. Additionally, rooms or floors in other residence halls may be designated as substance-free by the Office of Residence Life.
- F. **Drinking Games**
1. Games that are centered around alcohol, focused on drinking large quantities of alcohol, or promote unsafe consumption are prohibited.
 2. Drinking games played with non-alcoholic beverages are also prohibited.
 3. Being in the presence of, or being in possession of any device or paraphernalia commonly used to play drinking games is prohibited. These devices, including beer pong supplies and “Beirut” tables, are also subject to confiscation and/or disposal.
- G. **Alcohol Containers and Paraphernalia:**
1. Alcohol containers, regardless of the content, are prohibited in substance-free residence halls and in rooms or suites where all roommates are underage.
 2. Kegs and any other containers over two gallons in capacity – whether empty or full – are prohibited anywhere on campus, and are subject to confiscation and disposal, regardless of the age of the person(s) possessing them.
 3. Alcohol paraphernalia including beer bong, funnels and beer boots are not permitted on campus and are subject to confiscation and disposal.
- H. **Powdered Alcohol:**
- The consumption, possession or distribution of any powder or crystalline substance containing alcohol, as defined by state/local law, is prohibited by College policy and Illinois state law.

Drug Policy

North Central College recognizes that personal choices involving the use of drugs have an impact on both the individual and the community. The College’s drug policy, written in accordance with Federal law, is more restrictive than State law while supporting the mission of the institution and its academic and student development goals.

Federal Law prohibits the possession and/or distribution of illegal drugs. Criminal controlled substances penalties include fines, imprisonment, and, in certain cases, the seizure and forfeiture of the violator’s property. Penalties are increased for second time offenses. In addition, financial aid (particularly Federal aid) may be forfeited. North Central College students are subject to all Federal, State, and Local laws pertaining to the use, possession, and presence of illegal drugs and controlled substances. The College cooperates fully with law enforcement officials in the prosecution of cases involving illegal drugs and controlled substances.

Additionally, North Central College sets additional and more restrictive rules regarding the use and possession of legal and illegal drugs and/or controlled substances on campus than prescribed by Federal, State, and/or Local laws. Violations of these policies may also subject the involved party to disciplinary action through the College's Student Conduct Process.

North Central College Drug Policy:

Students are prohibited from the unlawful use, possession, or distribution of any illegal drug or illegal drug paraphernalia, whether on or off campus. Students are also prohibited from being in the presence of illegal drugs or illegal drug paraphernalia. Presence is defined as being in the room, suite, vehicle, or other location proximal to the possession or use of illegal substances, activities or paraphernalia. Illegal drug and/or illegal drug paraphernalia may be subject to confiscation and/or disposal.

The North Central College drug policy covers illegal and illicit use of controlled substances, including marijuana, stimulants, depressants, hallucinogens, opiates/narcotics, inhalants, synthetic drugs, or any other intoxicating compound. The unauthorized possession or use of prescription drugs is also prohibited. If a significant quantity of drugs, or items suggesting drug distribution are found (for example: scale, small self-sealing baggies, etc.), the College may refer the case directly to the hearing panel process to consider suspension or dismissal.

Recreational and Medical Marijuana:

North Central College prohibits the possession, use, or distribution of all cannabis, cannabis products, or any substances containing THC (tetrahydrocannabinol) on campus, or at any College sponsored event or activity off campus regardless of whether such use is allowed by law. The Cannabis Regulation and Tax Act and the Compassionate Care Act, are Illinois laws that permits the recreational and medical use of marijuana, respectively, and states: "Nothing in this Act shall prevent a university, college, or other institution of post-secondary education from restricting or prohibiting the use of medical or recreational cannabis on its property." The Cannabis Regulation and Tax Act states, "Nothing in this Act shall require an individual or business entity to violate the provisions of federal law, including colleges or universities that must abide by the Drug-Free Schools and Communities Act Amendments of 1989, that require campuses to be drug free." North Central College is required to certify that it complies with the Drug-Free Schools and Communities Act (20 U.S.C. 1145g part 86 of the Drug and Alcohol Abuse Prevention Regulations). The federal government regulates drugs through the Controlled Substances Act (21 U.S.C. A 811) which classifies marijuana as a Schedule I controlled substance. Thus to comply with the Federal Drug-Free School and Communities Act, North Central College prohibits all cannabis use, possession, manufacture or distribution.

Consequences of Alcohol and Drug Violations

All incidents involving drugs and alcohol will be processed through the College's Student Conduct Process. Students found in violation of alcohol and/or drug policies may be subject to sanctions deemed appropriate by the College, such as counseling assessments, educational projects, fines, parental notification, community service, campus engagement, reprimand, restitution, residence hall removal, suspension, probation, or dismissal. Standard sanctions include:

Sample Illinois Sanctions for Violation of Alcohol Control Statutes

(See Illinois Compiled Statutes for more specific information)

It is a Class A Misdemeanor:

- A. to possess or sell alcohol if you are under 21;
- B. for any person under 21 years of age to consume alcohol;
- C. to alter, or deface an identification card; use the identification card of another; carry or use a false or forged identification card; or obtain an identification card by means of false information;
- D. to sell, give, or deliver alcohol to individuals under 21 years of age.

Class A Misdemeanors are punishable with a fine of no less than \$75 and up to \$2,500 and less than one year in the county jail. Local ordinances may also be enforced.

Class A Misdemeanors are punishable with a fine of \$75 to \$2,500 and up to 1 year in the county jail.

Federal statutes and penalties are separate and different than State penalties.

The possession and use of certain cannabis remains a violation of Federal law.

Sample Illinois Sanctions for Violation of Drug Control Statutes

(See Illinois Compiled Statutes for more specific information regarding civil and/or criminal penalties)

Possession of Cannabis - Under 21 Years of Age

- A. It is a Civil Law Violation to possess from 0 to 9 grams of Cannabis. The civil law violation is punishable by a minimum fine of \$100 and a maximum fine of \$200.
- B. It is a Class B Misdemeanor to possess from 10 to 29 grams of Cannabis. For additional sanctions, please see below.

Possession of Cannabis – 21 Years of Age and Older

An Illinois resident (21 years old and older) may possess up to 30 grams of cannabis, 5 grams of cannabis concentrate or edibles containing up to 500 milligrams of THC. Non-residents (21 years old and older) may possess only half of these amounts.

- A. It is a Class A Misdemeanor to possess from 30 to 99 grams of Cannabis (first offense).
- B. It is a Class 4 Felony to possess from 30 to 99 grams of Cannabis (subsequent offense).
- C. It is a Class 4 Felony to possess 100 grams to 499 grams of Cannabis.
- D. It is a Class 3 Felony to possess 500 grams to 1,999 grams of Cannabis.
- E. It is a Class 2 Felony to possess 2,000 grams to 4,999 grams of Cannabis.
- It is a Class 1 Felony to possess more than 5,000 grams of Cannabis.

Possession of Cocaine:

- A. It is a Class 4 Felony to possess 0-14 grams
- B. It is a Class 1 Felony to possess 15-99 grams.
- C. It is a Class 1 Felony to possess 100-399 grams.
- D. It is a Class 1 Felony to possess 400-899 grams.
- E. It is a Class 1 Felony to possess 900+grams.

Possession of Heroin/LSD:

- A. It is a Class 4 Felony to possess 0-14 grams
- B. It is a Class 1 Felony to possess 15-99 grams.
- C. It is a Class 1 Felony to possess 100-399 grams.
- D. It is a Class 1 Felony to possess 400-899 grams.
- E. It is a Class 1 Felony to possess 900+grams.

Class 4 Felony sentence may be from 1 to 3 years in a state penitentiary.
Class 3 Felony sentence may be from 2 to 5 years in a state penitentiary.
Class 2 Felony sentence may be from 3 to 7 years in a state penitentiary.
Class 1 Felony sentence may be from 4 to 15 years in a state penitentiary.
The fine for a Class 4 Felony Controlled Substance violation shall not be more than \$25,000.
The fine for a Class 1 Felony Controlled Substance violation shall not be more than \$200,000.
This is not an exhaustive list of narcotics and controlled substances that are subject to Illinois Compiled Statutes and which may have local, state, and/or federal sentencing guidelines.

Federal Drug Possession Penalties (21 USC 844)

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750.

Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to \$250,000, or both if:

- A. It is a first conviction and the amount of crack possessed exceeds 5 grams;
- B. It is a second conviction and the amount of crack possessed exceeds 3 grams;
- C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

Civil penalties of up to \$10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

Medical Amnesty

The safety and wellbeing of students is of primary importance to North Central College. Each student plays an important role in creating a safe, healthy and responsible community. The College understands that the potential for disciplinary action may be a deterrent to students who might seek emergency medical assistance for themselves or others or those involved in COVID-19 associated contact tracing.

Because the College wants students to seek assistance promptly in the event of a health or safety emergency involving alcohol or drug use and for students to be fully honest when participating in COVID-19 contact tracing, a policy of medical amnesty has been adopted as part of a comprehensive approach to reduce the harmful effects of substance use and to mitigate risk of COVID-19 to the campus community.

- A. If a student seeks help in a medical emergency (by calling 911 or Campus Safety at 630-637-5911), the College will not take disciplinary action for possession, consumption, or being in the presence of alcohol or drugs against:
 - A student who initiates a request for medical assistance for oneself;
 - A student who initiates a request for medical assistance for another student; and/or
 - The student for whom medical assistance is sought.
- B. If a student discloses, during the course of COVID-19 related contact tracing, that the student has participated in activity which may violate College policy, the College will not take disciplinary

action for possession, consumption, or being in the presence of alcohol or drugs, or the presence of unauthorized guests or gatherings, against:

- A COVID-19 confirmed/presumed positive student;
 - A close, physical, or proximate contact of a COVID-19 confirmed/presumed positive student.
- C. Any student(s) afforded amnesty under this policy will be required to meet with staff from the Office of Student Affairs or the Office of Residence Life for a formal review of the incident. Failure to attend this required meeting will result in the revocation of the amnesty. The outcome of this meeting may be a counseling or health assessment, or other educationally appropriate interventions.
- D. While no formal disciplinary action will be taken in cases that meet the conditions of this policy, College staff will document the incident and follow up accordingly. Repeated incidents or intentional abuse of this policy may result in parental notification and/or disciplinary action.
- E. This policy does not preclude disciplinary action regarding other behaviors prohibited in the Student Handbook and/or deemed to have considerable negative community impact, including but not limited to sexual misconduct, hazing, conduct that endangers, damage, vandalism, and the unlawful provision or distribution of alcohol or drugs.

Drug and Alcohol Use Education and Prevention

Through the Office of Student Affairs, the Dyson Wellness Center and Office of Human Resources as well as other campus departments and offices, North Central College provides a variety of alcohol and drug abuse prevention and intervention programs administered and designed to educate about, prevent and reduce alcohol and other drug use/abuse at North Central College. A campus-community alcohol and other drug coalition meets regularly to discuss current substance abuse related issues and trends. North Central College's policy is distributed to all students, staff and faculty on an annual basis. A comprehensive review of the alcohol and drug programs is made biennially during even years. For more information concerning current programs, interventions and policies, contact Tatiana Sifri, the Director of the Dyson Wellness Center, at tsifri@noctrl.edu, 630-637-5550, Steve Weaver, Dean of Students at sgweaver@noctrl.edu, 630-637-5993, or Sharon Merrill, Assistant Vice President for Human Resources at semerrill@noctrl.edu 630-637-5718.

Health Risks of Commonly Abused Substances

Substance	Nicknames/Slang	Short Term Effects	Long Term Effects
------------------	------------------------	---------------------------	--------------------------

Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing , vomiting, breathing difficulties, unconsciousness, coma, blackouts	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation, anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate,	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence

Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity , increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A- bombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating , depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions death, physical dependence, psychological dependence

Marijuana/ Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical
Mescaline	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature,	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/ Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, “heavy” feeling in arms and legs	constipation, loss of appetite collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis

Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence
----------	--------------	--	--

Note: Above chart was utilized with permission from the Illinois Higher Education Center (<https://www.eiu.edu/ihec/drugfreeschools.php>).

Counseling and Treatment

Students who would like more information on alcohol, drugs, and the affects thereof, are encouraged to contact the staff in the Dyson Wellness Center. Students experiencing difficulties with alcohol or drug use can talk with a staff member in Student Affairs, Residence Life, or the Dyson Wellness Center. Short term alcohol and other drug counseling is available on campus to students through the Dyson Wellness Center (630-637-5550). Students may be referred to other treatment programs for more intensive treatment.

North Central College's Office of Human Resources, through the College's Employee Assistance Program (EAP), Perspectives, LTD. (800-866-7556) Perspectives, LTD. offers employees additional education and counseling, as well as appropriate referrals. The following is a list of resources and contact information that may be utilized for support and care:

ON-CAMPUS RESOURCES/INFORMATION

Dyson Wellness Center (confidential medical, counseling and advocacy services)	630-637-5550, http://www.northcentralcollege.edu/dyson
Employee Assistance Program, MHN, A Health Net Company	1-800-511-3920, http://www.members.mhn.com
Jessica Brown, Vice President for Student Affairs and Athletics	630-637-5151
Steve Weaver, Dean of Students	630-637-5151
Dorothy Pleas, Associate Dean of Students and Director of Multicultural Affairs	630-637-5156
Rebecca Gordon, Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer	630-637-5340

Department of Campus Safety	630-637-5911
-----------------------------	--------------

OFF-CAMPUS RESOURCES/INFORMATION

Naperville Police Department	911/ 630- 420- 6666
DuPage County Sheriff Department 501 N. County Farm Road, Wheaton, IL 60187	911/630-682-7256
DuPage County Health Department 111 North County Farm Rd. Wheaton, IL 60187	630-627-1700 (24 hours), Crisis Line
DuPage Mental Health Services 1776 South Naperville Road, Building B, Suite 203 Wheaton, IL 60189	630-690-2222
Linden Oaks Hospital at Edward 852 West Street, Naperville, IL 60540	630-305-5129 or 630-305-5500
Rosecrance 608 South Washington Street Naperville, IL 60540	630-849-4295
Resurrection Behavioral Health, Addiction Services 2001 Butterfield Road, Suite 320 Downers Grove, IL 60515	847-493-3600
Central DuPage Hospital Behavioral Health 27W350 Highlake Rd Winfield, IL 60190	630-933-4000
Serenity House 89155 Rohlwing Rd. Addison, IL 60101	630-620-6616
Banyan Treatment Center Naperville, IL 60540	630-528-1692
Gateway Foundation Alcohol & Drug Treatment 8 locations	877-321-7326 www.RecoverGateway.org
Timberline Knolls (Residential treatment for young women) 40 Timberline Drive, Lemont, IL 60439	630-343-2326
Alexian Brothers (Behavior Health Hospital) 1650 Moon Lake Blvd. Hoffman Estates, IL 60194	847-882-1600
FAIR: Family & Adolescents in Recovery 2010 East Algonquin Rd. Schaumburg, IL 60173	847-359-5192 http://faircounseling.com/contact/
DuPage County State's Attorney's Office Judicial Office Facility - Annex 503 N. County Farm Road Wheaton, IL 60187	630-407-8000

These agencies provide a variety of services which may include intake/evaluation, social setting detoxification, intensive residential program, chemical dependency programs, adolescent and adult outpatient services, DUI evaluations and remedial education. Interested individuals are encouraged to contact each agency for additional information regarding specific services and costs.

Smoking and Tobacco Policy

To protect the health and safety of students, faculty, staff, and visitors on campus, and to create a cleaner and more sustainable campus environment, all areas of the North Central College campus, including both owned and leased buildings or grounds (collectively “College Areas”) are smoke and tobacco-free areas.

A. Definitions:

- **Smoking** is defined as the use of smoke-producing products, including but not limited to cigarettes, cigars, cigarillos, mini-cigars, e-cigarettes, tobacco alternative vapor or vaping products and hookahs. All forms of smoking are prohibited and may be subject to confiscation and/or disposal.
- **Tobacco Use** is defined as the use of any tobacco product including, but not limited to cigarettes, cigars, cigarillos, mini-cigars, hookah, chewing tobacco, snuff, and other smokeless tobacco products. All forms of tobacco use are prohibited and may be subject to confiscation and/or disposal.
- **E-Cigarette Use or Vaping** is defined as the use of electronic smoking devices and/or electronic nicotine delivery systems. These products and delivery systems are also prohibited on any of the College Areas, even without the use of nicotine, and may be subject to confiscation and/or disposal.
- **FDA-Approved Tobacco/Nicotine Cessation Aids**, such as nicotine patches and gum, are not prohibited.

B. Scope of Policy:

The use of tobacco e-cigarettes and smokeless tobacco products (including cigarettes, e-cigarettes, cigars, pipes, vaping and vapor devices, smokeless tobacco and all other tobacco products of any type) by students, faculty, staff, guests, visitors, and contractors is prohibited on all properties owned or leased by North Central College, including (but not limited to):

- all interior space on campus and/or property leased by the College, including remote sites;
- all outside property or grounds owned or leased by the College, including areas such as walkways (for example, the Sesquicentennial Walkway), breezeways, parking lots, and patios;
- all vehicles leased or owned by the College;
- all personal vehicles while on college property;
- all indoor and outdoor athletic facilities.

This prohibition of tobacco products does not apply to public rights-of-way (sidewalks/streets) within the campus boundaries that are governed by City of Naperville. For a campus boundary map that displays prohibited areas, [click here](#).

C. Compliance:

All College employees, students, visitors, guests and contractors are required to comply with this policy. Refusal to comply may be cause for disciplinary actions in accordance with employee and/or student conduct policies. Refusal to comply with the policy by visitors, guests and contractors may be grounds for removal from campus. Reasonable enforcement efforts are expected by the unit supervisor for each facility or area of campus, and all members of the College community are encouraged to share the responsibility for bringing this policy to the attention of visitors. Please note, all tobacco products, e-cigarettes and smokeless tobacco products present at College activities are subject to confiscation. Confiscated property may be retained for a period of at least 7 days, but no longer than 90 days from the date of procurement and disposed of thereafter, at the College's sole discretion.

D. Exceptions:

- The use of tobacco products may be permitted in laboratory and classroom instruction/experiments. Tobacco use for any such research or educational purposes must be approved in advance by the Provost and Vice President for Academic Affairs or a designee. Reasonable advance notice is required for the approval of any exception to the general prohibition.
- Specific activities used in connection with the practice of cultural activities by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a allow for the use of ceremonial tobacco. All ceremonial use exceptions must be approved in advance by a Vice President of the College or other designee.
- Vaping and vapor devices may be used in College-sponsored theatrical productions, but are only permitted for use without nicotine.

E. Cessation Programs:

The Dyson Wellness Center provides access to resources for those who are interested in quitting the use of tobacco products. These resources include nicotine replacement products, and referrals to local cessation programs. For more information, contact the Dyson Wellness Center at 630-637-5550.

For more information on North Central College's Tobacco-Free Initiative, visit:
www.noctrl.edu/SmokeFreeNC

Health Insurance

All full-time students are required to carry health insurance coverage while attending North Central College. Health insurance information should be kept on file and up to date. All students may submit the student's insurance information by logging into the student's Merlin accounts and selecting the link for "Medical Insurance and Emergency Contact Information."

Immunization Policy

A. Required Vaccinations:

The College Immunization code for the State of Illinois requires all students, attending classes on campus at North Central College, to provide evidence that the following vaccinations have been received unless appropriate evidence of a statutory exemption is filed with the College.

- **Diphtheria, Tetanus, Pertussis:** Students shall provide dates of any combination of three or more doses of Diphtheria, Tetanus and Pertussis containing vaccine. One dose must be a Tdap vaccine. The last dose of vaccine (DPT, DTap, Dt or Tdap) must be within 10 years prior to the term of current enrollment.
- **Measles, Mumps, Rubella:** Students shall provide documentation of receipt of two doses of the MMR (Measles, Mumps and Rubella) live vaccine. The first dose must be on or after their first birthday. The minimum time interval between each dose must be at least 28 days.

If a combined MMR vaccine was NOT administered, you must provide proof that you received the three components separately:

- Two doses of the live measles virus vaccine, the first being on or after your first birthday. The minimum time interval between each dose must have been 28 days.
- Two doses of the live mumps virus vaccine, the first dose being on or after your first birthday. The minimum time interval between each dose must have been 28 days.
- Two doses of the live rubella virus vaccine, the first dose being on or after your first birthday. The minimum time interval between each dose must have been 28 days.

Students who cannot provide proof of immunization for the MMR vaccines may have a blood test drawn that tests for immunity to the measles, mumps and rubella. It must prove that you are immune to all three components. If you are not immune to all three components, you will need to receive the vaccines.

- **Meningococcal:** Students under the age of 22 shall provide proof of at least one dose of meningococcal conjugate vaccine on or after their 16th birthday.

For additional information and resources, please refer to the following links:

<https://hub.northcentralcollege.edu/sites/dyson-wellness-center/SitePageModern/12813/immunizations>
<http://www.ilga.gov/commission/jcar/admincode/077/07700694sections.html>

B. TB Screening Questionnaire:

In keeping with recommendations made by the American College Health Association (ACHA) in February 2021, North Central College is screening all new students for tuberculosis (TB) prior to each semester. The TB screening form needs to be completed by all new incoming students and submitted to the Dyson Wellness Center prior to the start of classes.

C. Immunization Exemptions:

Occasionally the College is asked to exempt a particular student from its immunization requirements. Because the College believes that the entire campus population is best-served when every student is immunized, it does not favor exemptions. The College will, however, consider a request for exemption, only under the following circumstances.

- **Medical Risk to the Student:** The College may exempt a student from one or more of the required immunizations based on a written statement by a physician that describes the nature and probable duration of a medical condition or circumstance that

contraindicates such immunizations(s) and that identifies the specific immunization(s) that could be detrimental to the student's health.

- **Medical Risk to an Unborn Fetus:** Students may be granted temporary exemption from immunization against measles, mumps, and rubella if pregnancy or suspected pregnancy is certified by a physician's written statement.
 - **Immunizations Scheduled, but Not Yet Completed:** If a student is on an approved schedule to receive all necessary doses of the required vaccines, the student may be granted temporary medical exemption for the duration of the approved schedule.
 - **Religious Objection:** The College will consider granting an exemption based on a written statement by the student stating the specific religious belief on which the opposition to the required vaccinations is based and the theological basis for such belief. General philosophical or moral reluctance to allow immunizations will not provide a sufficient basis for an exception to statutory requirements.
- D. **COVID Vaccine Expectations:** North Central College expects all students to be fully vaccinated against COVID-19. This expectation also applies to faculty and staff.

Students who are vaccinated can submit official documentation of their receipt of an FDA-authorized COVID-19 vaccine (Moderna, Pfizer, or Johnson & Johnson). Acceptable documentation includes:

- A digital image/photograph of a vaccine card; or
- A completed medical form from a health care provider

Please note: Vaccine recipient's name, the specific vaccine administered, and the date(s) of vaccination must be clearly visible in order to be accepted.

Registration Confirmation

Registration confirmation occurs on the first official day of each semester. At this time, students have the responsibility to verify the student's class schedule for the semester, assume responsibility for payment for tuition and fees generated from registration, and purchase parking stickers. Students receiving financial aid are responsible for understanding what type of aid the student is receiving and the requirements. For questions regarding registration confirmation, students should contact the student's Success Coach. For questions regarding financial aid and respective requirements, student should contact the Office of Financial Aid.

Financial Responsibility

All students are bound by the College Student Financial Responsibility Statement upon course registration. The Statement outlines the financial terms and conditions associated with your registration. By registering for classes, you assume financial responsibility and agree to the terms of the Statement.

Tuition, fees, room, board, and other associated costs assessed as a result of registration and/or receipt of services are due and payable to the College by the specified due date and are the student's responsibility to pay as a result of registration or other activity incurred. A payment plan option is

available for students unable to pay the student's balance in full by the due date. Contact Student Accounts at studentaccounts@noctrl.edu for more information on payment plans.

Failure to make satisfactory financial arrangements can result in delay of graduation, denial of registration privileges, removal from classes/residence halls, withholding of transcripts, assessment of late fees, and/or referral to a collection agency.

RESPONSIBILITY TO THE INTEGRITY OF ONE'S EDUCATION

NOTE: This section of the Student Handbook should be considered a supplement to the information found in the North Central College Catalog. Students are encouraged to regularly review the Catalog, and to consult it for information on academic policies and procedures.

To acquire an education that is complete and authentic, individuals must treat the academic pursuit with respect. All members of the North Central College community are obligated to maintain an atmosphere conducive to academic work so that the educational mission of the College will not be hindered.

Academic life at North Central College is full of challenges, and meeting those challenges should be a student's primary objective. The College offers students the support the student may need along the way. Faculty members are organized in academic departments and three undergraduate college/schools. Questions or concerns about a course should first be addressed to the instructor, and then if necessary, to the instructor's department chair or Academic Dean. Additionally, while North Central College encourages students to tutor and assist each other, and provides many opportunities for them to do so, students remain responsible for submitting work that is genuinely the student's. True learning cannot be accomplished if one steals the work of others, or dishonestly prepares course work. Consequently, the College requires students to adhere to the following policies in order to ensure the honesty and integrity of the student's academic performance. Violation of these policies can include, but are not limited to, any of the following situations described below. Students found in violation of any part of the policy, written or implied, may be subject to the Student Conduct Process and/or Academic Integrity Process.

Credit and Credit Hour Policies

Credit Unit

The unit of credit at North Central is the credit hour, which is equivalent to one semester hour of credit or one and one half hours of credit under quarter plans. Previous academic work by transfer students is evaluated and translated into credit hours. Official evaluations are completed only in the Office of the Registrar.

Definition and Assignment of Credit Hours

In accordance with federal regulations, state guidelines, and Higher Learning Commission standards, North Central College defines a credit hour as the amount of work that approximates one hour of classroom or direct faculty instruction and two hours of out-of-class work per week for a semester, or an equivalent amount of work for a shorter time period.

The course workload, represented by the assessment of intended learning outcomes and evidence of student achievement will be the same regardless of mode of instruction (traditional classroom, blended, online). At minimum, an equivalent amount of work will be expected for all other academic activities established by the institution including laboratory work, independent study, practica, internships, studio courses that result in the awarding of academic credit.

The assignment of credit hours for a course is determined during the course approval process and monitored by the Academic Programs and Policies Committee (APPC) or the College Graduate Studies Council (CGSC).

Syllabus

Instructors are expected to make available a syllabus during the first week of the semester. In addition to describing goals and content, the syllabus should include statements of the attendance and grading policies.

Final Examinations

The last four days of each semester are scheduled for final examinations in semester long undergraduate courses. Each faculty member is required to meet each class during the two-hour period designated for the examination, whether or not a test is given. Final examinations for Session I, Session II, graduate courses, and summer courses are given at the last regular class meeting. All final examinations are administered in the regular class meeting room unless a change is announced by the instructor. Students should not request changes in the designated [final examination schedule](#).

Class Attendance

Regular class attendance is expected of all students. The instructor of a course sets the attendance standard for that course. A student who is absent from class for any reason should contact the instructor. In general, the College expects attendance on the first and last days of a semester, as well as the class days immediately preceding and following College holidays. If there is a wait list for a course, the instructor may remove from the course roster any student who is absent the first day, unless the student has notified the instructor in advance of the student's absence. An absence from a class does not constitute withdrawal from a course.

In certain scenarios, students may request an excused absence and receive special accommodations and help making up missed work.

A. Medical Emergencies

When an emergency medical situation occurs in the midst of an academic semester, a student may request special consideration. A medical emergency is defined as a serious and unexpected injury to oneself, or a serious and sudden illness. This does not include minor sickness, common conditions or routine medical appointments. As soon as possible, the student or the student's designee (parent, guardian, etc.) should notify both the instructor(s) and the Office of Student Affairs (630-637-5151). Following a medical emergency, students can receive support from Student Success (630-637-5266) and work with the student's instructors to make up as much missed content as is reasonably possible. When a student is transported to an emergency room, a health facility, or any other care facility, the student is encouraged to schedule a support meeting upon the student's return to the College (see Support Meeting section).

B. Prolonged Illness

Students unavoidably absent from classes because of illness should keep in touch with the student's success coach and instructors. Students who must be absent from classes longer than three weeks may be advised to withdraw from some or all courses. The usual criteria for withdrawal is applied except that the date of withdrawal is calculated as the date on which

illness first prevented attendance in classes.

C. Mental Health Emergencies:

In instances where the Dyson Wellness Center staff or the Behavioral Intervention Team has reason to believe a student may be dangerous or life-threatening to themselves or others, the College may require the student be evaluated by appropriate medical/mental health professionals, typically off-campus, to ensure the student's safety. If the student refuses to be evaluated, the student may be sent involuntarily for an assessment to ensure the student's safety and/or be subject to the student conduct process given the student's failure to comply with a College official. The student's parent/guardian/emergency contact person will be advised the student is in a potentially dangerous situation in order to allow them to assist. Local authorities may also be contacted to ensure safety, or as required by law.

When a student is experiencing an emergency that threatens the student's life or the life of others and agrees to be evaluated, the Dyson Wellness Center staff, when possible, will provide information to the student about the process for assessment and/or hospitalization and transportation for evaluation/treatment. The staff will assist the student navigating missed classes and in scheduling a Support Meeting to discuss the student's return to campus. When a student is transported to an emergency room, a mental health facility, or any other care facility, the student is encouraged to schedule a Support Meeting upon the student's return to the College (see Support Meeting section).

F. Faculty Notification:

The Dyson Wellness Center staff will work with the Office of Student Affairs to provide an absence verification notice for classes missed while a student is being treated for a medical or mental health emergency. To respect privacy, this notification only includes basic details regarding the missing of classes due to hospitalization. If a student wishes to share additional details with instructors, the student may do so. This notification does not formally excuse a student from missing the course and only acts as formal verification of the reason for a student's absence.

G. Support Meeting:

After a student has been treated for a medical or mental health emergency, a Support Meeting will be offered by the college to assist the student in navigating the student's needs when coming back to campus. Support Meetings are an opportunity to ensure that proper support structures (academic, health, etc.) are in place and allow the student an easier transition back into classes and/or the residence halls following the student's emergency assessment and/or hospitalization. A parent, family member and/or guardian is encouraged to accompany the student to this meeting for the purpose of transparency and coordination of care. Prior to this meeting, students should consider the following steps to help make the process of returning to classes/residence halls successful.

1. Seeing a care provider (i.e. medical doctor, therapist, or psychiatrist) who will act as a continued care provider(s) to offer support, treatment and advice to the student as the student returns to campus. Medical services offered at the Dyson Wellness Center (DWC) include evaluation and treatment of acute illnesses and injuries; medical consultation and referral to community resources. The DWC medical providers do not routinely provide assessment and management of chronic health conditions. Mental

health services at the DWC include short-term counseling; sport and health psychology services; risk assessment and referral; advocacy and collaboration for care (case management); and referral to resources for appropriate level of care. Referrals to an off-campus provider for longer-term care, and/or more specialized care, are often provided depending on the client's needs.

2. Receive a letter from the care provider outlining a plan of return that will reduce potential escalations in behaviors and identify helpful support mechanisms to best ensure academic success. It is recommended that the outlined plan provided by the care-provider be followed after returning to campus.
3. Complete and sign a release of information (ROI) that will allow the Dyson Wellness Center staff to communicate with a care provider and/or the Office of Student Affairs, ensuring quality support and follow-up with efforts to increase the likelihood of the student's successful return to the academic environment.

A list of local care providers can be found at:

<https://hub.northcentralcollege.edu/sites/dyson-wellness-center/SitePageModern/9684/dyson-resources>. The staff at the Dyson Wellness Center can help with a referral and/or in navigating insurance-related issues. Please call the Dyson Wellness Center with any questions: (630) 637-5550.

H. **College Sponsored Activities:**

North Central College is committed to ensuring that students are able to gain the full range of experiences that constitute a North Central College education, including participation in co-curricular and extracurricular activities. On occasion these activities may conflict with class meeting times.

Students who miss classes due to participation in College-sponsored activities are responsible for arranging make-up assignments with the student's faculty instructors prior to missing class. Examples of College-sponsored activities include intercollegiate athletic competitions, academic competitions (such as: Forensics, Mock Trial, Model United Nations, ENACTUS, etc.) and other activities that enhance student learning – such as field trips – that are required for other courses. When participation in College-sponsored activities results in absence from class, students will be given a reasonable opportunity to make up the work missed. It should be understood, however, that in some cases, due to the nature of the missed activity (i.e., lab, group discussion, or quiz), the make-up work may not be identical to the work completed by students who attended the class session. If students fulfill their responsibilities to communicate with the student's instructors, and to make up their work in a timely way, the student's grades will not be penalized. In the semesters where participation in College-sponsored activities is particularly heavy, students should consult with their success coaches regarding course workload and scheduling. Students are strongly encouraged to meet with the student's instructors prior to the start of the semester.

Faculty and staff who coach or direct College-sponsored activities that may involve students missing classes have been requested to communicate information about absences at least one week before each event. Information about the event should include the names of students participating, and the anticipated starting time and ending time of the scheduled activities. If unforeseen circumstances arise that require a change in the schedule, the coach or director will promptly inform the faculty. Normally, students will not be excused from class in order to

participate in practices and rehearsals. Additionally, faculty have been requested to avoid scheduling field trips during the period when many midterm exams are scheduled, as well as during the last week of the semester, and during finals week.

Even though coaches and directors may be communicating with faculty about College-sponsored events which conflict with classes, it is the student's responsibility to contact instructors prior to missing classes to arrange to make up work. The collaborative effort of all parties will ensure that students can take full advantage of the educational opportunities made available at North Central College within and outside of the classroom.

Withdrawing for Financial Aid Recipients

Federal regulations require that North Central College have a written policy for the refund and repayment of federal aid (Supplemental Educational Opportunity Grant, TEACH Grant, Pell Grant, Iraq & Afghanistan Grant, DIRECT Student Loans, Federal Direct Graduate PLUS Loans, and Federal Direct Parent PLUS Loans) received by students who withdraw during a semester for which payment has been received. This policy is effective only for those students who cease attendance (i.e. cancel registration, stop attending all coursework, withdraw or is dismissed) before completing 60% of the enrollment period for the semester.

The North Central College withdrawal and refund policies and the requirements for the return of grant or loan assistance are available on the Financial Aid website: <https://www.northcentralcollege.edu/aid-costs/financial-aid-policies>. For more information, contact the Office of Financial Aid at (630) 637-5600.

Withdrawing for the Semester

Students wishing to withdraw from the College for the entire semester should begin the withdrawal process with the Student Success Team in the Oesterle Library, or by calling (630) 637-5111.

Academic Honesty

Students are expected to maintain the highest standards of integrity with respect to the student's academic pursuits. Academic dishonesty typically falls into one of two categories: cheating and plagiarism.

A. Cheating

All work submitted for evaluation must be the student's own. Attempts to obtain credit for work other than one's own constitutes cheating, as does aiding another student in such an attempt. Cheating includes, but is not limited to:

- Copying another student's work and submitting it for evaluation
- Submitting the same or similar work for more than one course without notifying the instructors
- Communicating with anyone in any form during an in-class examination
- Having notes, books, or electronic devices present during an in-class examination unless explicitly permitted by the instructor
- Submitting online assignments that are not one's own work
- Falsification of academic paperwork

B. Plagiarism

The following policy was enacted by the College Senate on May 11, 1977:

1. **Defining Plagiarism:** Plagiarism means offering of someone else's words, ideas, or conceptions as if they were one's own. Students are indeed encouraged to draw upon the information and wisdom of others, but in the spirit of scholarship the student is always expected to state such indebtedness so that a) the student's own creativity can be justly appreciated and b) the student's use of sources, like a scientist's experiment, can be verified by others. Plagiarism differs from this productive use of sources in that the similarity of the original and the borrowings are very close; it is acknowledged inexactly or not at all; and it shows little or no creative application by the borrower. Plagiarism is a prime intellectual offense in that the borrower is faking the learning process. No learning community can thrive if its members counterfeit their achievements, deceive their teachers, and take unfair advantage of their fellow students. Since the integrity of the whole academic community is thus at stake, the penalties are high.
2. **Identifying Plagiarism:** To establish the occurrence of plagiarism it is not necessary to prove intent. All students are responsible for knowing or learning what academic honesty is. At North Central College, plagiarism will be deemed to have occurred when one or more of the following external evidences is present:
 - i. The writing of a student includes word-for-word passages taken without explicit and accurate acknowledgment from a source written by another, provided that the cumulative borrowing includes at least ten words. "Explicit and accurate acknowledgment" means the use of quotation marks and a verifiable citation of source, either in parentheses or by footnote, at the point of indebtedness. (The mere listing of the source in the bibliography is not sufficient acknowledgment by itself.)
 - ii. The writing of a student closely resembles another source in thought, order, or diction (including synonyms) for a cumulative resemblance of three or more sentences, without explicit and accurate acknowledgment as defined in 1) above.
 - iii. Two or more papers or exams, submitted at the same time, contain resemblances in factual or stylistic detail which are decidedly outside normal probabilities of coincidence. The likelihood of plagiarism will be deemed even higher a) if the students were known to be in close physical proximity at the time of writing, and b) if the factual details involve unusual error. In the event of such resemblances, all parties involved will be judged responsible.
 - iv. A paper or exam contains terminology or information which the student, on questioning, cannot explain.
 - v. A paper or exam contains unusually detailed data for which the student does not produce a verifiable source.
 - vi. These same principles hold for the inclusion of borrowed diagrams, mathematical statements, tables, and pictures.
3. **Citations:** In citing any sources, the student implicitly guarantees the accuracy and fullness of acknowledgment.

- i. The instructor may properly request the student to bring in those sources so that such guarantee may be confirmed. Such a request, made routinely in many schools, carries no implied criticism.
 - ii. If students are unsure about whether the student's writing has sufficiently acknowledged outside sources, students should consult with either the student's course instructor or the Writing Center before submitting the final copy.
- C. **Sanctions:** Determination of an infraction of the Academic Honesty policy is solely at the discretion of the instructor. Any instructor who has assembled evidence of academic dishonesty will first offer the student a chance to provide an alternate explanation of the evidence or to admit fault. If the inference of academic dishonesty remains, the instructor will consult with the academic dean and inform the student of the sanction. The sanction will be related to the student's previous record of academic honesty. Typically, a first offense will result in a zero for the assignment, a second offense will result in failure of the course, and a third attempt can result in dismissal from the institution.
- D. **Records:** Any sanction beyond reprimanding the student will be reported to the academic dean for notation in the student's file. Notation of the incident will not appear on a student's academic transcript, but will be included in a student's permanent file.

Grade Appeals

College faculty enjoy academic freedom to craft courses and grade work in a manner consistent with the faculty member's expertise and college policies. A faculty member's professional judgment is presumed to be accurate. Except for clerical errors or miscalculation, grades will be changed only in extremely rare instances.

A student who believes that the final grade received in a course does not reflect the quality of the work performed has the right to meet with the instructor of the course and be given a review of the manner in which the grade was determined. Either the student or the instructor or both may bring a peer or a third party to this meeting. If the student is not satisfied with the outcome of the meeting, the student may appeal the instructor's decision to the department chairperson who supervises the instructor concerned. The chairperson will consult with the instructor and determine whether a grade change is appropriate or a basis for appeal. Bases for appeal are 1) deviation from the course syllabus in a way that disadvantages the student, and 2) evidence of capricious assessment or implementation of class policy. The department chairperson may recommend a grade change to the academic dean. A student who disagrees with the chairperson that one of the two criteria have been met may subsequently appeal to the dean.

Appeal of a grade issued in a course taught by a department chairperson will be made directly to the dean. Appeal of a grade issued in a course taught by a dean will be made to Provost and Vice President for Academic Affairs or their designee.

Grade appeals must be made within a ninety (90) day period following the last day of the semester in which the grade was received and include the following items:

- A brief explanation of the circumstances, rooted in one of the two criteria for appeal noted above,

- A copy of the course syllabus, and
- Copies of relevant materials such as graded work or email correspondence with the instructor

RESPONSIBILITY TO THE COLLEGE AND ITS MEMBERS

To allow oneself and others to engage fully in the pursuit of their education, individuals must treat the College campus, College resources, and other members of the College community with respect. To do so requires a personal commitment not only to refrain from conduct that harms, but also to engage in conduct that makes the community a better place for all to live and learn. Individuals should demonstrate stewardship of community assets through responsible use, and should refrain from damaging or misusing College facilities and resources. In line with these goals, the College created the following policies to guide student conduct within the College community:

Activities and Events

It is assumed that non-performance activities and events held on the North Central campus, and sponsored by North Central organizations, are primarily for the enjoyment and benefit of students, staff, and faculty. Non-performance activities and events such as dances and parties which encourage attendance and participation from individuals outside of the North Central Community must be approved by the Dean of Students in advance of any planning and publicity. Unless otherwise stipulated and pre-approved, the College adheres to a one-guest-per-student policy for non-performance student events, activities, and programs.

Bullying, Intimidation and Threats

No student may bully, intimidate or threaten another person. Such conduct may include, but is not limited to: repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets; written communication or physical conduct of a hostile or humiliating nature; the sabotage or undermining of an individual's work or academic performance; or attempts to exploit an individual's known psychological or physical vulnerability. Acts and/or actions that a reasonable person would find distressing based on the severity, nature or frequency of the conduct, or have the purpose or effect of substantially interfering with an individual's work, study, or living environment are prohibited. A single severe and egregious act may constitute unpermitted conduct. Repeated excessive and unwanted contact also likely meets the standard for unpermitted conduct.

Bullying, intimidation and threats may be perpetrated in person, via email, phone, text messaging, social networking sites or other electronic means—any of which are a violation of College policy. Bullying, intimidation and threats based on race, gender, sexual orientation, religion, physical ability, and ethnic or cultural origins are particularly reprehensible and prohibited. Expression that is harassing, discriminatory, or that creates a hostile environment based on a protected class or social identity is not protected and will be addressed under the Discrimination, Harassment, Sexual Misconduct and Retaliation policy.

Compliance

Students must comply with the reasonable directions of any person employed by, or acting for, the College and given the responsibility to enforce the rules and regulations of the College. Students also must comply with the regulations and policies of College offices and departments.

- A. Students must comply with a request to participate in an investigation as a witness, to attend a hearing as a respondent or as a witness, and to provide complete and truthful information at all times.

- B. Students are required to participate in mandated assessments as directed by the Behavioral Intervention Team. Mandated assessments allow the Behavioral Intervention Team the ability to better determine a person's functioning and the context of potentially concerning behavior, and to offer essential consultation to the decision-makers at the institution. This process can involve a psychological evaluation, a threat assessment, or both. Students who fail to comply with a mandated assessment as directed by the Behavioral Intervention Team may be referred to the College's student conduct process.
- C. Students must comply with the request to open or unlock a personal safe or other locked container when asked by a staff member who suspects a violation of a rule or policy. It is expected that students will produce a key to a locked safe/container in a timely manner.

Conduct that Endangers

No student may engage in conduct or action that injures, threatens to injure or has the potential to endanger the physical safety, health or wellbeing of oneself or others, through direct action or negligent inaction. Conduct or action that endangers, threatens or injures another person on the basis of race, gender, sexual orientation, religion, physical ability, and ethnic or cultural origins is particularly reprehensible and prohibited, and will be reported to governmental authorities as required by law.

Conduct Unbecoming

North Central College holds high standards of behavior for students. Unbecoming conduct refers to those acts that may not be specifically identified by other policies but that could reasonably be regarded as so improper or inappropriate by their nature and in their context that they are harmful to the reputation of both the student and/or the College. Students will be held accountable for actions or activities that are inconsistent or incompatible with the spirit of the community standards set forth in the Student Handbook, whether such actions take place on or off campus.

Contract Policy

In order to protect North Central College and the various student organizations from financial problems arising from contracts, all contracts for student-sponsored events should be processed through the Office of Student Involvement. The original copy will be returned to the individual or the agency, and the duplicate will be placed on file in the Office of Student Involvement.

Damage and Vandalism

- A. **Damage:** Destruction, damage, or abuse of any property, public or private, is prohibited.
- B. **Vandalism:** Deliberate attempts to deface any property, public or private, is prohibited.

Demonstration Guidelines

- A. **Fundamental Principles:**

North Central College is a community of learners. As such, we recognize and affirm the importance of free expression and the right of all members of the College community to speak in favor of issues that they support, and to criticize issues with which they disagree.

The purpose of these demonstration guidelines is to provide guidance for the process in which the College can best support community members' ability to demonstrate in conditions that are safe and support them feeling heard. Freedom of expression on the North Central College campus necessitates the ability of students, faculty, and staff to engage in demonstrations/peaceful protests. At the same time, all community members share with the College a responsibility to help insure a campus climate where intimidation, hostility, or demeaning actions directed toward a specific individual or group are not tolerated. Freedom of expression does not include the right to engage in conduct that threatens safety, is unlawful, incites imminent violence, suppresses others' right to speech, disrupts the education of North Central students, or is otherwise against College policy. Campus administrators and/or Campus Safety will have a presence at demonstrations.

Demonstrations/Peaceful protests are interpreted to include nonviolent conduct such as speeches, marches, picketing, public assemblies, rallies, and celebrations. Non-peaceful demonstrations/protests which include, but are not limited to, civil disobedience such as sit-down blockades that obstruct entrances, programs, or functions, that have not been pre-approved or are in violation of applicable laws or College policies, may result in legal or administrative consequences to the participants.

B. Planning and Accountability:

To ensure that demonstrations do not threaten the safety of others, suppress others' right to speech, or disrupt the education of students, North Central College community members (current students, faculty, and staff) are asked to notify the College via the Office of Student Affairs, the Office of Academic Affairs, and/or the Office of Human Resources at least two days in advance of a demonstration, unless such prior notice is not possible. The College will respond to the demonstration organizers with respect to reasonable time, place, and manner considerations within 24 hours of notification.

There may be circumstances in which it is not possible to meet the two-day prior notice requirement, for example, in the case of a spontaneous demonstration or a demonstration held in response to an unanticipated event. In such cases, organizers are responsible for ensuring that the demonstration complies with all other policies and are asked to contact the College via the offices mentioned above as soon as possible.

Demonstration organizers are asked to provide the following information when notifying the College:

1. Nature of the demonstration (i.e. march, gathering, die in, poster campaign or other).
2. Goals of the demonstration (i.e. disruption, informational or other).
3. Location of the demonstration.
4. Expected attendance.
5. Security needs of the demonstration.
6. Time of the demonstration.
7. Plans for managing disruptive behavior, should it occur.
8. Any other necessary considerations. For example, if the demonstration opposes or otherwise relates to another approved North Central event, the location of a resultant demonstration will be discussed with organizers to allow them to be as proximate to the other event as is deemed safe and reasonable.
9. Contact information for demonstration organizers.

C. Considerations of Time, Place, and Manner:

Demonstrations for which the required advance notification is provided will normally be approved if reasonable considerations of time, place, security needs and the manner of demonstration have been addressed. The College reserves the right to modify the time, place, or manner of a demonstration when there is a reasonable expectation that it may threaten safety, suppress others' right to speech, or disrupt the education of students, such as by interfering with the ability of others to see, hear, or participate in another event, class or academic activity.

Some but not all examples of conduct that will require modification of time, place, or manner of demonstration which (if they do occur) may constitute violations of applicable law or College policy include (College policy included in parenthesis):

1. Blocking access to campus facilities or activities or impeding traffic, including to the venue in which another event is being held (Obstruction Policy).
2. Utilizing signs constructed of hard materials other than cloth or cardboard (Weapons and Firearms Policy).
3. Using bullhorns or other loud or amplified sound-making devices inside of buildings (Disruption Policy).

Examples of Conduct that is Expressly Prohibited by other College Policies:

1. Introducing torches or other dangerous or hazardous items or weapons on campus (Weapons and Firearms Policy).
2. Using spray paint on campus property or otherwise causing damage to any structures (Posting Policy and Damage and Vandalism Policy).
3. Engaging in theft, vandalism, property damage, or conduct that endangers individuals (Theft and Unauthorized Borrowing Policy, Damage and Vandalism Policy, Conduct that Endangers Policy).
4. Using intimidating tactics or unwelcome physical contact between demonstrators, counterdemonstrators, audience members, speakers or performers, or College officials (Employee Code of Conduct and Ethics, Conduct that Endangers Policy, Bullying Intimidation and Threats Policy).

D. Response to Potential Violations of Policy

If there is conduct that potentially violates College policy, demonstration organizers/participants will be advised to cease the conduct. A designated College official (e.g. in the case of a student demonstration, the Dean of Students, or their designee) will inform the organizers of the need to address the conduct. Behavior that continues to be in violation of College policy, or becomes a violation after a warning(s), will be addressed by the appropriate College office (i.e. Campus Safety, Student Affairs, Human Resources, Academic Affairs, etc.). Demonstration organizers should be aware that the use of public streets and walkways for special events or demonstrations is subject to City of Naperville ordinances and may require a special event and/or amplifier permit. The organizers are solely responsible for compliance with all applicable laws.

For conduct in violation of applicable laws demonstration organizers/participants should also be aware that Naperville Police may be contacted by the College or a third party to respond to

complaints or concerns regarding a demonstration and/or a gathering and follow-up accordingly. Naperville Police have the authority to respond to threats of violence and acts of violence without first contacting demonstration organizers or College Staff or administrators. Demonstration organizers should also expect College Campus Safety and/or administrators to attend a demonstration taking place on College property to ensure a safe environment in which to practice the freedom of expression.

Enforcement of other policies within the Student Handbook, the Employee Policy Guide, and other campus policies may also apply to instances of violation of this policy.

E. Demonstrations Involving Members of the Public

North Central College is a private institution, and as such may require members of the public who are not current faculty, staff, or students to leave College property. Failure to comply may result in arrest for unlawful trespass or other criminal violations. Members of the North Central College community who invite members of the public onto the campus are responsible for the conduct of their guests.

NOTE: *North Central College's Protest and Demonstration Guidelines borrow heavily from Wellesley College's policy on Demonstrations and Free Expression.*

Discouraging Policy Violations

Students have a responsibility to discourage the student's peers from violating the Statement of Student Conduct and/or the Policies of the College.

Disruption

No student may substantially disrupt or unreasonably interfere, whether intentionally or unintentionally, with another person's ability to attend class, receive instruction, learn, read, study, sleep, or participate in the general life of a college student ("Student Life"). No student may substantially disrupt or unreasonably interfere, whether intentionally or unintentionally, with a faculty's ability to provide classroom instruction, research, mentoring or other faculty function ("Faculty Functions"). No student may substantially disrupt or unreasonably interfere, whether intentionally or unintentionally, with any administrative functions of the College ("Administrative Functions"). A student who is substantially disrupting Student Life, Faculty Functions or Administrative Functions, may be asked to leave a particular area of the College. Disruptions that are found to be substantial or unreasonably interfere with any aspect of the educational environment, whether intentionally or unintentionally may be addressed through the student conduct process.

- A. Robust discussion and debate are fundamental to the life of the College. This Disruption Policy is not meant to inhibit open discussion, academic debate, expressive activity, and expression of personal opinion, in the classroom and within academic forums. Expression that is harassing, discriminatory, or that creates a hostile environment based on a protected class or social identity is not permitted and will be addressed under the Discrimination, Harassment, Sexual Misconduct and Retaliation policy.
- B. Students with Service and/or Emotional Support Animals are expected to maintain control over the student's animals and are covered under this Disruption Policy. If a student cannot prevent a Service and/or Emotional Support Animal from substantially disrupting or unreasonably

interfering with the study, learning and teaching atmosphere, or administration of the College, the matter may be referred to the student conduct process. The student conduct process could determine that a student is responsible for violating this policy and that a particular Service or Emotional Support animal is unable to meet the College's requirements for maintaining an atmosphere for others that is free of unreasonable interference or disruptions.

E-mail

E-mail is an official means for communication within North Central College.

- A. **E-mail Information:** Information Technology Services (ITS) will assign all faculty, staff and students an official College e-mail address. This address will be the one listed in all directories and the one used by the College for official business and communications.
- B. **Campus E-mail Access:** The College's e-mail system can be accessed on- and off-campus via any browser.
- C. **Outside E-mail Service Providers:** The College recommends that faculty, staff, and students use the College's e-mail system. Individuals having their e-mail electronically redirected to another e-mail address do so at their own risk. The College will not be responsible for the handling of e-mail by outside providers. Redirecting e-mail does not absolve an individual from the responsibilities associated with communication sent to their official e-mail address.
- D. **E-mail as a Method of Communication:** The College has the right to communicate with students, faculty, and staff members through e-mail, and the right to expect that those communications will be read in a timely fashion. Students, faculty, and staff members are expected to check their official e-mail address on a frequent basis in order to stay current with College communications.

Fires, Fire Alarms and Fire Equipment

In case of fire, immediately sound the fire alarm for the building, evacuate to a safe location, and call 911.

- A. **Residence Halls:** If you are in a Residence Hall, please notify a Residence Life staff member and/or the Department of Campus Safety immediately.
- B. **Campus Buildings:** If you are in any other building on campus, please notify the Department of Campus Safety immediately.
- C. **Evacuation:** When a fire alarm is sounded, building occupants must evacuate the building immediately. Failure to evacuate a building during an alarm is a serious offence and may result in fines and/or referral to the Student Conduct Process.
- D. **Tampering:** Tampering with fire equipment or sounding a false alarm is a serious offense, and may result in criminal prosecution, costly fines, and referral to the College's Student Conduct Process.

Fire Safety

- A. Fireworks, flammable liquids, explosives, candles, incense, incense burners, halogen lamps, bomb-making (or similar) materials, or open-coil/exposed-coil appliances such as, space heaters,

toasters, rotating pizza makers, and hot plates, are not permitted on College owned or leased properties.

- B. To comply with fire codes, no interior hallway doors may be propped open.
- C. Sprinkler heads need to be kept free from obstruction so that they can operate properly. Items may not be stored within 18 inches of any sprinkler head. Hanging anything from a sprinkler head is prohibited.

Fraudulent Use of College Resources

The College prohibits the direct or indirect unauthorized or fraudulent use of the College's facilities, telephone system, e-mail system, mail system, computer system, keys or College identification cards, or the use of any of the above for any illegal or unethical act.

Free Expression

The College affirms its belief in the importance of free expression and the right of all members of the College community to speak in favor of issues that the community member supports, and to criticize issues with which the community member disagrees. At the same time, students, faculty, and non-faculty employees share with the College a responsibility to help insure a campus climate of civility—one where intimidation, hostility, or demeaning actions directed toward a specific individual or group are not tolerated. Gatherings or protests that obstruct the educational process or create a risk of harm, regardless of duration, are not permitted. The College recognizes that no definition of "obstructive" can describe all possible situations, but as a general guideline defines obstructive demonstrations as those at which there is disruption of access to education or to College facilities or activities relevant to the College's mission.

Additionally, College community members are expected to take ownership of the community member's expression. Therefore, all letters, posters or electronic forms of communication distributed to the campus community regarding any issue will identify the author(s), so that dialogue and understanding may be achieved. All College community members, including faculty, staff, students, guests, and visitors, must adhere to College posting regulations at all times.

Gambling

Illegal wagering, bookmaking or unauthorized games or contests of chance are prohibited on College property.

Hazing

Hazing of any kind is not permitted at North Central College.

- A. **Definition:** A person commits hazing when that person requires the performance of any unpleasant act by a student, prospective student, or other person in the College for the purpose of admission, induction, acceptance, or continued participation in any group, organization, sport, or society associated with the institution. This excludes activities associated with initiation ceremonies sanctioned by the College for officially recognized clubs, organizations, and honor societies.
- B. **Intent:** The intent of the act, or the consent or cooperation of the hazing recipient, does not constitute a defense.

- C. **Jurisdiction:** The College, or the hazing recipient, may charge an individual or individuals with responsibility for the hazing act(s) whether the act(s) took place on-campus or off.
- D. **Examples:** Hazing includes, but is not limited to, any act or activity which may, or does, cause:
 - 1. Fear or intimidation
 - 2. Embarrassment or ridicule
 - 3. Physical exhaustion
 - 4. Endangerment, harm, mutilation, or alteration of any part(s) of the body
 - 5. Mental fatigue, harassment, or duress
 - 6. Forced or excessive consumption of food, alcohol, drugs or other substances
 - 7. Defacement, removal, damage, or destruction of property

Key Policy

Room and building keys are officially issued by the College to an individual solely for that individual's possession and use only.

- A. Using an unauthorized key or loaning keys to another individual is strictly prohibited. Duplication of any key(s) issued by the College is strictly prohibited.
- B. If a key is lost, a written report must be made with the Department of Campus Safety. If the lost key is not found within 24 hours the affected locks must be changed for the safety of the personnel and property housed in campus buildings. A minimum charge of \$100.00 per lock and \$5.00 per key is assessed for the lock change.
- C. For safety reasons, on-campus residents and individuals who work in campus buildings are encouraged to lock the doors to their rooms and offices at all times, particularly when sleeping in a residence hall room or when away from the room or office.

Laser Pointers

Due to the potentially hazardous effects of laser pointers, students are not allowed to own, possess, store, or use laser pointers on campus, except when explicitly granted permission by a faculty member or instructor for limited use in a classroom setting and for a limited time period. Laser pointers may be subject to confiscation and/or disposal.

Littering

Littering is prohibited. North Central College seeks to be a litter-free environment. Students are expected to put all trash and recycling materials in the bins provided around campus.

Lockers

All lockers on College property made available for student use are the sole property of North Central College. Students are assigned lockers for convenience and temporary use only. At no time does the College relinquish its exclusive control of lockers. Students' use of the lockers is limited exclusively to school-related purposes.

- Only locks provided to students by the College should be on lockers. Lockers that have a fixed

combination lock shall not be tampered with or changed in any way.

- Students will assume the cost of a lock if it is necessary to cut a lock off for access to a locker.
- Lockers are for use only by an individual and at an individual's sole risk. Lockers are only accessible during regular building hours during the academic terms.
- The student assigned to or using the locker is solely responsible for all of the contents of the locker.
- All perishable food and beverages and all opened nonperishable food and beverages must be removed from lockers on a daily basis. Only nonperishable foods and beverages, in unopened original packaging or containers, are allowed to be kept in lockers overnight.
- Knives, guns, ammunition, weapons of any kind, explosives, prohibited drugs, pornography, illegal or illicit items or substances, or other items deemed by the college to be harmful or inappropriate will not be stored in lockers.
- North Central College is not responsible for a locker's contents or liable for the loss of or damage to items stored in lockers. Any loss should be reported immediately to the Department of Campus Safety.

Students acknowledge that there is no expectation of privacy in or to the contents of a North Central College locker. North Central College retains the right to inspect lockers, without notifying users in advance, in case of situations arising from suspected unauthorized or unpermitted use, violation of locker policies and regulations, or in emergencies when safety and security is in question.

- North Central College will attempt to notify students (via NCC email and/or a phone number provided by the students at the time of locker registration) to be present when lockers are to be inspected in non-emergency situations.
- In the event that North Central College inspects lockers without prior notice and/or removes property from lockers during the course of an inspection, students will be notified in writing (via NCC email). During an inspection, a Campus Safety Officer, a NCC staff member, or a staff member from the Office of Student Involvement must be present.
- The personal possessions of students within a college locker may be searched when there is reasonable suspicion that the search will uncover evidence of a violation of state or federal law, or college policy.
- North Central College may seize, from any locker, any items that are illegal, are in violation of North Central College policy, are deemed unauthorized, or are reasonably determined to be a potential threat to the safety or security of others.

Obstruction

No student may intentionally interfere with and/or interrupt any function on-campus, or College activity off-campus. No student may occupy any facility on campus beyond a time reasonably fixed and announced by the College, when the effect of the occupation is to interfere with any College activity. Furthermore, no student may willfully obstruct entry into, or exit from, any building, walkway or roadway by any form of a blockade.

Parking and Vehicle Regulations

Parking enforcement on North Central College's Campus is overseen by the Department of Campus Safety. North Central College has established the following regulations to govern parking and traffic movement within the College community. Permission to park or operate a motor vehicle or personal travel device (including bicycles, hoverboards, motorcycles, scooters and other motorized alternative

vehicles) on North Central College property is governed by these policies. Parking is a privilege granted by the College. The College does not guarantee the regular availability of a parking space. Authorized parking areas on the North Central College campus are specifically and clearly designated. The responsibility of finding a legal parking space rests solely on the driver. A legal parking space is defined to be a space between two designated, painted lines. Vehicles must be parked so as to occupy only one space or stall, as designated.

- A. **General Information about Parking Permits:** The North Central College parking permit is a self-adhesive sticker which is affixed to the vehicle in the upper left corner of the rear window or a hangtag that is displayed on the rear view mirror of the vehicle. Vehicles displaying their permits improperly are subject to citation. Permits must be displayed 24 hours a day, seven days a week. All vehicles parked on campus must display a valid permit issued by the Department of Campus Safety. A valid permit is either a current parking permit issued to employees and students of North Central College that is properly registered and displayed in accordance with these policies, or a temporary or visitor permit authorized by the Department of Campus Safety.
- B. **Commuter Parking Permits:** Designated parking spaces for vehicles displaying a Commuter Parking Permit are available for daytime and evening parking until midnight during the academic year, but may not be used for overnight parking except by direct permission from the Director of Campus Safety, or their designee. Vehicles with a Commuter Permit are authorized to park in commuter parking spaces only. Commuter Permits should not be used to park and walk to the train or downtown Naperville. These permits should be used only when attending classes, official College events or when utilizing College facilities.
- C. **Accessible Permits:** Accessible parking spaces are provided in College parking lots in accordance with the Americans with Disabilities Act (ADA). Vehicles parked in these spaces must display a valid accessible/ADA permit. A College issued parking permit is not required to be displayed. Accessible permits may be obtained from the Illinois Secretary of State Office. Under Federal law, these spaces may be ticketed by campus, state, local, and federal enforcement officials, including campus safety officers.
- D. **Permit Cancellation or Renewal:** The College may, without prior notice, revoke or refuse to issue a parking permit without prior notice. All outstanding parking violations or penalties must be satisfactorily settled before a parking permit may be issued or renewed. Parking permits may be revoked for non-payment of parking fines, other violation of the Parking Regulations, and failure to abide by City of Naperville parking regulations. The Director of Campus Safety or their designee will notify the permit holder of any suspension of parking privileges, and the reason for the suspension, via campus e-mail, mail or the U.S. Postal Service.
- E. **Remote Parking Permits:** All first year on-campus residents wishing to bring a vehicle to campus are required to park in the College's Remote Parking Lot. The Remote Lot is located approximately one mile from campus at the All Saints Catholic Academy, 1155 Aurora Avenue in Naperville. The remote lot permit may not be used in any on-campus parking lot. For additional information and policies governing the remote lot, please contact the Department of Campus Safety.
- F. **Reserved Parking Permits:** Designated parking spaces for the President and selected officers of the College are reserved 24 hours a day, seven days a week, unless otherwise specified.

- G. **Resident Parking Permits:** Designated parking spaces for vehicles displaying a resident parking permit are available 24 hours per day, seven days a week, during the academic year. Vehicles with a resident permit must park only in residential parking spaces.
- H. **Temporary Permits for Students:** Temporary permits may be issued to an individual that does not have a valid resident, commuter, or remote permit. The temporary permit allows a current student to park the student's vehicle in a designated parking lot. A student is allowed to utilize a temporary permit seven (7) days per semester. If a student needs to exceed the seven (7) days limitation, the student must contact the Assistant Director of Campus Safety or their designee for approval. In the event a student has a valid resident, commuter, or remote permit but will be using another vehicle for a short period of time the student may obtain a temporary permit at no cost. Temporary permits must be visibly displayed facing outward on the rear view mirror.
- I. **Visitor Permits:** All visitors parking overnight – including alumni, parents, and others in personal vehicles, must display a visitor permit issued by the Department of Campus Safety. Visitor permits are distributed as a courtesy to overnight guests. A student housing a visitor is responsible for the any parking violations the visitor receives while on College property. Visitor permits must be visibly displayed facing outward on the rear view mirror.
- J. **Wheeled Personal Travel Devices (WPTD):** For the safety of all students, faculty, staff, guests and visitors, the use of rollerblades, skateboards, scooters, motorized standing scooters, hoverboards, skywalkers, segways, or similar devices is prohibited inside of all campus buildings. Appropriate steps also should be taken to ensure personal and community safety around campus when a WPTD is used in permitted areas.
1. Pending revised guidance from the Consumer Product Safety Commission, hoverboards or other motorized WPTDs may not be stored in any North Central College owned or operated residence hall.
 2. Students utilizing WPTDs for transportation must behave responsibly with the student's own safety and the safety of the community in mind. This includes operating the WPTD at a speed which minimizes or eliminates potential hazards with other vehicles and pedestrian traffic. Extra caution should be used at intersections and crossings. The use of helmets and other safety equipment is strongly encouraged.
 3. Students wishing to utilize WPTDs must discontinue the use before entering campus buildings, and may not resume use until after fully exiting campus buildings.
 4. Extra care should be taken to avoid damage to campus and public facilities, properties, and infrastructure. Using WPTDs to "grind" on seating walls, curbs, stairs, or other structures is prohibited. Damage caused by WPTDs to any College property such as floors, walls, or sidewalks will be the sole responsibility of the operator.
 5. The safe operation, storage and charging of WPTDs is the sole responsibility of the owner and/or operator. Damage to people or property will be the responsibility of the owner of the WPTD.
- K. **Motorized Alternative Vehicles:** Motorized Alternative Vehicles ("MAV") (except wheelchairs and designated College vehicles), including, but not limited to, motorcycles, mopeds, motorized seated scooters, and gas-powered bicycles are not to be operated or parked on the grass, sidewalks, or pedestrian walkways of the campus at any time. MAVs are subject to the same

regulations as automobiles, and must be registered with and permitted by the Department of Campus Safety. The riding of any MAV inside any campus building is strictly prohibited.

1. **Vehicle Code:** All bicycles, mopeds, and MAVs must be operated according to the State of Illinois Vehicle Code.
 2. **Safety:** Students utilizing MAVs for transportation must use the MAV responsibly, with the student's own safety, and the safety of the community in mind. This includes, but is not limited to, adapting speed with regard to potential hazards, pedestrian traffic, and exercising additional caution at intersections and crossings. The use of helmets and other safety equipment is strongly encouraged.
 3. **Parking:** All MAVs on College property must be parked in a designated parking space, and should not be parked, stored, or left in such a manner as to impede normal entrance to, or exit from, any building on campus. MAVs are subject to citations for parking violations, and can be towed at the owner's expense, in accordance with the Campus Safety Towing Policy. Parking permits for MAVs are required and may be obtained through Campus Safety.
- L. **Bicycles:** Students utilizing bicycles are expected to behave responsibly with the student's own safety and the safety of the community in mind. This includes adapting speed with regard to potential hazards and pedestrian traffic, and exercising additional caution at intersections and crossings. The use of helmets, bells, horns, lights, and other safety equipment is strongly encouraged.
1. **Vehicle Code:** All bicycles must be operated according to the provision set forth by the State of Illinois Vehicle Code.
 2. **Parking:** No person may park, store, or leave a bicycle in such a manner as to impede normal entrance to, or exit from, any building or facility on campus. All bicycles on College property must be parked or secured to a designated bicycle rack, and may not be left unattended and unsecured on any College property. North Central College is not responsible for any lost or stolen bicycles or related equipment.
 3. **Relocation of Bicycles:** Bicycles secured to public infrastructure, such as railings, light posts, fire hydrants, parking signs, benches, stairwells, ramps, or trees will be removed and stored by the Department of Campus Safety for a period not to exceed one year. If a bicycle is found abandoned or inoperable at the end of the academic year, the bicycle will be removed and stored by the Department of Campus Safety, at the department's discretion, for a period of at least 30 days but not to exceed one year.
 - i. To retrieve a relocated bicycle, the owner of the bicycle will be required to provide proof of ownership (e.g. serial number) prior to receiving the bicycle.
 - ii. Confiscated, found, or seized bicycles will be retained for a period of at least 30 days, but no longer than 1 year, from the date of procurement and disposed of thereafter at the College's sole discretion.
 - iii. If a bicycle must be relocated, North Central College is not responsible for reimbursement or costs associated with locks or chains.
 4. **Personal Bicycle Registration:** Students are strongly encouraged to register the student's personal bicycle with Campus Safety. Bicycle registration forms are accessible at the Department of Campus Safety.

Parking Enforcement

- A. **Citation and Service of Citations:** When there is cause to believe that a violation of policy has occurred, an appropriate violation notice will be issued by the Department of Campus Safety. The violation notice will set forth the date, approximate time, location, and nature of the violation. The citation may be served by affixing a copy to the vehicle involved or by delivering or mailing a copy to the alleged violator. Service by mail is accomplished by sending a copy of the citation to the alleged violator's campus or home mailing address.
- B. **Paying or Appealing a Fine:**
1. Instructions on the front of the notice of a parking violation advise the alleged violator that the alleged violator may choose to either pay the fine applicable to the violation(s) charged, or appeal the matter through the Appeals Board within eight (8) business days of the issuance of the violation. The Appeals Board meets on a bi-weekly basis to consider appeals received within the allotted eight-day time period. Appeal forms are available at the Department of Campus Safety, located at 451 S. Brainard St., or online at <https://hub.northcentralcollege.edu/sites/campus-safety/Insight/10841/parking-appeals>.
The Department of Campus Safety office is open five days a week between the hours of 8:00 a.m. and 4:30 p.m. during the academic year.
 2. If the alleged violation is for altering the date of a temporary permit, the temporary permit in question must be submitted with the appeal.
 3. If the alleged violator chooses to pay the fine, the alleged violator may mail a check or money order for the appropriate amount to, or pay that amount at Student Accounts (Old Main). The violator has eight (8) business days from the date of the citation to pay the fine or file an appeal. Please note, payment of the fine constitutes a waiver of the right to appeal the citation.
 4. If the alleged violator neither pays the fine nor appeals the notice of violation within eight (8) business days, the fine amount will automatically be charged to the violator's College account.
 5. If the alleged violator is denied their appeal or is required to pay the fine, the amount due must be paid within eight (8) business days of the notice of the appeal decision. In addition, individuals with three (3) or more parking violations will be subject to immobilization and/ or towing. All appeal decisions made by the Appeals Board are final. There is no further avenue for appeal.
- C. **Immobilization and/or Towing:**
1. Any vehicle parked on North Central College property may be subject to immobilization and/or towing for cause after notification, as specified in these regulations. Under Illinois State Statute, all parking lots must be posted with towing signs in order to facilitate towing. The College and its officers, employees, and agents are not liable for any loss or damage of any kind resulting from towing.
 2. After receiving three (3) citations a vehicle is subject to immobilization and additional fines. After five (5) total violations, the vehicle is subject to towing from College property at the owner's expense and revocation of the privilege to utilize College parking lots and structures.
 3. A vehicle may be towed without notice for the following reasons: when parked in a designated accessible/ADA parking space without a valid permit; when blocking a driveway, entrance, exit, or fire hydrant/posted fire lane; when in a loading zone, no-

parking area, tow zone, landscaped area, prohibited area; or when restricting College activities. These violations include parking in a campus service area without proper authorization, or parking in a reserved space on College property without proper display of a valid parking permit.

4. North Central College works with Contract Towing to act as its relocation service for all College owned and leased properties. If your vehicle is towed from the property, you may contact Contract Towing at 331-814-3456. The storage facility is located at 31W100 Schoger Dr. in Naperville.
- D. **Responsibility for Illegal Parking:** The permit holder – or in the absence of a valid permit, the vehicle’s registered owner – is responsible for any parking violations for that vehicle, and for all offenses under these regulations regardless of whether or not the vehicle was being used by the permit holder or registered owner or another entity.
- E. **Suspension of Parking Privileges:** An individual whose vehicle has been towed from College property, is subject to suspension of parking privileges. The Director of Campus Safety, or their designee, will notify the permit holder that the permit holder’s failure to comply with parking policies constitutes grounds for suspension of parking privileges. Additionally, the vehicle may be subject to immobilization and/or towing, if found on College property.

Posting Policy

- A. Individuals and groups affiliated with the College may post approved and stamped announcements on College bulletin boards to advertise meetings, events, activities, and classes. Unless otherwise noted, bulletin boards in academic buildings, the Harold and Eva White Activities Center, Kaufman Dining Hall, and the Rolland Center Boilerhouse Café, are all open for this category of postings. For approval to post in residence halls, please contact the Office of Residence Life at (630) 637-5858. All postings must be approved and date stamped at the Harold and Eva White Activities Center’s (WAC) front desk. Postings can only be posted for two weeks, unless approval is received from the Office of Student Involvement or Office of Residence Life.
- B. Organizations or individuals not affiliated with the College may only post approved and date-stamped materials in the following designated spots: the bulletin board in the White Activities Center main lobby, the designated board in the Rolland Center Boilerhouse Café, the bulletin board located in Kaufman Dining Hall entrance, and the designated bulletin board in the Larrance Academic Center stairwell. All postings must be approved and date stamped at the Harold and Eva White Activities Center’s (WAC) front desk. Postings can only be posted for two weeks, unless approval is received from the Office of Student Involvement.
- C. All table top advertisements must be approved and date stamped before posting in the following designated locations: Harold and Eva White Activities Center/The Cage, Rolland Center, Boilerhouse Café, and Kaufman Dining Hall.
- D. All postings must clearly identify the individual or group responsible for the information.
- E. Any postings that do not align with the mission of North Central College and/or demeans any population will be denied posting approval unless the postings are part of an academic project or protected by academic freedom.

- F. Postings of any kind are not permitted on windows, entry and exit doors, elevators or walls of any building (with the exception of residence hall postings approved by the Office of Residence Life) and may be removed.
- G. Announcements and advertisements of any kind which are written with chalk, taped, or otherwise affixed on campus sidewalks without prior approval by the Office of Student Involvement are not permitted and will be removed.

Pranks

Pranks, defined as mischievous or malicious tricks that cause, or have the potential to cause, damage, harm, or distress, are prohibited.

Public Gathering Spaces

Public lounges, study areas and gathering spaces are provided throughout the campus to support an engaging and interactive educational community and to nurture a culture of curiosity, collaboration, and inquiry. Gathering spaces are for the use of all students, faculty and staff, and in particular cases, guests of the College. In many cases public gathering spaces exist in close proximity to classrooms, faculty and staff offices and other public event spaces. It is, therefore, expected that all gathering spaces will be respected as College property and remain clean and well-kept and that the volume of activity in the gathering spaces will not interfere with other College activity (classes, meetings, etc.). Personal belongings should not be left unattended. Sleeping overnight in public lounges, study areas and gathering spaces is not permitted. Public gathering spaces are solely accessible during posted building hours and North Central College reserves the right to adjust building hours and accessibility as it deems appropriate.

Retaliation

Retaliation is a serious violation of College policy and will be adjudicated through the Student Conduct Process. Retaliation is defined as any materially adverse action taken against an individual because of the individual's participation in a permitted and/or required activity such as participation in an investigation, the reporting of an incident/concern, supporting a party bringing an allegation, or for assisting in providing information relevant to a potential policy violation. Retaliatory actions include, but are not limited to, threats or actual violence against the person or the person's property, adverse educational or employment consequences, ridicule, intimidation, bullying or ostracism. Additionally, retaliation may be treated as a possible instance of harassment or discrimination that is adjudicated through the Discrimination, Harassment, Sexual Misconduct, and/or Retaliation policy procedures contained in this handbook. Acts of alleged retaliation should be reported immediately to the Office of Student Affairs and will be promptly addressed. The Office of Student Affairs is prepared to take appropriate steps to protect individuals who fear that the individual may be subjected to retaliation.

Some examples/scenarios of Retaliation include:

- A member of a student organization participates as a witness in a conduct hearing about the organization president; the student member is subsequently removed as a member of the organization because of the student's participation in the hearing.
- A resident student submits a noise complaint on a neighbor. The neighbor then "recruits" other

hall residents to ostracize the reporting party and threatens to harm them should the reporting party submit another complaint.

- A student submits an Early Alert referral out of concern of suicidal ideation of a friend, who is also a student. The friend then communicates with the reporting party's faculty members that the reporting party is not a trustworthy individual.

Note: Reports or allegations that fall under the College's Discrimination, Harassment, Sexual Misconduct and Retaliation Policy have specific processes and procedures that may differ from the other procedural standards described in the Student Handbook. To obtain information unique to those cases, please refer to the Discrimination, Harassment, Sexual Misconduct and Retaliation policy located in "The College's Responsibility to Students" section of this Handbook.

Sales, Surveys and Solicitation

Groups or individuals who wish to distribute literature, sell merchandise, or wish to recruit students/ seek membership or support for organizations, must abide by the following:

- A. All organizations or individuals not affiliated with the College, who wish to distribute printed materials, sell merchandise, or wish to recruit students/ seek membership or support for organizations must be sponsored by a recognized student organization and the associated activity receiving approval from the Director of Student Involvement.
- B. All organizations or individuals desiring to recruit professionally on campus must contact the Office of Career Development.
- C. All campus-affiliated organizations or individuals wishing to sell merchandise or services must receive permission from and work with the Director of Student Involvement.
- D. Student organizations must obtain permission to sell merchandise or services in the residence halls for fundraising purposes from the Director of Residence Life. Door-to-door selling and soliciting in the Residence Halls, on campus, or in the local community are not permitted.
- E. Students who wish to conduct a survey in the Residence Halls must obtain prior approval from the Director of Residence Life. Students who wish to conduct a survey elsewhere on campus must obtain prior approval from the Director of Student Involvement.
- F. No alcohol may be sold or distributed on campus unless it is being offered as part of an official College program or event in a specially designated location.

Please note: If you believe a solicitor has harassed you, you may file a complaint with the Office of Student Affairs, the Department of Campus Safety, the Office of Residence Life, or the Office of Student Involvement.

Statement of Acceptable Use of Information Technologies

The Statement of Acceptable Use of Information Technologies describes conditions for the use of information technologies at North Central College. This document does not attempt to address every situation encountered in the use of information technologies at North Central College, but is intended to establish a framework in which each situation may be evaluated. If users have questions about whether

a specific use of information technologies facilities or services is authorized, it is the user's responsibility to ask an Information Technology Services (hereafter, "ITS") staff member. Ignorance of these policies will not be considered an excuse. This document is supplemented by all other applicable College policies and procedures governing the conduct of students, faculty and staff.

A. Revision and Distribution of This Document:

This Statement of Acceptable Use will be periodically revised by North Central College's Information Technology Services and reviewed by the appropriate College authorities before distribution. Copies of revisions will be made available to all users on the NCC Intranet, the Student Handbook and via other means of distribution as appropriate.

B. Purpose of Information Technologies:

The purpose of information technologies at North Central College is to create and maintain an infrastructure to support the College's basic missions of teaching, learning and research. While limited personal use of the College's information technologies is permitted, any use of information technologies not directly related to instructional, administrative or research activities of the College may be terminated immediately and without warning.

C. Defining Information Technologies:

Information technologies at North Central College includes, but is not limited to, computers, computer peripherals, data networks, computer software, data storage media, communication devices, telephones, telecommunications equipment, telecommunications networks, printers, video equipment and video collaboration tools, as well as any other machine or network to which North Central College provides access or is connected. In addition to the policies outlined in this document, any network traffic exiting the College (e.g. via Internet) is subject to any applicable use policies of the networks through which it flows (such as ICN, WOW, AT&T, etc.). If users abuse networks to which the College belongs, or the computing services at other sites connected to those networks, the College will treat this matter as an abuse of the user's North Central College information technology privileges.

D. Disclaimer of Editorial Control:

North Central College is a carrier of information and not a publisher. As a carrier, the College is not expected to be aware of, or directly responsible for, materials that users of its information technologies post, send or publish via e-mail, voice mail, the Internet or other means.

E. Account Eligibility and Use:

The use of information technologies at North Central College is a privilege available to all NCC students, faculty and staff. User privileges may also be granted on a selective basis to persons not directly affiliated with the College who are assisting or participating in a College-sponsored program. In return for obtaining account privileges, all users of information technologies agree to comply with this Statement of Acceptable Use and adhere to individual departmental or unit lab and system policies, procedures and protocols.

When persons cease their affiliation with the College (i.e. cease to be an enrolled student, leave the employment of the College, are no longer involved in an affiliated program) their privileges to use information technologies may be revoked without prior notice. In addition, the College reserves the right to limit or restrict access to its information technologies.

Users are responsible for safeguarding the user's files, identification codes and passwords, and for using them for their intended purposes only. Each user is responsible for all transactions made under the authorization of the user's ID, and for all network activity originating from the user's account or personal computer. Users are solely responsible for the user's personal use of information technology resources and are prohibited from representing or implying that the content constitutes the views or policies of the College. Users are not to use an alias or perform any activity that alters or eliminates the user's login ID or makes it appear that another performed the user's actions.

Do not share your password and do not use anyone else's password. If a user has reason to believe the user's password has become known by another user, it is the user's responsibility to change it immediately.

F. Expectation of Civil Conduct:

All users are to utilize information technologies in a responsible manner. Users are to respect the rights of others, respect the integrity of physical facilities and network management systems, and respect all pertinent licensing and contractual agreements entered into by the College.

Users are not to use information technologies to originate, disseminate, or store material that: is libelous; violates copyright or other intellectual property law; intimidates, threatens, or harasses individuals or groups in violation of law or College policy; violates community obscenity standards as defined by the US Supreme Court; endangers the security of information technologies; or violates other state or federal law or College policy. For example, the unauthorized duplication and distribution of sound recording and the use of the College logo and/or name on a web site without permission of the College is a violation of copyright.

Users are not to deliberately damage information technology resources; attempt to obtain or access resources to which the user is not authorized; uncover security loopholes; attempt to access protected files or decrypt encrypted materials; modify system or network facilities, operating systems or other installed software, or disk partitions; attempt to crash or tie up computers or networks; monitor data, packets, signals or other information unless specifically authorized by ITS; or damage College computing facilities, equipment, software or computer files.

G. Use of Information Technologies Equipment and Resources:

Any information technology equipment belonging to North Central College, including but not limited to computers, printers, peripherals, software media, telephones and telecommunications equipment, and data, telephone and video network cabling is not to be tampered with or moved from its original location without the permission of Information Technology Services. Residence Hall computing network services and wiring may not be modified or extended beyond the areas of intended use; this applies to all network wiring, hardware and in-room jacks. Personal networking equipment including but not limited to network switches/hubs, wireless access points, and routers are prohibited.

IP addresses are to be assigned solely by ITS or by automated mechanisms implemented by ITS

or its explicit designees. Use of IP addresses other than those assigned as described above is a violation of this Statement of Acceptable Use.

Users are expected to not deliberately perform actions which are injurious to or wasteful of information technologies, or which unfairly monopolize resources to the exclusion of others. These actions include, but are not limited to: sending chain letters or other forms of mass mailings (also known as "spam"); cryptocurrency mining, creating unnecessary multiple jobs or processes; degrading the performance of a computer or network; creating, distributing or running computer viruses, malware, or worms; and printing excessive copies of documents.

Computers owned by students and connected to the College's data network may not be configured so as to be accessible to anyone outside of North Central College for any purpose.

H. Personal/Recreational Use:

While limited personal use of information technologies is permitted, the use of resources for personal or recreational purposes that may degrade the network performance when others need these resources to complete work or coursework will be considered an irresponsible use of information technologies. Any use of information technologies not directly related to the primary instructional, administrative or research activities of the College may be terminated immediately and without warning if it interferes with primary activities. In addition, users must not use the College's information technologies for personal financial gain or political activity that would jeopardize the College's tax-exempt status. In addition, using email to solicit sales or conduct business, setting up a web page to advertise or sell a service, or posting advertisements to a newsgroup constitutes commercial use.

I. Use of Computer Software:

Computer software protected by copyright is not to be copied using College resources except as permitted by law or contract with the owner of the copyright. If North Central College has a site license specifically permitting the copying of software, users must not copy site-licensed software for distribution to persons other than College students, faculty or staff. Users may not copy site-licensed software for use at locations not covered under the terms of the licensing agreement.

J. Freedom of Use:

It is important that users recognize that many computer systems, especially the Internet, may contain information considered offensive or unorthodox. Users are advised to take responsibility for the user's own use and navigation of these resources. For more information on this topic see the Free Expression policy of this handbook. Within this framework of free expression, however, users are not to use College information technologies to originate, disseminate, or store material that: is libelous; violates copyright or other intellectual property law; intimidates, threatens, or harasses individuals or groups in violation of law or College policy; violates community obscenity standards as defined by the US Supreme Court; endangers the security of information technologies; or violates other state or federal law or College policy.

K. Privacy and Integrity of Information:

Although it is the College's intention to provide and preserve the security of files, account numbers, authorization codes and passwords, security can be breached through actions or causes beyond its reasonable control. The College cannot guarantee the absolute security,

confidentiality and integrity of a user's information. It is the user's responsibility to safeguard data, personal information, passwords, and authorization codes; to take full advantage of security mechanisms built into systems; to choose passwords wisely and change them periodically; and to follow any security policies and procedures related to the access and use of data.

Users are to respect the privacy of other users. Programs, data files and the contents of voice mail are considered confidential unless the user has been explicitly made available to other users; the ability to access a file or other information does not imply permission to do so. Deletion, examination, copying or modification of files or data belonging to other users without their prior consent is prohibited. Users shall not intentionally seek information on, obtain copies of, or modify passwords belonging to others.

ITS staff will make every effort to ensure the privacy of user files and voice mailboxes and will hold in strict confidence anything ITS staff discover in user files or voice mailboxes except when the ITS staff have reason to suspect a violation of College policy or of the law. Information belonging to users will only be disclosed to College authorities that are empowered by College policies and procedures to handle charges of improper conduct, including but not limited to the Dean of Students, the Provost and Vice President of Academic Affairs and the Assistant Vice President of Human Resources.

L. Special Warning on the Privacy of E-mail:

E-mail is not a secure medium and the privacy of e-mail messages cannot be guaranteed. Users are strongly advised to not send sensitive or confidential material via e-mail.

M. Monitoring Use of Information Technologies:

ITS staff will not intentionally monitor the use of information technologies by specific users unless (1) it is necessary to maintain or improve the functioning of the College technology systems, (2) there is reason to suspect a violation of College policy or (3) there is a violation of state or federal law. Individuals using the College's information technologies without authority, or in excess of the individual's authority, are subject to having the individual's activities monitored and recorded by ITS staff. In the course of monitoring individuals who are improperly using information technologies, or in the course of system maintenance, the activities of authorized users may also be monitored. Anyone using North Central College's information technologies expressly consents to such monitoring and is advised that if such monitoring reveals possible evidence of criminal activity, ITS staff may provide evidence from such monitoring to the appropriate College and/or law enforcement officials, including but not limited to the Dean of Students, the Provost and Vice President of Academic Affairs and the Assistant Vice President of Human Resources.

N. Data Security

Viruses, Trojan horses, ransomware, worms, password breakers and packet sniffing programs are known to exist on other networks and may be introduced into North Central College's information technology infrastructure. Although every reasonable effort will be made to detect and eradicate dangerous and unethical hardware and software, it is the user's responsibility to be aware that such hardware or software exists and take appropriate precautions. In particular, a program should never be run, especially on a networked computer, unless the user knows what the program does and trusts the source.

O. Backups:

While regular network backups include email and data stored on the College's network, it is the sole responsibility of the user to make backups or copies of important data. There is no guarantee that lost data can be recovered from a network backup.

P. Violations of Policy:

Violation of these guidelines constitutes unacceptable use of information technologies, and may violate other College policies and/or state and federal law. The appropriate College authorities and/or law enforcement agencies will process violations. Violations may result in revocation of computing resource privileges; faculty, staff or student disciplinary action; or legal action. Grievance procedures regarding actions taken as a result of enforcing this policy should be initiated with the Dean of Students for students, the Provost and Vice President for Academic Affairs for faculty, and the Assistant Vice President for Human Resources for all other employees.

In time-sensitive cases or when required to meet critical operational needs, access to technology may be wholly or partially restricted without prior notice and without consent. Suspected violations of law or College policy will be investigated. Upon discovery of evidence of unauthorized or irresponsible use of information technologies, ITS staff may immediately and without warning restrict or suspend a user's information technology privileges in order to prevent further activity, and may also delete or move any files or other information stored which appear to be involved in the suspected violation. Violations of law or College policy will be reported to appropriate College officials who will deal with the suspected violations through procedures that already exist for other types of misconduct.

Q. Reporting Abuses:

You can report an abuse of this policy to *either* the Dean of Students, the Provost and Vice President for Academic Affairs, the Assistant Vice President for Human Resources, the Vice President for Information and Technology, or the Director of Campus Safety. When reporting abuse of this policy it will help to include copies of any document or communication that is relevant as well as dates and times of the occurrence, etc.

R. Questions:

If you have any questions related to acceptable use of North Central College Information Technologies, please contact a member of the ITS staff either by telephone or by visiting the Information Technology Services Department located at 110 Carnegie Hall.

Statement of Acceptable Use of Campus Property

A. Purpose:

The safety and wellbeing of the North Central College community, including students, faculty, staff, guests, and visitors are of paramount importance. Accordingly, this policy sets forth guidelines and expectations for behavior and conduct while on College owned or controlled property.

B. Scope

This policy applies to all individuals, including faculty, staff, students, visitors, athletic fans,

invited guests, patrons, and other individuals or groups present on College owned or controlled property.

C. Policy

Use of and access to College owned or controlled property shall be permitted to students, employees and each of their guests for the purposes of study, work, teaching and conducting or attending College business or other authorized activities. The College is a private institution which reserves the right to lawfully restrict or prohibit access to College owned or controlled property and to prohibit certain individuals from being present on College owned or controlled property at any time and at its discretion.

All individuals present on College owned or controlled property shall conduct themselves in accordance with the law, with all College policies, and in a manner that maintains a safe and non-discriminatory environment. Conduct including, but not limited to, intentional or negligent disruption of the operations of the College, including classroom education, study facilities, housing, athletic and/or administrative functions and facilities, excessive noise, threats, harassment, physical abuse, intimidation, endangerment to the health or safety of any person or property, or unauthorized entry, obstruction, or occupation of any College owned or controlled property is prohibited and may be deemed a violation of this policy.

If an individual engages in behavior or conduct that is inconsistent with this or any other College policy, the individual may be asked to refrain from such conduct, may be issued a College No Trespass order to any College owned or controlled property and/or may be subject to other disciplinary action. Failure to adhere to a College No Trespass order may result in law enforcement action, including possible arrest for trespassing.

Student Identification Cards (Cardinal Cards)

Student Cardinal Cards can be obtained in the Department of Campus Safety located in New Hall (451 N. Brainard St.).

- A. **Receiving an ID:** Students must present a picture ID in order to receive a North Central College Student ID.
- B. **Replacement ID:** The cost for a replacement ID is \$10.00.
- C. **IDs and Key:** Student IDs grant access to campus buildings and services, and therefore fall under the jurisdiction of the Key Policy. All key policies and rules also govern Student IDs.
- D. **Campus Food Services:** Student IDs may be used to purchase food at campus dining facilities. Students must have the student's ID in order to utilize campus dining services. IDs may not be lent to other students for the purpose of purchasing food. Students may swipe in guests at Kaufman Dining Hall or purchase food for friends at other campus food venues, but the ID owner must be present in order to use the ID.
- E. **Recreation Facilities:** Students must present the student's ID in order to enter and use recreational facilities.

- F. **Emergency Information:** In effort to promote student success and wellness, the College includes emergency and suicide prevention resources on the back of student identification (ID) cards. North Central College encourages students to utilize the DuPage County Health Department 24/7 Crisis Line and the Text Line, in times of need, whether it be for themselves or the student's peers. In an immediate crisis situation parties should contact 9-1-1.

Theft and Unauthorized Borrowing

Theft, attempted theft, unauthorized borrowing, or unauthorized use of any College, public, or private property is prohibited.

Trespassing

College resources and facilities are meant to be utilized by the College community, however some limitations regarding hours of use and authorization do exist.

- A. No individual may enter a College building or property outside of its set hours of operation, unless the individual has obtained explicit permission to do so.
- B. Areas on campus marked as "no-trespassing" or "authorized personnel only" must not be entered without explicit permission.
- C. No unauthorized persons are permitted on any campus roof or elevated exterior surface at any time.
- D. Individuals issued an order of "no trespass" on the North Central campus are not permitted on any property owned or leased by North Central College, including all buildings, parking lots and campus sidewalks. Should an individual violate an order of "no trespass", the College may contact the Naperville Police Department to have the individual arrested for criminal trespass to real property.

Truthfulness

All members of the College community are expected to be both truthful and complete when providing information (written, verbal, or electronic) to the College or to any person employed by or acting for the College.

Video and Audio Recording Policy

North Central College values open and honest communication, and respects the privacy of campus members. Therefore, in settings in which the parties involved have a reasonable expectation of privacy, audio and/or video recordings of conversations, interviews, phone calls, meetings or other activities are prohibited, without the express verbal or written consent of all parties involved. Sharing, transmitting, publishing, and/or arranging for others to produce or disseminate surreptitiously recorded communications is also a violation of this policy.

This policy is not intended to govern classroom activities, security cameras, the recording of approved athletic events, music events, theatre events, lectures, presentations, or any other public activities on campus.

Weapons and Firearms Policy

Weapons and firearms are prohibited on the campus of North Central College.

A. Weapons

A weapon is defined as any device or object designed or used for inflicting bodily harm or physical damage including but not limited to explosives, slingshots, bows and arrows, swords, clubs, spears, and dangerous chemicals. Knives or other bladed instruments with blades three inches or longer (with the exception of knives intended for kitchen use) are considered weapons and are prohibited. Other items may be considered a weapon if used to cause fear or inflict harm. The possession and/or use of disabling chemical sprays are allowed, when intended and used for self-defense.

B. Firearms

A firearm is defined as any device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas including but not limited to machine guns, rifles, shotguns, handguns or other firearms, BB/pellet guns, spring guns, paint ball guns, airsoft guns, flare guns, stun guns, tasers, or dart guns. Ammunition for any such device or any replica of the foregoing is also prohibited, except for College sanctioned theatrical productions.

C. Concealed Carry Policy

North Central College is committed to providing a safe and secure environment for all students, staff, faculty and guests. The 2013 Illinois Firearm Concealed Carry Act (430 ILCS 66/10) enables lawfully registered persons to carry concealed firearms in certain public locations, but also allows colleges to establish restrictions on their campuses (430 ILCS 66/65(15)). North Central College chooses to restrict the ability to carry firearms on its entire campus as outlined below.

1. Persons Covered by this Policy

All employees, students, persons conducting business, or guests visiting property owned, leased or controlled by North Central College are expected to observe all federal, state, and local laws as well as North Central College policies. Visitors include, but are not limited to, prospective students, former students and their respective families.

2. Prohibited Activities

North Central College maintains a weapons and firearms-free campus. "Campus" includes, but is not limited to any building, classroom, laboratory, artistic venue, entertainment venue, officially recognized College-related organizational property, whether owned or leased, and any real property specified as a prohibited area, including designated parking areas, sidewalks, and common areas under the control of North Central College and College-owned vehicles.

To provide a safe and secure environment this policy prohibits:

- a. Any person covered by this policy from possessing a weapon or firearm on campus, as described previously, even if that person has a valid federal or state license to possess a weapon or firearm.
- b. Any person covered by this policy from carrying, displaying, brandishing, discharging, or otherwise using any and all weapons or firearms, including concealed weapons or firearms.

3. Exceptions

The provisions of this policy do not apply to the possession of weapons or firearms in North Central College buildings, grounds, vehicles, or at any North Central College-sponsored activity if the possession of the weapon or firearm is related to one of the following exceptions:

- a. A firearm may be in the possession of on-duty law enforcement officials or by off-duty law enforcement officials provided the official is carrying proper credentials as outlined in Illinois' *Law Enforcement Officers' Safety Act*. However, off-duty law enforcement officers are not permitted to carry or conceal a firearm while attending class or other sanctioned College events as students.
- b. A weapon or firearm may be used in connection with sanctioned classes, educational presentations, athletics, or recreational sports practices, games, matches, tournaments or events on campus when the activity requires the use of such weapons or firearms (e.g., fencing, starter pistols, and archery).
- c. A simulated weapon or firearm is allowed when used for the purposes of sanctioned North Central College-related theatrical productions.
- d. Any other exception to this policy must be approved by the Vice President for Student Affairs and Athletics or their designee.

4. Parking Lots and Storage

North Central College shall determine placement of clearly and conspicuously posted signs at all building and restricted parking area entrances stating that concealed firearms are prohibited. Signs shall be in accordance with the design approved by the Illinois State Police.

Parking Lots

- a. A weapon or firearm may be transported into an unrestricted parking lot within a vehicle if the weapon or firearm and its ammunition remain locked in a case out of plain view within the parked vehicle. "Case" is defined as a glove compartment or console that completely encases the weapon or firearm and its ammunition, the trunk of the vehicle, or a weapon or firearm carrying box, shipping box, or other container.
- b. The weapon or firearm may only be removed for the limited purpose of storage or retrieval from within the trunk of the vehicle.
- c. A weapon or firearm must first be unloaded before removal from the vehicle.
- d. Certain parking lots on campus may be designated as areas where weapons and firearms are always prohibited. Such parking lots will be clearly and conspicuously posted with signs identifying the prohibition of weapons and firearms.

Storage

- a. The primary place of storage for a weapon or firearm is within a locked case out of plain view within a parked vehicle in an unrestricted parking lot.
- b. North Central College does not offer additional storage locations for weapons or firearms.

5. Enforcement and Reporting

- a. Any student found to have carried a weapon or firearm onto the property of North Central College knowingly, or found to be carrying a weapon under circumstances in

which the student should have known that the student was in possession of a weapon or firearm, may be subject to discipline up to and including, but not limited to, expulsion from the College.

- b. Any individual visiting, conducting business, or otherwise present on the campus of North Central College who is found to have carried a weapon or firearm onto College property knowingly, or found to be carrying a weapon or firearm under circumstances in which the individual should have known that the individual was in possession of a weapon or firearm, may be banned from campus. Additionally, external law enforcement agencies may be contacted and involved which could result in additional sanctions/charges.
- c. As required by the 2013 Illinois Firearm Concealed Carry Act (430 ILCS 66/105), the Vice President for Student Affairs and Athletics or their designee (typically the Dean of Students) will report to the Department of State Police any student who is determined to pose a “clear and present danger.”
- d. The Department of Campus Safety is responsible for enforcing the Concealed Carry restrictions. Any questions can be directed to the Department of Campus Safety at 630-637-5911.

(The Weapons and Firearms policy was drafted in consultation with Northern Illinois University; portions of this policy borrow heavily from the work of the NIU Department of Police and Public Safety)

Residence Life and Housing Policies

As a member of the residential community at North Central College, students are afforded a great deal of independence. Along with this independence comes the responsibility of living in a community. The following policies, services, and procedures were designed to help create the most enjoyable, comfortable, and safe community possible. Failure to adhere to these guidelines and policies may result in referral to the College’s Student Conduct Process.

- A. **Air Conditioning:** Students are not permitted to install or use individual air-conditioning units (window units, portable units, swamp coolers, etc.) in the student’s residence hall room.
- B. **Barbecuing:** Only small personal grills may be used by students. Grills must be at least 15 feet away from campus buildings and attended at all times. Grilling is not permitted on the balconies of any apartments owned or operated by the College. Appropriate clean up and safe disposal of charcoal and other materials must be done as soon as possible after cooking. Disposing of charcoal on College lawns is strictly prohibited. For appropriate means to dispose of charcoal and store grills and other cooking equipment, see the Office of Residence Life. Flammable substances, such as lighter fluid and propane, may not be stored in residence halls.
- C. **Check-In and Check-Out:** Before checking into a room, students are required to complete several electronic forms which include but are not limited to a Room and Board Agreement and Medical Insurance and Emergency Contact Information. Upon check-in a room condition report must be completed. Regardless of the time of year and/or the circumstances of departure, proper check-out consists of completing the express check-out form or making an appointment to check-out with a Residence Life staff member who will inspect the room, record any damages, and collect room keys. Improper check-out will result in a minimum \$75.00 charge, in addition to other charges that may be assessed for cleaning or damage.

D. Common Area Damage:

1. If damage or theft occurs in community areas, and no one accepts responsibility, all residents of the floor or residence hall will be charged equally. Please refer to the current Room and Board Agreement for details.
2. Residents are expected to report information regarding damage, theft, and vandalism to a Residence Life staff member.

E. Electrical Appliances and Wires:

1. Residents must only use Underwriter's Laboratory approved electrical appliances. These appliances will have an UL sticker, stamp, or logo on them. In an effort to conserve energy and further support sustainability initiatives, the College requests that students bring Energy Star certified appliances.
2. Open coil items including toasters, toaster ovens, warmers, hot plates, hot pots, popcorn poppers, space heaters, and electric blankets are prohibited in the residence hall.
3. A power strip or extension cord may be used, but connecting or "piggy-backing" multiple extension cords or power strips, in any combination, is prohibited.
4. Residents may be asked to limit the wattage or use of certain appliances, especially at peak hours, due to overloading. To reduce the risk of overloading the circuits, surge protectors must have a built-in circuit breaker or fuse. The College accepts no responsibility for damages incurred to electrical appliances as a result of power surges or outages.
5. Stereo, TV, and other electrical wires/antenna may not be extended from your room underneath doors, windows, or through walls in order to prevent injury to you and others who live or work in your building.

F. Emergency Contact and Missing Person Policy: All resident students are required to provide the Office of Residence Life with the name of an emergency contact person prior to moving into an assigned residence hall room.

1. All official missing student reports are immediately referred to Campus Safety.
2. Emergency contact information can be completed on Merlin through the Medical Insurance and Emergency Contact Information link.
3. If a student is under the age of 18 and not emancipated, the emergency contact person must be a parent or legal guardian. The emergency contact person may be called during emergencies as deemed appropriate by the College. The severity of the situation and the wishes of the student involved will be taken into account when possible.
4. The emergency contact person also will be contacted if the student is reported missing for at least 24 hours by roommates, friends, or instructors. The emergency contact person may be called sooner than 24 hours if the College has reason to believe this will assist in quickly locating the student or if foul play may be involved in the disappearance of the student. If a student has been missing for more than 24 hours, or if foul play is suspected to be involved, a report will also be made to the Naperville Police Department.
5. The missing person contact information is registered and confidential, accessible only to authorized campus officials, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

6. The following is list of contact information that may be utilized to report a student missing.
 - i. Campus Safety 630-637-5911
 - ii. Office of Residence Life 630-637-5858
 - iii. Residence Life Area Hall Director 630-816-5298
 - iv. Office of Student Affairs 630-637-5151
 - v. Naperville Police Department 630-420-6666
- G. **Entry Doors:** All residence hall entry doors are locked for protection and security of students. Propping doors open is prohibited and may result in a \$100 fine and/or disciplinary action. Doors may be propped open when in use by maintenance or authorized hall staff members. For the safety of the community, students should close a door if the student finds it propped open unless directed otherwise by a College staff member.
- H. **Holiday and Hallway Decorations:**
 1. Holiday decorations are encouraged by the Office of Residence Life, but must follow specific safety guidelines. Please see your Area Hall Director for specific guidelines regarding holiday and hallway decorations.
 2. Decorations may not be hung from or attached to hallway ceiling or interfere with the fire safety system.
 3. Live Christmas trees present a potential fire hazard and are prohibited in residence halls.
- I. **Kitchens:** Residents may use the community kitchen areas located in the residence halls. Residents are expected to use care when cooking and may not leave cooking food or a hot stove or oven unattended. Residents are also expected to keep kitchen areas clean and sanitary. Students should not leave dishes or food items in community kitchen areas. Misuse or unsafe use of community kitchen areas may result in kitchen privileges being revoked. Items left or found unattended, in the community kitchen, will be disposed of.
- J. **Live-On Policy:** North Central College requires any full-time student classified as a first-year, sophomore, or junior to live in on-campus housing. The College will assign campus housing to any student not exempted from the live-on requirement. All charges and fees associated with on-campus living will be processed accordingly.

Exemptions to the live-on requirement will be considered when a student demonstrates to the Office of Residence Life that:

- The student is living at the residence of the student's parent or legal guardian.
- The student is 16 years of age or younger or 24 years of age or older.
- Post high school graduation, the student has attended an institution of higher education for at least two academic years and will enter North Central with 54 or more transferable credit hours.
- The student has a legal dependent that is living with the student.
- The student is legally married.
- The student is a veteran or on active duty.
- The student is participating in a North Central College sponsored program that requires living off campus or out of the area (i.e. study abroad).

Students wishing to request an exemption for reasons other than those listed above may do so by contacting the Director of Residence Life at 630-637-5858.

- K. **Lofts:** The only lofts permitted in residence halls are those rented through bedloft.com. Please contact the Office of Residence Life for more information on this rental program. Elevation of beds with cinder blocks or other unauthorized materials is not permitted.
- L. **Residence Hall Lounges:** Most residence halls have a communal lounge to be used for recreation and/or study.
 - 1. All common area furniture must remain in the residence hall lounge. Removal of common area furniture to a student's private room may constitute theft, and will be handled through the College's Student Conduct Process.
 - 2. Twenty-four hour visitation is allowed in all the main residence hall lounges. However, students and guests must follow all other policies, including the Quiet Hours policy, and are not allowed to sleep in lounges overnight or to take up residence in lounges.
- M. **Maintenance Concerns:** Resident students must report all maintenance concerns to a Residence Life staff member in a timely fashion.
- N. **Modification to Rooms:** Creativity is encouraged in personalizing rooms, with the expectation that rooms be returned to their original condition at the time of check out.
 - 1. Students may not modify rooms in any way which alters College property, changes the architecture of a room, impedes or damages fire protection devices, or blocks lanes of ingress or egress.
 - 2. Students are not allowed to paint residence hall rooms.
 - 3. Prohibited items include, but are not limited to, waterbeds, lighted signs, and alcoholic beverage signage (when it is visible from outside the building).
 - 4. All room furnishings provided by the College must remain in the room at all times. Wardrobe closets must not be unbolted or moved from their designated locations.
- O. **Murals:** Floor communities in College-owned residence halls are encouraged to create hallway murals. Residents wishing to paint a mural must work in collaboration with the resident's Resident Assistant and Area Hall Director to ensure that all policies are being adhered to, and proper approval has been obtained from the Office of Residence Life.
 - 1. A mural contract must be completed prior to the beginning of any murals.
 - 2. Unauthorized additions or subtractions to murals may be considered vandalism, and subject to the College's Student Conduct Process.
 - 3. Murals may be removed every three to five years to promote ongoing creativity.
- P. **Pets:** Fish (defined as cold-blooded, aquatic vertebrates, having gills), kept in five-gallon tanks or smaller, are the only pets allowed in residence hall rooms. All other pets are prohibited. If unauthorized pets are found, they may be confiscated and turned over to local animal control authorities.
- Q. **Quiet Hours:** Quiet hours in all residence halls are Sunday through Thursday, 11:00 p.m. to 8:00 a.m., and Friday and Saturday, 12:00 a.m. to 8:00 a.m. Quiet hours will be extended prior to and

during final exam periods. Even at times other than officially established quiet hours, students are expected to maintain reasonably low levels of noise in full courtesy to others. Therefore, courtesy hours are in effect 24 hours a day. Themed communities, entire floors, or entire buildings may vote to increase the community's quiet hours.

- R. **Room and Board Agreements:** Every North Central Student required or choosing to live on campus is required to electronically sign a Residence Hall Room and Board Agreement through Merlin <https://merlin.noctrl.edu> before moving into a residence hall room. The College reserves the right, upon written notice prior to the beginning of any semester, to terminate this Agreement.

The Room and Board Agreement is issued for the entire academic year. A resident may request to be released from the Room and Board Agreement by completing a Contract Release Request Form. If granted, a release involves the assessment of a \$750 liquidation fee. For more information, please refer to the current Room and Board Agreement or the Office of Residence Life.

- S. **Room Care and Damages:** For health reasons and continuous care of College property, rooms must be kept clean and in good condition throughout the year. Upon move in, a room condition report will be completed. The condition of the room at check-out will be compared to the condition at check-in. Charges will be made for any missing or damaged room items. Incidents of damage should be reported immediately in order to facilitate repair and to prevent additional damage. If damage or theft occurs in the community areas, and no one accepts responsibility, all residents of the floor or hall will be charged equally. Students whose rooms are deemed a health or safety risk may incur mid-year cleaning charges and could have the student's housing privileges revoked.
- T. **Room Changes:** Room changes may be requested any time during the semester by contacting your Area Hall Director. Students may not move rooms without authorization from a professional Residence Life staff member. Room changes for the upcoming semester require vacating the current room prior to the end of the current semester. Students experiencing roommate difficulty should contact the student's RA or Area Hall Director to pursue mediation or other remedies.
- U. **Room Entry and Search:** North Central College recognizes the right of students to protection against unreasonable entry and search of the student's room. In order to safeguard this right, the College follows these guidelines:
1. Entry may take place by a College staff member without prior notification for scheduled room inspections, non-scheduled inspections during vacations, requested and scheduled repair/maintenance, when there is reason to suspect a violation of college or legal regulations, when imminent danger to the health and welfare of any student is suspected or in cases of an emergency.
 2. Except in serious or emergency situations, the premises occupied by students will not be searched unless authorization for the search has been obtained from the Office of Student Affairs, Director of Campus Safety, or their designee.

3. If you believe your privacy has been violated by a member of the staff or another student, a written report of the incident with specific details should be submitted to the Office of Student Affairs.
- V. **Room Selection:** The annual room selection process for sophomores, juniors, seniors, and graduate students occurs during Spring Semester. Detailed information regarding the room selection process will be distributed to eligible students during the Spring Semester. Students who do not currently live in a residence hall, but would like to, should contact the Office of Residence Life to obtain housing information.
- W. **Sports and Ball Playing:** Due to the potential for causing injury or damage, sports, ball playing, wrestling, and general rough-housing are prohibited within residence halls or any buildings not designated for appropriate athletic use.
- X. **Theft, Other Loss, and Insurance:** Report any property lost immediately to Campus Safety and/or a Resident Assistant or an Area Hall Director. The best guard against property loss or damage is a locked door and secured window. The College is not responsible for loss or damage to personal property, whether by theft, fire, flooding, power surges, brownouts, or other circumstances. It is strongly recommended that students check homeowner's coverage and other insurance policies to determine any current level of coverage or to consider renter's insurance.
- Y. **Vacations and Closings:**
1. The residence halls and any leased apartments close each year for Winter Break and Spring Break.
 2. Students are required to leave campus during all breaks, except as specifically provided herein or when granted specific permission from the Office of Residence Life. Students who do not comply with this policy may be assessed a fine, and may be subject to disciplinary action.
 3. Summer housing is available on a limited basis for a separate fee.
 4. Students are allowed to remain on campus during break periods, when granted specific permission from the Office of Residence Life. However, if students violate any of the policies outlined in the handbook, or if it is deemed to be in the best interest of the community, a student may be required to immediately leave campus for the duration of any break period.
- Z. **Guests and Visitation:** Guests are defined as 1) individuals who are not affiliated with North Central College; and 2) North Central College students who are not official residents of a building or room in which the student is present.
1. Students are responsible for holding the student's guests to the same standards set forth for North Central College students, and may be held accountable for inappropriate conduct by the student's guests.
 2. Guests must be escorted at all times while visiting campus residence halls. Any non-resident person without an escort will be required to leave the building and may have future guest privileges revoked.
 3. Guests visiting a residence hall room or specific floor lounge between 1:00 a.m. to 8:00 a.m. Sunday through Thursday and 2:00 a.m. to 8:00 a.m. Friday and Saturday, will be

considered an overnight guest. Overnight guests may stay only with the permission of all other assigned occupants of room and or suite.

4. Residents may have an overnight guest in the residence hall for no more than three (3) nights in any two (2)-week period. Permission to host an overnight guest for a longer period of time must be obtained from the Area Hall Director.
5. Guest visitation is permitted at any time of the day in all main residence hall lounges for the purpose of active study, discussion, and socializing. However, students and guests must follow all other policies, including the Quiet Hours policy, and (in accordance with the Residence Hall Lounges policy) are not allowed to sleep in lounges overnight or to take up residence in lounges.
6. Residence Hall Staff and Campus Safety Officers retain the right to ask a guest to vacate a particular building or room at any time if a College policy may be being violated, there is disagreement among residents of the room/suite about whether the guest is welcome, or if it is otherwise in the best interest of the community.
7. No individual may enter another student's residence hall room without being explicitly invited.
8. Guests under the age of 18 are not permitted to stay overnight in the residence halls. Exceptions to this policy can be made regarding official overnight visits sponsored by the Office of Admissions or when a resident student officially requests to have a sibling stay overnight. In order for a sibling under the age of 18 to stay on campus overnight, the student must submit written parental permission to the resident student's Area Hall Director prior to the visit.

AA. **Windows:** Windows, screens, and window blocks must be intact at all times – this includes common areas and lounges. Any tampering with windows or screens, entering or exiting through windows, or throwing, dropping, or hanging/displaying objects from windows is prohibited, and may result in disciplinary action.

1. Flashing lights or images are prohibited from being displayed in residence hall windows.
2. Anything visible from outside of a building is subject to removal by the College.
3. Blinds are provided on each window and must remain intact.
4. Beds, whether bunked or lofted, may not rest against windows.
5. As a safety precaution, residents are encouraged to lock windows when not in the room and when sleeping.

THE COLLEGE'S RESPONSIBILITY TO STUDENTS

North Central College is committed to providing a positive, holistic educational experience. The College expects much from its students, staff and faculty, and also recognizes that it has certain obligations to the safety, wellbeing, and privacy of the entire campus community. Therefore, by admitting new students, faculty, and staff into the community, the College agrees to certain responsibilities to protect and serve the community it has created.

Asbestos Management Plan

The asbestos management plan for North Central College is kept on file at Operations (999 E. Chicago Avenue) and is available for inspection during normal business hours by representatives of the U.S. Environmental Protection Agency and the State of Illinois, the public, faculty, staff, students, and parents. Questions regarding the College's asbestos management plan may be directed to the Environmental Health and Safety Manager at 630-637-5659.

Crime Statistics

In accordance with Federal law, North Central College is required to provide annual crime statistics to faculty, staff, students, and the public. Annual crime statistics and fire reports are made available to the entire campus community via the College website, and a daily crime log may be requested by contacting the Director of Campus Safety at 630-637-5912 or the Office of Student Affairs at 630-637-5151.

Department of Campus Safety

This department is composed of administrative leadership, professional Campus Safety Officers and student Campus Safety Officers that are trained by the professional staff. The department works to protect life and property within the College community. Officers are available 24 hours a day, seven days a week. All Campus Safety Officers are trained to handle security and safety matters on campus, in addition to parking enforcement. Students should promptly report any and all criminal activity and safety concerns to Campus Safety. Campus Safety Officers will assist Area Hall Directors and Resident Assistants with concerns in the residence halls, and, if necessary, assist the police or fire departments. Campus Safety Officers are authorized to examine and withhold identification cards of students, to conduct field interviews for violation of College policies and/or criminal activity, and to detain parties on campus for questioning, or for referral to local, state and/or federal law enforcement authorities.

Directory Information

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, may be disclosed to third parties without a student's written consent. If students do not wish directory information to be disclosed, the student must request in writing that this information be withheld. Such requests must be received by the Registrar no later than August 15 for the following year and are in effect until the student notifies the Registrar, in writing, to remove the non-disclosure request. The College designates the following categories of student information as public or "directory" information: name; address (local and home); telephone numbers; e-mail address; date and place of birth; class level; major and minor fields of study; participation in officially recognized activities and sports; height and weight of athletes; photographs/video for College and other publications; the most previous educational institution attended; dates of attendance; degrees and awards conferred, including dates; and current course load.

Discrimination, Harassment, Sexual Misconduct and Retaliation

Responsible College Official: Assistant Vice President of Equity, Diversity, and Inclusion

Responsible Offices: Office of Student Affairs; Office of Academic Affairs;

Policy Implementation Date: August 14, 2020

College Policy on Nondiscrimination
--

North Central College ("College") is committed to maintaining a positive learning, working, social, and residential environment. The College does not discriminate or allow discrimination or harassment on the basis of race, ethnicity, national origin (including ancestry), color, citizenship status, sex, sexual orientation, gender identity, gender expression, pregnancy (and parenting for students), religion, creed, physical or mental disability (including perceived disability), age, marital status, veteran or military status, unfavorable military discharge (except dishonorable discharge), predisposing genetic characteristics, order of protection, or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any resolution process on campus, with the Equal Employment Opportunity Commission, or other human rights agencies in both employment and access to educational opportunities.

In pursuit of these goals, and to ensure compliance with local, state and federal civil rights laws and regulations, the College will not tolerate acts of discrimination, harassment, sexual misconduct and/or retaliation as such behavior seriously undermines the College's effectiveness as an educational institution and a workplace and values of equity, diversity, and inclusion. This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the College community whose acts deny, deprive, or limit the educational or employment or residential and/or social access, benefits, and/or opportunities of any member of the College community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above is in violation of the College's policy on nondiscrimination. When brought to the attention of the College, any such discrimination will be promptly and fairly addressed and remedied by the College according to the Title IX and civil rights grievance process described below.

The College adheres to and supports the principles of academic freedom, and each member of the North Central College community also shares a common responsibility to maintain an environment free from discrimination, harassment, sexual misconduct and retaliation. Administrators, faculty and staff members who violate this policy will be subject to disciplinary action, up to and including termination of employment. Students who violate this policy will be subject to disciplinary action up to and including expulsion.

All employees are considered to be mandated reporters¹ and have the responsibility to report disclosures or observations of sexual misconduct or other forms of discriminatory harassment to the Assistant Vice

¹ Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of individuals with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility in this Policy.

President for Equity, Diversity and Inclusion.² Employees who are exempted from this reporting requirement are professional or pastoral counselors who provide work-related mental-health counseling, campus advocates who provide confidential victim assistance, medical staff, and employees who are otherwise prohibited by law from disclosing information received in the course of providing professional care and treatment. Failure of an employee (who is not exempted from this reporting requirement as defined above) to make a report in a timely manner, is a violation of College policy and the employee can be subject to disciplinary action.

The formal resolution procedures set forth in this policy provide a fair and impartial process for reporting, investigating, resolving, and determining appropriate sanctions or remedies in relation to a report of discrimination, harassment, sexual misconduct and/or retaliation under this and related policies regarding Consensual Relationships, Service and Emotional Support Animals, and Pregnant and Parenting Students.

Assistant Vice President for Equity, Diversity and Inclusion

The Assistant Vice President for Equity, Diversity and Inclusion has primary responsibility for enforcement of this policy, specifically for coordinating efforts related to investigation, resolution, and implementation of corrective measures and monitoring to stop, remediate, and prevent discrimination, harassment, sexual misconduct and/or retaliation prohibited under this policy.

Dr. Rebecca Gordon

Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer

524 Old Main

30 N. Brainard

(630) 637-5340

rgordon@noctrl.edu

External Inquiries may also be made to:

Office for Civil Rights (OCR); Chicago Office

U.S. Department of Education

Citigroup Center

500 W. Madison Street, Suite 1475

Chicago, IL 60661-4544

Telephone: (312) 730-1560

Fax: (312) 730-1576

Email: OCR.Chicago@ed.gov

Equal Employment Opportunity Commission (EEOC)

Chicago District Office

500 West Madison Street, Suite 2000

Chicago, IL 60661

² All references to titles of employees include anyone to whom that individual designates the role or function (i.e.: "or designee")

Phone: (800) 669-4000
Fax: (312) 869-8220
Contact: <http://www.eeoc.gov/contact/>
Illinois Human Rights Commission
<https://www2.illinois.gov/sites/ihrc/pages/default.aspx>

Illinois Department of Human Rights
Chicago Office
100 W. Randolph Street, 10th Floor
Intake Unit
Chicago, IL 60601
(312) 814-6200
(866) 740-3953 (TTY)
<http://www.illinois.gov/dhr>

For definitions of the terms and terminology used throughout this policy, please refer to the Definitions/Glossary of Terms in Appendix A of this policy.

Reason for Policy/Purpose

This policy is in place to ensure compliance with Title IX and other federal and state civil rights laws. North Central College has developed internal policies that will provide a supportive process for individuals who report discrimination, harassment, sexual misconduct or retaliation and that will ensure a fair process to resolve allegations of discrimination, harassment, sexual misconduct, including sexual violence, and/or retaliation.

Through this non-discrimination policy, North Central College (1) articulates the College's commitment to the values of fairness, equity, and equal opportunity; (2) describes categories of conduct that may constitute discrimination, harassment, sexual misconduct or retaliation; (3) explicitly prohibits discrimination, harassment, sexual misconduct and retaliation; (4) establishes procedures to follow when a member of the College community believes that they have been subject to discrimination, harassment, sexual misconduct or retaliation; (5) provides a pathway to share concerns regarding the College's policies, procedures and/or practices in the event that they cause a discriminatory impact.

Policy Review and Updates

These policies and procedures will be reviewed and updated annually by the Assistant Vice President for Equity, Diversity and Inclusion. The Assistant Vice President for Equity, Diversity and Inclusion reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect. The Assistant Vice President for Equity, Diversity and Inclusion may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Assistant Vice President for Equity, Diversity and Inclusion may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred. Policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the

parties consent to be bound by the current policy. If government regulations change in a way that impacts this document, this document may be construed to comply with government regulations in their most recent form.

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

This policy and procedure is in effect for the 2020 fall semester and was implemented August 14, 2020.

Jurisdiction of the College

This policy applies to conduct that takes place on the campus or on property owned or controlled by the College and at College-sponsored events. It may also apply to off-campus and to online conduct when the Assistant Vice President for Equity, Diversity and Inclusion determines that the conduct affects a substantial College interest. Regardless of where the conduct occurred, the Institution will address all allegations to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus program or activity. A substantial Institution interest includes:

- 1) Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- 2) Any situation in which it appears that the Respondent may present a danger or threat to the health or safety of self or others;
- 3) Any situation that significantly impinges upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- 4) Any situation that is detrimental to the educational interests of the College.

If the Respondent is unknown or is not a member of the College community, the Assistant Vice President for Equity, Diversity and Inclusion will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. In addition, the College may take other actions as appropriate to protect the Complainant against such third parties, such as barring the latter from Institution property and/or events. All vendors serving the College through third-party contracts are subject to the policies and procedures of their employers.

When the Respondent is enrolled in or works at another Institution, Assistant Vice President for Equity, Diversity and Inclusion can assist the Complainant in liaising with the appropriate individual for that Institution, as it may be possible to allege violations through that Institution's policies.

Similarly, the Assistant Vice President for Equity, Diversity and Inclusion may be able to advocate for a student or employee Complainant who experiences discrimination in an internship, study abroad program, or other environment external to the Institution where sexual harassment policies and procedures of the facilitating organization may give recourse to the Complainant. Further, even when the Respondent is a not a member of the Institution's community, supportive measures and resources

can be accessed by contacting the Assistant Vice President for Equity, Diversity and Inclusion.

Policy Scope

The core purpose of this nondiscrimination policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from activities, such as admission, athletics, or employment advancement. Sometimes, discrimination takes the form of harassment or, in the case of sex-based discrimination, encompasses sexual harassment, sexual assault, stalking, sexual exploitation, or dating/domestic violence (i.e. intimate partner violence). When violation of this nondiscrimination policy is reported, the allegations are subject to either the College's Title IX or civil rights grievance procedures. The College's civil rights grievance procedures includes non-Title IX sexual misconduct, which are detailed in sections IV, V, VI and Appendix C.

When the Respondent is a member of the College's community, this policy is applicable regardless of the status of Complainant, who may or may not be a member of the College's community. This community includes, but is not limited to, students,³ student organizations, faculty, administrators, staff, guests, visitors, invitees, campers and third-party vendors/contractors. The procedures below may be applied to incidents, to patterns, and/or to the climate, all of which may be addressed and investigated in accordance with this policy.

Policy on Disability Accommodation and Nondiscrimination

The College is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the College, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself. The Assistant Vice President for Equity, Diversity and Inclusion has been designated as the College's 504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the civil rights procedures outlined below. The party may request disability accommodations during the interview by contacting the investigators or the Assistant Vice President for Equity, Diversity and Inclusion.

A. Students with Disabilities

³ For the purpose of this policy, the College defines "student" as any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and/or who maintains an ongoing relationship with the College.

College is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of the College.

All accommodations are made on an individualized basis. A student requesting any accommodation should first contact Student Disability Services, who can be contacted by phone at (630) 637-5264 or via email at sds@noctrl.edu.

The Coordinator of Student Disability Services reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s).

B. Employees with Disabilities

Pursuant to the ADA, the College will provide reasonable accommodation(s) to all qualified employees with known disabilities when their disability affects the performance of their essential job functions, except when doing so would be unduly disruptive or would result in undue hardship to the College.

An employee with a disability is responsible for submitting a request for an accommodation to Human Resources and providing necessary documentation. Human Resources will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

Policy on Discriminatory Harassment

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

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

Discriminatory harassment constitutes a form of discrimination that is prohibited by College policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law. The College does not tolerate discriminatory harassment of any employee, student, visitor, or guest. The College will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment."

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.⁴ This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive **and** objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, the College may also impose sanctions on the Respondent through application of the civil rights grievance process (for non-Title IX related violations) outlined in Appendix C or through other applicable College policies and processes.

The College also reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature and not based on a protected status through other applicable policies or other informal resolution measures such as respectful conversation, remedial actions, education, and/or restorative resolution processes.

For assistance with Informal or Facilitated Resolution options and other informal resolution techniques and approaches, employees should contact the Assistant Vice President for Equity, Diversity and Inclusion.

Policy on Sexual Harassment (Title IX)

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and Illinois State Law regards Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice. Included in OCR's definition of sexual harassment are the Clery/VAWA Sec. 304 offenses of sexual assault, dating violence, domestic violence and stalking. OCR has limited its Title IX jurisdiction and required grievance procedures to conduct that occurs in an educational program or activity controlled by the College, conduct committed within the United States, and conduct between parties who participate or are attempting to participate in the College's educational program or activity.

The College has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, that fall within Title IX's jurisdictional limitations and is defined as: Conduct on the basis of sex that satisfies one or more of the following:

- 1) Quid Pro Quo:
 - a. an employee of the College,
 - b. conditions the provision of an aid, benefit, or service of the College,
 - c. on an individual's participation in unwelcome sexual conduct; and/or

⁴ This definition of hostile environment is based on Federal Register / Vol. 59, No. 47 / Thursday, March 10, 1994: [Department of Education Office for Civil Rights, Racial Incidents and Harassment Against Students At Educational Colleges Investigative Guidance](#).

2) Sexual Harassment:

- a. unwelcome conduct,
- b. determined by a reasonable person,
- c. to be so severe, and
- d. pervasive, and,
- e. objectively offensive
- f. that it effectively denies a person equal access to the College's education program or activity.⁵

3) Sexual assault, defined as:

a) Sex Offenses, Forcible:

- i) Any sexual act directed against another person,
- ii) without the consent of the Complainant,
- iii) including instances in which the Complainant is incapable of giving consent.⁶

b) Forcible Rape:

- i) Penetration,
- ii) no matter how slight,
- iii) of the vagina or anus with any body part or object, or
- iv) oral penetration by a sex organ of another person,
- v) without the consent of the Complainant.

c) Forcible Sodomy:

- i) Oral or anal sexual intercourse with another person,
- ii) forcibly,
- iii) and/or against that person's will (non-consensually), or
- iv) not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age⁷ or because of temporary or permanent mental or physical incapacity.

d) Sexual Assault with an Object:

- i) The use of an object or instrument to penetrate,
- ii) however slightly,
- iii) the genital or anal opening of the body of another person,
- iv) forcibly,
- v) and/or against that person's will (non-consensually),
- vi) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

e) Forcible Fondling:

⁵ Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

⁶ This definition set is not taken from SRS/NIBRS verbatim. Complainant is substituted for "victim," the language has been made gender neutral, "private body parts" is defined, unlawfully" was removed, and clarifying language was inserted that the College interprets "against the person's will" to mean "non-consensually."

⁷ Per state law.

- i) The touching of the private body parts of another person (buttocks, groin, breasts),
 - ii) for the purpose of sexual gratification,
 - iii) forcibly,
 - iv) and/or against that person's will (non-consensually),
 - v) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - f) Sex Offenses, Non-forcible:
 - i) Incest:
 - 1) Non-forcible sexual intercourse,
 - 2) between persons who are related to each other,
 - 3) within the degrees wherein marriage is prohibited by Illinois State law.
 - ii) Statutory Rape:
 - 1) Non-forcible sexual intercourse,
 - 2) with a person who is under the statutory age of consent is 16 years of age.
- 4) Dating Violence, defined as:
- a. violence,
 - b. on the basis of sex,
 - c. committed by a person,
 - d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
 - i) The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition—
- (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (ii) Dating violence does not include acts covered under the definition of domestic violence.
- 5) Domestic Violence, defined as:
- a. violence,
 - b. on the basis of sex,
 - c. committed by a current or former spouse or intimate partner of the Complainant,
 - d. by a person with whom the Complainant shares a child in common, or
 - e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
 - f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the state of Illinois or
 - g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Illinois.

*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
 - i) would cause a reasonable person to fear for the person's safety, or
 - ii) the safety of others; or
 - iii) Suffer substantial emotional distress.

For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent 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.
- (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- (iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

The College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy. A listing of the range of sanctions per policy violation is listed in Appendix D.

Force, Coercion, Consent, and Incapacitation⁸

As used in the offenses above, the following definitions and understandings apply:

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want.").

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent (Appendix F).

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop,

⁸ The state definition of consent is the State of Illinois, which is applicable to criminal prosecutions for sex offenses in Illinois but may differ from the definition used on campus to address policy violations. Consent 720 ILCS 5/11-1.70 is included in Appendix E for Clery/VAWA Sec. 304 compliance purposes.

or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the College to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM⁹ or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so the College’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

Incapacitation: A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

⁹ Bondage, discipline/dominance, submission/sadism, and masochism.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard which assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

Other Civil Rights and Non-Title IX Offenses

In addition to the forms of sexual harassment described above, which fall within the coverage of Title IX, the College additionally prohibits the following offenses as forms of discrimination outside of Title IX when the act is based upon the Complainant’s actual or perceived membership in a protected class.

The College also prohibits sexual harassment and sexual misconduct not covered by under Title IX’s jurisdictional limits or definitions.

- 1) Sexual Exploitation, defined as: taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:
 - a. Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed);
 - b. Invasion of sexual privacy;
 - c. Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent), including the making or posting of revenge pornography.
- 2) Prostituting another person;
- 3) Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection;

- 4) Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity;
- 5) Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections;
- 6) Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity;
- 7) Knowingly soliciting a minor for sexual activity;
- 8) Engaging in sex trafficking;
- 9) Creation, possession, or dissemination of child pornography;
- 10) Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person;
- 11) Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities;
- 12) Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- 13) Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy contained in the Student Handbook);
- 14) Bullying, defined as:
 - a. Repeated and/or severe
 - b. Aggressive behavior
 - c. Likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally
 - d. That is not speech or conduct otherwise protected by the First Amendment.

Violation of any other College policies may constitute a Civil Rights Offense (e.g. Hate Acts) when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from reprimand through expulsion/termination.

Online Harassment and Misconduct

The policies of the College are written and interpreted broadly to include online and cyber manifestations of any of the behaviors prohibited above, when those behaviors occur in or have an effect on the College education program and activities or use College networks, technology, or equipment.

While the College may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to College, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via Snaps or other social media, unwelcome sexting, revenge porn, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the College community.

Assistant Vice President for Equity, Diversity and Inclusion

The Assistant Vice President for Equity, Diversity and Inclusion serves as the Title IX/504 Coordinator and oversees Title IX and student disability compliance and the Institution's policy on equal opportunity, harassment, and nondiscrimination. The Assistant Vice President for Equity, Diversity and Inclusion has the primary responsibility for coordinating Institution's efforts related to investigation, resolution, and implementation of corrective measures and monitoring to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

The Assistant Vice President for Equity, Diversity and Inclusion or designee oversees all resolutions under this policy and acts to ensure that all Institution representatives act with objectivity and impartiality and are assessed with respect to conflicts of interest and/or potential bias. The Assistant Vice President for Equity, Diversity and Inclusion manages the Title IX Compliance Committee and investigative teams and hearing and appeals panelists, and acts with independence and authority free from bias and conflicts of interest. The members of the investigative team and hearing and appeals panelists are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally. All employees involved in the grievance process are asked to immediately identify potential conflicts. Similarly, concerns of bias, a potential conflict of interest, misconduct, or discrimination by any other members implementing the grievance process should be reported to the Assistant Vice President for Equity, Diversity and Inclusion.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Assistant Vice President for Equity, Diversity and Inclusion manages, contact:

- Dr. Abiodun Goke-Pariola, the Provost and Vice President for Academic Affairs (Old Main 538, agokepariola@noctrl.edu, (630) 637-5354)
- Jessica Brown, Vice President for Student Affairs and Athletics (Old Main 504, jjbrown@noctrl.edu, (630) 637-5153)
- Dr. Donna Carroll (Old Main 424, president@noctrl.edu, (630) 637-5454)

If circumstances require, the Provost and Vice President for Academic Affairs, the Vice President of Student Affairs and Athletics, the College President, or the Assistant Vice President for Equity, Diversity

and Inclusion may designate another person to oversee the grievance process, should an allegation of conflict be made about the Assistant Vice President for Equity, Diversity and Inclusion or the Assistant Vice President for Equity, Diversity and Inclusion be otherwise unavailable or unable to fulfill their duties.

Contacts for this Policy

If you have questions about this Policy, you may contact the Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer, Dr. Rebecca Gordon, at (630) 637-5340 or rgordon@noctrl.edu.

Resources and Reporting Options

The College wants individuals to be aware of what to do following an experience of sexual assault, intimate partner violence (i.e. dating and domestic violence), stalking, sexual, gender-based, or discriminatory harassment, and hate crimes including how to contact law enforcement in an emergency, how to access medical care, and how to preserve evidence. Individuals are encouraged to talk about what occurred with someone who is in a position to provide immediate support and who can assist the individual in identifying resources, options, and to whom to report what occurred so that the Assistant Vice President for Equity, Diversity and Inclusion can respond appropriately. The College has resources that are either confidential or private where individuals can seek support and discuss options.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. Confidential resources are those individuals who will not report any information to others without a release of information and provide support as well as an overview of options, resources, and referrals. Confidential resources will have to report if the person is a risk to themselves or others, or in the event that abuse to minors is being disclosed. On-campus confidential resources include the Dyson Wellness Center advocate, counselors, and medical staff. Off-campus confidential resources include advocacy agencies, mental health care providers, health care providers, and emergency room staff.

Those offices that are considered to be private such as Student Success, Student Affairs Campus Safety, Residence Life, and Office of Multicultural Affairs will only share an individual's information to the extent necessary to report to the Assistant Vice President for Equity, Diversity and Inclusion and the Bias Incident Response Team, and to provide a coordinated response to their concerns.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Assistant Vice President for Equity, Diversity and Inclusion (and/or police, if desired by the Complainant), who will take action when an incident is reported to them. The Assistant Vice President for Equity, Diversity and Inclusion can honor requests for confidentiality or for no action to be taken providing that a safe, non-discriminatory environment can be maintained for the individual and campus community. Otherwise, reports to the Assistant Vice President for Equity, Diversity and Inclusion are considered to be private and information is only shared to the extent necessary to provide supportive measures, referrals, and/or respond to a formal complaint.

Assistance will be provided to individuals who want to make a report to law enforcement but an individual's right or desire not to do so is also respected, barring emergency situations.

Faculty and Staff Reporting Obligations

All College employees have a duty to report discrimination, harassment, sexual misconduct and/or retaliation of which they become aware or suspect, unless they fall under the "Confidential Reporting" below. Employees are encouraged to utilize the online reporting mechanisms or they can contact the Assistant Vice President for Equity, Diversity and Inclusion directly via phone or email.

At the request of a Complainant, notice may be given by a Mandated Reporter to the Assistant Vice President for Equity, Diversity and Inclusion anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves. If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Assistant Vice President for Equity, Diversity and Inclusion on that assessment without revealing personally identifiable information.

Anonymous notice will be addressed or investigated by the College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided. The Mandated Reporter will be asked to provide the Complainant information about options, supportive measures, and resources.

Generally, climate surveys, classroom writing assignments or discussions, human research subjects, research, or events like "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Assistant Vice President for Equity, Diversity and Inclusion, unless the Complainant clearly indicates that they wish a report to be made. Providing students with information about the available resources is encouraged but no formal College action is required.

Failure of a non-confidential employee, as described in this section, to report an incident of discrimination, harassment, sexual misconduct, or retaliation of which they become aware is a violation of College policy and can be subject to disciplinary action for failure to comply. Under no circumstances is an impacted individual required to report discrimination, harassment, sexual misconduct, dating or domestic violence, stalking, and/or retaliation to the person who is the alleged source of/reason for the allegation.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though the College is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

The following sections describe the reporting options at the College for a Complainant or third-party (including parents/guardians when appropriate):

I. REPORTING OPTIONS

A. Local Law Enforcement and Campus Safety

The right of individuals to report to law enforcement is supported, but the College also acknowledges that some individuals do not want to report their experiences with sexual misconduct or bias-related incidents/hate crimes to law enforcement. Any individual who would like to report to law enforcement can be assisted through the Campus Advocate (for sexual misconduct) or Campus Safety.

Naperville Police Department (24/7/365)

Naperville Police Department is located at 1350 Aurora in Naperville and can be contacted by dialing 911 (Emergency) or calling (630) 420-6666 (Non-Emergency) to make a police report.

Campus Safety (24/7/365)

A report can also be made to Campus Safety located in New Hall at 451 S. Brainard and can be contacted by dialing (630) 637-5911 or x5911 on campus. Campus Safety officers can assist with making reports to law enforcement and the Assistant Vice President for Equity, Diversity and Inclusion. Campus Safety can provide transport to the Edward Hospital Emergency Room for a forensic evidence collection exam and post-assault medical care including STI testing. Campus Safety can also provide transportation to the following medical providers: Edward Care at Jewel Osco on Washington, Cadence Care Center at Raymond & Ogden, or CVS Clinic at Ogden & Naper Blvd. Campus Safety can also provide escort to and from on-campus programs, classes, and residence halls.

B. Notice: Reporting to the College

Reports of discrimination, harassment, sexual misconduct and/or retaliation may be made using any of the following options:

Assistant Vice President for Equity, Diversity and Inclusion

Reports can be made regarding allegations of discrimination, harassment, sexual misconduct, and/or retaliation to the Assistant Vice President for Equity, Diversity and Inclusion in person, by phone, through the online reporting form, and via email.

Dr. Rebecca Gordon

Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer

524 Old Main

30 N. Brainard

(630) 637-5340

rgordon@noctrl.edu

The Assistant Vice President for Equity, Diversity and Inclusion works closely with various offices on campus to coordinate the College's response to and support of individuals who experience sexual and gender-based violence and harassment or bias-related incidents/hate crimes. All initial contacts will be treated with privacy: specific information on any allegations received by any party will be reported to the Assistant Vice President for Equity, Diversity and Inclusion, but, subject to the College's obligation to redress violations, every effort will be made to maintain the privacy of those initiating an allegation.

In responding to incidents of discrimination, harassment, sexual misconduct, retaliation, other conduct referenced in this policy, the Assistant Vice President for Equity, Diversity and Inclusion assists individuals with 1) understanding the available options; 2) implementing supportive measures such as changing offices or housing assignments, issuing College No Contact or Trespass Orders, or issuing interim suspensions; 3) obtaining academic assistance, which could include flexible deadlines, excused absences, support of academically related petitions, or retroactive withdrawal from classes; 4) overseeing informal options, facilitated resolution processes, and formal complaint procedures; and 5) referrals to resources. A written summary of rights, options, and resources will be sent via email following the receipt of a report. Supportive measures and academic assistance are available regardless of whether or not a Complainant files a complaint with local law enforcement or the College.

There may be situations or circumstances when a member of the College community is subjected to discrimination, harassment, sexual misconduct and/or retaliation, but does not wish to come forward or pursue an investigation or resolution process, or when a person who observes discrimination, harassment, sexual misconduct and/or retaliation directed at another member of the College community reports it to the Assistant Vice President for Equity, Diversity and Inclusion. Whether reported directly or by a third-party, the Assistant Vice President for Equity, Diversity and Inclusion will do all it can to: 1) respect an individual's desire to make an anonymous or confidential report; 2) to engage in an informal process; or 3) to pursue an investigation.

The Assistant Vice President for Equity, Diversity and Inclusion will evaluate requests for confidential or anonymous reporting and may grant such a request in cases in which there is not a continued individual or community risk for cases of sexual misconduct or bias-related incidents/hate crimes. Regardless, with all reports, supportive measures and remedies may be offered to the Complainant and the community. In cases indicating pattern, predation, multiple offenders, threat, weapons and/or violence, it is unlikely the Assistant Vice President for Equity, Diversity and Inclusion will be able to honor a request for anonymity, confidentiality, or to take no action. If the Assistant Vice President for Equity, Diversity and Inclusion determines that an investigation must be pursued, the Complainant will be informed and can participate in as much or as little of the process as they so choose. The Assistant Vice President for Equity, Diversity and Inclusion will maintain privacy to the extent possible.

Anonymous Reporting (24/7/365)

Anyone wishing to make an anonymous report can contact the Campus Conduct Hotline at (866) 943-5787, which is available **24 hours a day**.

Confidential Reporting

For sexual misconduct/sex/gender-based harassment, the Campus Advocate can receive confidential reports that are only shared as aggregate data for the College's on-campus crime statistics. No personally identifiable information is shared unless permission is granted. The Campus Advocate can also assist with reporting to the Assistant Vice President for Equity, Diversity and Inclusion, and/or law enforcement. The Campus Advocate is housed in the Dyson Wellness Center located at the Benedetti-Werhli Stadium on 455 S. Brainard Street. During normal business hours, the Campus Advocate can be contacted via email at tsifri@noctrl.edu or by phone at (630) 637-5550. The Campus Advocate can be contacted after hours through contacting Campus Safety at (630) 637-5911.

Confidential reporting for sexual misconduct/sex/gender-based harassment or bias-incidents/hate crimes can also be made to the Dyson Wellness Center counselors. For an intake appointment contact (630) 637-5550.

Sexual Misconduct Online Reporting Form

The online reporting form for discrimination, harassment, sexual misconduct and retaliation can be located at: titleixreport.northcentralcollege.edu. The online reporting form can also be accessed from the Title IX website at: <https://www.northcentralcollege.edu/TitleIX>. Online reports can be made by Responsible Employees, individuals impacted by sexual misconduct or third-parties, and will be reviewed by the Assistant Vice President for Equity, Diversity and Inclusion and responded to within 24 hours. Individuals who have experienced sexual misconduct will receive a Title IX outreach letter with a copy of this policy that outlines their options, resources, and rights.

Bias Related Incident Online Reporting Form

The online reporting form for bias-related incidents can be found at: biasincident.northcentralcollege.edu. Online reports can be made by anyone, including witnesses or individuals who have been impacted by the bias-related incident. Bias incident reports will be reviewed by the Bias Incident Response Team (BIRT) and the Assistant Vice President of Equity, Diversity and Inclusion.

The BIRT is a team of representatives from multiple areas of campus and is chaired by Dorothy Pleas, Associate Dean of Students and Director of Multicultural Affairs. The BIRT assists the Assistant Vice President of Equity, Diversity and Inclusion in monitoring bias-related incidents, coordinating the College's response, and providing information about options and referrals. Reporting bias-related incidents allows the College to assist those in need, track patterns of bias and improve our campus climate. Individuals who have reported a bias-related incident will typically be contacted by a member of the Bias Incident Response Team or Assistant Vice President for Equity, Diversity and Inclusion to outline their options, resources, and rights.

Campus Officials with Authority:

The following campus officials can assist with reporting and referrals to the Assistant Vice President for Equity, Diversity and Inclusion.

Deputy Title IX Coordinators:

- Dr. Stephen Maynard Caliendo, Dean of the College of Arts and Sciences (Goldspohn Hall, 31 N Loomis, Room 19C, smcaliendo@noctrl.edu, (630) 637-5344)
- Sharon Merrill, Director of Human Resources (Old Main, 30 N Brainard, Suite 507, semerrill@noctrl.edu, (630) 637-5718)

Student Affairs:

- Dorothy Pleas, Associate Dean of Students and Director of Multicultural Affairs (Old Main, 30 N Brainard, Room 525, djpleas@noctrl.edu, (630) 637- 5156)
- Steve Weaver, Dean of Students (Old Main, 30 N Brainard, Suite 501, sgweaver@noctrl.edu, (630) 637-5152)

Campus Safety:

- Campus Safety: Officer on Call (630) 637-5911, 24-hours
- Ashley Klco, Director of Campus Safety (630) 637-5912, M-F: 8:00 a.m. - 4:30 p.m.

President and Cabinet Members:

- College President (Old Main 424, president@noctrl.edu, (630) 637-5454)
- Dr. Abiodun Goke-Pariola, the Provost and Vice President for Academic Affairs (Old Main 538, agokepariola@noctrl.edu, (630) 637-5354)
- Jessica Brown, Vice President for Student Affairs and Athletics (Old Main 504, jjbrown1967@noctrl.edu, (630) 637-5153)

Office of Multicultural Affairs (Bias-Incident Reporting)

For individuals who have experienced or witnessed a bias-related incident, discrimination, or hate crime, staff in the Office of Multicultural Affairs can assist in reporting the incident to the College, outlining options, providing support, and referring reporters to resources. Staff in the Office of Multicultural Affairs can assist the student in making a bias incident report and reporting the incident to Campus Safety and/or local law enforcement. Staff can also assist students with informal resolutions such as providing feedback to the department or unit on behalf of the Complainant, providing education or training about the impact of bias and microaggressions, or facilitating a dialogue between the student and other party. Based on student reports, the Associate Dean of Students and Director of Multicultural Affairs collaborates with the Assistant Vice President for Equity, Diversity and Inclusion to implement interventions and initiatives to improve climate issues.

Privacy

Allegations involving discrimination, harassment, sexual misconduct and/or retaliation are particularly sensitive and demand special attention to issues of privacy. Those responsible for carrying out procedures in this policy will respect and preserve the privacy of the individuals involved, to the extent reasonably possible and mandated by law.¹⁰ The College will not share the identity of any

¹⁰ For the purpose of this policy, privacy and confidentiality have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of the College's employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the College's response to notice under this policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the College's FERPA policy. The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. The College has designated individuals who have the ability to have privileged communications as Confidential Resources. For more information about Confidential Resources, see page 25. When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clery Act. Other information may be shared as required by law.

individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Absolute confidentiality may not be possible in all circumstances, including when the Assistant Vice President for Equity, Diversity and Inclusion is required to disclose information in response to legal proceedings or when the need to protect the safety of others must outweigh privacy concerns. In addition, College personnel responsible for handling or investigating these matters may consult with legal counsel at any point during the process.

The College reserves the right to designate which College officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA). As such, only a small group of officials who need to know will typically be told about the complaint, including but not limited to: The Office of Equity, Diversity and Inclusion, Division of Student Affairs, Campus Safety, Behavioral Intervention Team, and/or Bias Incident Reporting Team. Information will be shared as necessary with Investigators, Hearing Panel members/Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The College may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

The parties and witnesses involved in an allegation of discrimination, harassment, sexual misconduct and/or retaliation are encouraged to keep the matter as private as is reasonably possible. Faculty and staff involved in the investigation are expected to maintain privacy, subject to College consequences for failure to do so. For the parties, the College does not prevent the re-disclosure of information related to the outcome of the investigation or appeal. The parties have discretion to share their own experiences if they so choose. It is recommended that the parties discuss disclosures with their advisors in order for those disclosures not to adversely impact the other party.

Time Limits on Reporting

There is no time limitation on providing notice/complaints to the Assistant Vice President for Equity, Diversity and Inclusion. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Assistant Vice President for Equity, Diversity and Inclusion, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, the College will typically apply the policy in place at the time of the alleged misconduct and the procedures in place typically at the time of notice/complaint.

Reporting Structural or Procedural Concerns

The campus community benefits from an environment in which concerns are shared regarding potential structures or procedures which might result in discrimination or bias. The exchange of ideas and problem solving serves an educative function and contributes to the climate of fairness and respect for all members of the College community. When concerns about specific behaviors rise to the level of potential discrimination or bias, the parties should consider sharing their concerns with the administrators noted above, a supervisor, and/or with the relevant group or program on campus that serves as a resource for communication (i.e., faculty or student governance, the Welfare and Benefits Committee).

When a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Assistant Vice President for Equity, Diversity and Inclusion, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Assistant Vice President for Equity, Diversity and Inclusion has ultimate discretion over whether the College proceeds when the Complainant does not wish to do so, and the Assistant Vice President for Equity, Diversity and Inclusion may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Assistant Vice President for Equity, Diversity and Inclusion's decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires the College to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The College may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Assistant Vice President for Equity, Diversity and Inclusion must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the College's ability to pursue a Formal Grievance Process fairly and effectively.

When the Assistant Vice President for Equity, Diversity and Inclusion executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the College proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant.

Note that the College's ability to remedy and respond to notice may be limited if the Complainant does not want the College to proceed with an investigation and/or grievance process. The goal is to provide

the Complainant with as much control over the process as possible, while balancing the College's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the College to honor that request, the College will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the College and to have the incidents investigated and properly resolved through these procedures.

II. RESOURCES FOR THOSE WHO EXPERIENCE SEXUAL MISCONDUCT OR BIAS-RELATED ASSAULT/HATE ACTS

A. Procedures to Follow After Experiencing Sexual Misconduct or Bias-Related Assault/Hate Crimes

The following are suggested options after experiencing sexual misconduct or bias-related assaults/hate crimes. These options are not listed in a stepwise order so some options may be pursued and not others.

Procedures to follow:

- **If you are in immediate danger, call 911 for assistance from local law enforcement**
- **Get to a safe and secure location as soon as you can and lock the door**
- **If you are on campus and have continued safety concerns contact:**
 - **Naperville Police Non-emergency number (630) 420-6666 (24/7/365),**
 - **Campus safety (630) 637-5911 (24/7/365) or,**
 - **Area Hall Director on call (630) 816-5298 (24/7/365 for students living on campus).**
- **Contact a friend, family member or support person, tell them what happened and have them come to your location**
- **Seek medical assistance as soon as possible**

Getting medical attention is important for addressing the physical consequences of any type of sexual violence or physical assault, even if you do not wish to seek criminal prosecution. In cases of sexual assault, seeking medical attention within 24 hours of a sexual assault is the most ideal for medical and prophylactic treatment, however evidence can be collected from the body for up to 120 hours after an assault, and from clothing and other items for much longer. Individuals who experience sexual violence or physical assaults can have health issues that include bruising, cuts, abrasions, internal injuries not readily apparent, or broken bones. Individuals who have experienced sexual assault can also have additional health concerns that could include tearing or bruising of the labia, vaginal or anal wall, urethra; sexually transmitted infections such as chlamydia, gonorrhea, herpes and HIV; and pregnancy.

Campus Safety can provide transport to the Edward Hospital Emergency Room for a forensic evidence collection exam and post-assault medical care including STI testing. Campus Safety can also provide transportation to the following medical providers: Edward Care at Jewel Osco on Washington, Cadence Care Center at Raymond & Ogden, or CVS Clinic at Ogden & Naper Blvd. Campus Safety can also assist

with securing the scene for evidence collection, making a report to law enforcement, making a report to the Assistant Vice President for Equity, Diversity and Inclusion, and reaching confidential on-campus resources after business hours.

Sources for Medical Care

Edward Hospital Emergency Room is located at 801 S. Washington Street, Naperville, IL. Their number is (630) 527-3000 (Main Switch Board) and they are open 24 hours for response to physical and sexual assault.

The Edward Hospital Emergency Room is staffed by sexual assault nurse examiners (SANE) and will contact the YWCA to dispatch a medical advocate to provide information and support during the ER visit. The ER can provide emergency and follow-up health care following a sexual assault, which includes prophylactic treatment for STIs, emergency contraception, test for date-rape drugs, and can conduct a forensic exam to collect physical evidence. The emergency room visit is free of charge when paperwork is completed with a YWCA medical advocate. The emergency room staff will contact the Naperville Police Department in cases of sexual assault though the individual can decline to talk with them. Treatment and testing is provided regardless of whether a police report is filed.

The Dyson Wellness Center (DWC) is located at 455 S. Brainard Street on the 2nd floor of the Benedetti-Wehrli Stadium and open during normal business hours. The DWC also offers confidential medical consultations, referrals and low-cost STI testing. Appointments can be made by calling (630) 637-5550.

Off-Campus STI Testing Options

If an individual does not wish to go to the emergency room, there are alternative options for STI testing. Below is a list of options within 10 miles of North Central College.

- DuPage County Health Department: Appointments are required and can be made via telephone (630) 682-7400
- Planned Parenthood: Appointments are required and can be made online or via telephone (630) 585-0500
- Open Door Health Center of Illinois: Appointments are required and can be made online or via telephone (630) 264-1819
- VNA Health Center: Walk-ins welcomed, but appointments can be made online or via telephone (630) 892-4355

Evidence Preservation

After experiencing sexual misconduct, discriminatory, sexual or gender-based harassment, bias incident or a hate crime, preserving evidence is important to assist in criminal prosecution, an investigation, and/or obtaining civil orders of protection or no contact orders, even if you are undecided about what courses of action you want to pursue.

Forensic Evidence Collection for Sexual Assault

- Secure the room or location where the sexual assault occurred (if possible) without disturbing anything. If you need assistance securing an on-campus room or location for evidence

collection, call Campus Safety – (630) 637-5911. Do not allow anyone else to enter until law enforcement arrives.

- Preserve all physical evidence and take pictures or screen shots.
- It is best not to bathe, shower, urinate, douche or use a toothbrush. Do not wash or discard any articles of clothing worn during the sexual assault, however, evidence can still be obtained even if you shower or wash.
- If you suspect a rape drug has been used, do not urinate and ask the health care provider to take a urine sample immediately.
- Evidence can be collected up to 120 hours post sexual assault, or longer in some cases, through the forensic evidence collection process conducted in the Emergency Room. Keep the same clothes on if you are still wearing what you had on during the assault. The Emergency Room will provide you with scrubs or sweats or you can have someone bring clothes. Otherwise, bring the clothes with you to the Emergency Room in a clean paper bag or bedsheet, not wrapped in plastic.

General Evidence Collection

- In the cases such as battery, property damage, vandalism, Contact Campus Safety (630) 637-5911 for evidence collection or documentation. Campus Safety can also secure the location for evidence collection and documentation by local law enforcement.
- Try to remember any helpful details that can corroborate your account of events (e.g. what time you arrived, what time the other person arrived, who saw them with you, what other friends were there). Write details down as soon as you remember them even if they seem irrelevant like who was there, description of the location, and what you saw, felt, smelled, and heard.
- If you don't know the identity of the other person, try to remember what they were wearing, who they came with or seemed to know them, any identifying marks, jewelry, and clothing.
- Save emails, texts, snap chats, voice mails, any messages sent over social media, and written notes. If these are disturbing to you, forward to a friend to be the repository of the information or College official like the Campus Advocate (for sexual misconduct), Campus Safety, or Assistant Vice President for Equity, Diversity and Inclusion.
- Take pictures of any physical injuries or damage to property.
- Keep a record of witnesses or people you informed of what was happening.
- Keep a record of all the incidents with date, time and description of abusive, harassing, or threatening behavior, and email it to yourself or a trusted friend in order to have a time stamp.

B. Confidential Advocacy and Counseling

On-Campus Confidential Resources

Faculty, Staff and Students

For sexual misconduct/sex/gender-based harassment, the Campus Advocate available through the Dyson Wellness Center offers confidential support services and advocacy. The Campus Advocate can be contacted at (630) 637-5550 during normal business hours and can be contacted after hours through calling Campus Safety. The Campus Advocate provides technical assistance to anyone who has experienced sexual violence, dating or domestic violence, and stalking. The Campus Advocate can provide an overview of all the on- and off-campus options available to anyone who has experienced sexual misconduct, assist with pursuing civil orders of protection or no contact orders, provide safety

planning, facilitate immigration status assistance, access changes in housing assignments, help with reporting to the Assistant Vice President for Equity, Diversity, and Inclusion and/or law enforcement, and help with anonymous or confidential reporting to the College for purposes of maintaining accurate crime statistics. The Campus Advocate can serve as the advisor of choice and attend all meetings that are part of on and off campus processes. Individuals may request to be contacted by the Campus Advocate.

Students

The professional counselors at the Dyson Wellness Center can provide free, short-term, confidential counseling and/or referrals to off-campus mental health providers. An intake appointment can be made by calling 630-637-5550. Counseling services hours are Monday and Wednesday, 8:00 a.m. - 6:30 p.m. and Thursday and Friday, 8:00 a.m. - 4:30 p.m.

When classes are not in session, the Dyson Wellness Center's hours are Monday - Friday 8:00 a.m. - 4:30 p.m. On campus holidays, the Dyson Wellness Center will be closed.

Faculty and Staff

For sexual misconduct/sex/gender-based harassment, discriminatory harassment, or hate/bias crimes, Perspectives Employee Assistance Program provides free and confidential support and counseling services to North Central College Employees. Perspectives EAP is available 24/7 and can be accessed over the phone, in person and online. Master's and Doctorate-level EAP counselors can answer questions, provide counseling, or assist you with referrals. Call (800) 456-6327. In person appointments can be made by calling (800) 456-6327, 8:00 a.m. - 6:00 p.m. weekdays. Perspectives also provides access to specialists who will outline options and provide referrals for financial or legal assistance. Information can also be obtained online through perspectivesltd.com through user name: NCC700 and password: perspectives.

Off-Campus Confidential Resources (Sexual Misconduct)

YWCA Metropolitan Chicago Patterson and McDaniel Family Center **(confidential)**

2055 West Army Trail Road, Suite 140

Addison, IL 60101

Sexual Violence Support Services

Provides counseling to sexual assault survivors of all genders, medical advocacy for Edward Hospital Emergency Room and legal advocacy through police and court proceedings.

www.ywcachicago.org or (630) 790-6660

Rape Crisis Hotline: (630) 971-3927, 24-hours

Metropolitan Family Service- Healing from Domestic Abuse **(confidential)**

Offers comprehensive programs and services. Provides family shelter service for women and children, assistance with obtaining orders of protection through its Court Advocacy Office, offers support groups, and provides individual services and case management.

www.familyshelterservice.org or (630) 469- 5650

Mutual Ground **(confidential)**

Offers services for domestic violence and sexual assault. Sexual assault services include individual counseling sessions and support groups. Crisis intervention advocates for domestic violence assist with providing crisis support, identifying options, and assistance obtaining orders of protection. Mutual

Ground also oversees a shelter.

www.mutualground.org

Domestic Violence Hotline (630) 897-0080

Sexual Assault Hotline (630) 897-8383

DuPage County Health Department Behavioral Health Services **(confidential)**

111 N. County Farm Road, Wheaton, IL 60187

Intake Appointment: (630) 682-7400

Monday-Friday, 8:00 a.m. - 5:30 p.m.

Crisis Services: (630) 627-1700, 24-hours

Off-Campus Confidential Resources (General)

DuPage County Health Department Behavioral Health Services **(confidential)**

111 N. County Farm Road, Wheaton, IL 60187

Intake Appointment: (630) 682-7400

Monday-Friday: 8:00 a.m. - 5:30 p.m.

Crisis Services: (630) 627-1700, 24-hours

Northwestern Medicine Behavioral Health Services **(confidential)**

27W350 High Lake Road, Winfield, IL 60190

Main Number: (630) 933-4000

Behavioral Health 24/7 Hotline: (866) 242-0111

www.nm.org/locations/winfield-behavioral-health

Monday-Thursday: 8:00 a.m. - 7:00 p.m., Friday: 8:00 a.m. - 4:30 p.m.

Assessment by appointment only

Advocate Good Samaritan Hospital Center for Mental Health **(confidential)**

3815 Highland Avenue, Downers Grove, IL 60515

(630) 257-6000

www.advocatehealth.com/gsam/health-services/behavioral-health-care/

Monday-Thursday: 8:00 a.m. - 6:00 p.m., Friday: 8:00 a.m. - 4:00 p.m.

NAMI of DuPage (National Alliance on Mental Illness)

115 N. County Farm Road, Wheaton, IL 60187

(630) 752-0066

<http://namidupage.org/>

Monday-Friday: 9:00 a.m. - 4:00 p.m.

YWCA Metropolitan Chicago Patterson and McDaniel Family Center **(confidential)**

2055 West Army Trail Road, Suite 140

Addison, IL 60101

Counseling Services

www.ywcachicago.org or (630) 790-6660 x1407

III. SUPPORTIVE AND INTERIM MEASURES

Prompt reporting of discrimination, harassment, sexual misconduct and/or retaliation as defined in this

policy is strongly encouraged, as it facilitates the College's ability to deploy the most effective response to stop and mitigate the impact of the discriminatory conduct, provide supportive measures, and expedite a resolution of an allegation. The Assistant Vice President for Equity, Diversity and Inclusion may decide to investigate and take appropriate action in response to all complaints related to the College regardless of when or where the alleged conduct occurred.

The ability of the Assistant Vice President for Equity, Diversity and Inclusion to respond may be limited if the Respondent is no longer a member of the North Central College community or if the report is received anonymously. If a College staff member or faculty member wishes to leave North Central College with an allegation of misconduct pending, the Assistant Vice President for Equity, Diversity and Inclusion may continue to investigate and resolve the allegations through the outlined resolution procedures. Students with an allegation of misconduct pending will not be permitted to withdraw from the College until all allegations are resolved.

Any member of the College community, faculty, staff, student, guest, or visitor who wishes to file a formal complaint with College regarding an incident of discrimination, harassment, sexual misconduct or retaliation as defined by this policy should first bring this matter to the Assistant Vice President for Equity, Diversity and Inclusion. Formal complaints must be made in writing and signed by the Complainant or the Assistant Vice President for Equity, Diversity and Inclusion.

A. Supportive Measures

The College will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the College's education program or activity, including measures designed to protect the safety of all parties or the College's educational environment, and/or deter harassment, discrimination, and/or retaliation. Such accommodations and/or protective measures are made available upon request by the Complainant regardless of whether the victim chooses to report the crime to campus police or local law enforcement or files a formal complaint with the College.

The Assistant Vice President for Equity, Diversity and Inclusion promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the Assistant Vice President for Equity, Diversity and Inclusion will inform the Complainant, in writing, that they may file a formal complaint with the College either at that time or in the future, if they have not done so already. The Assistant Vice President for Equity, Diversity and Inclusion works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The Assistant Vice President for Equity, Diversity and Inclusion will maintain the privacy of the supportive measures, provided that privacy does not impair the College's ability to provide the supportive measures. The College will act to ensure as minimal an academic impact on the parties as possible. The College will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to campus advocacy, counseling, medical, and/or other healthcare services
- Referral to Perspectives, the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, excused absences, remote access, negotiating incompletes, or other course/program-related adjustments
- College No Trespass Orders
- College No Contact Orders
- Timely warnings
- Class schedule modifications or withdrawals
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Assistant Vice President for Equity, Diversity and Inclusion

Violations of no contact orders will be referred to appropriate student, faculty, or staff processes for enforcement.

B. Emergency Removal

The College can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Assistant Vice President for Equity, Diversity and Inclusion in conjunction the Behavioral Intervention Team (BIT) using its standard objective violence risk assessment procedures. The recommendations are made to the appropriate Vice President and/or College President.

In all cases in which an emergency removal is imposed, the student, faculty, or staff will be given notice of the action and the option to request to meet with the Assistant Vice President for Equity, Diversity and Inclusion prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested within three days, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Assistant Vice President for Equity, Diversity and Inclusion determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from

allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Assistant Vice President for Equity, Diversity and Inclusion for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

Upon the conclusion of this meeting, the Assistant Vice President for Equity, Diversity and Inclusion will consult with the appropriate Vice President and potentially legal counsel to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

The College will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Assistant Vice President for Equity, Diversity and Inclusion, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's, faculty or staff members access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an (paid or unpaid) administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Assistant Vice President for Equity, Diversity and Inclusion, alternative coursework options or remote instruction may be pursued to ensure as minimal an academic impact as possible on the parties.

C. Additional Individual and Community Remedies:

Imposing sanctions on the Respondent found in violation of the policy may not be sufficient to eliminate a hostile environment or create a safe campus environment for the College. Consequently, additional community remedies may be necessary. These may include:

- Providing increased monitoring, supervision, or security at locations or activities where misconduct has occurred;
- Offering comprehensive, holistic services to the Complainant such as medical, counseling, advocacy support, and academic support services;
- Training or re-training College employees on how to effectively handle reports of discrimination, harassment, sexual misconduct, and/or retaliation;
- Developing additional resources;
- Conducting bystander training or prevention programs;
- Re-issuing policy statements or taking additional steps to communicate that the College does not tolerate discrimination, harassment, sexual misconduct, or retaliation and will take steps to respond to any and all reports;
- Conducting climate surveys or focus groups; and
- Conducting targeted training for specific student groups or employees.

Amnesty for Complainant and Witnesses

Complainants, third-party reporters, and witnesses are encouraged to report misconduct and crimes. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the College community that Complainants choose to report misconduct to College officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the College maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a Respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to a Respondent with respect to a Complainant.

Federal Timely Warning Obligations

Parties reporting sexual misconduct should be aware that under the Clery Act, College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. For the person who experienced the sexual misconduct, every effort will be made to ensure that their name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities - have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). Campus Security Authorities include: student affairs/student conduct staff, [campus law enforcement/public safety/security], local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities. Campus Security Authorities are required to report the following:

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- b) Hate crimes, which include any bias motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- c) VAWA¹¹-based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and

¹¹ VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040.

- d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on- or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the person who experienced the sexual misconduct and may be done anonymously.

Reports Made by Third-Parties

In cases where the alleged violation is reported by a third-party, the Complainant will be notified by the Assistant Vice President for Equity, Diversity and Inclusion that a report has been received. The Assistant Vice President for Equity, Diversity and Inclusion and/or responsible administrator will offer to meet with the Complainant to discuss options and available support resources. If the allegation was received electronically, information will be sent to the individual submitting the report through the bounce back message that provides information and links to campus resources, policy, rights, and options.

Parental Notification (allegations involving students)

The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or student conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations.

When a student is non-dependent, the College may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The College also reserves the right to designate which College officials have a need to know about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Retaliation Prohibited

Retaliation is defined as any materially adverse action taken against an individual because of their participation in a protected activity such as alleging harassment or discrimination, supporting a party bringing an allegation, or for assisting in providing information relevant to a claim of harassment or discrimination. Retaliatory actions include, but are not limited to, threats or actual violence against the person or their property, adverse educational or employment consequences, ridicule, intimidation, bullying or ostracism. Retaliation is a serious violation of College policy and will be treated as another possible instance of harassment or discrimination that is investigated, with violations resulting in additional sanctions. Acts of alleged retaliation should be reported immediately to the Assistant Vice President for Equity, Diversity and Inclusion and will be promptly addressed. The Assistant Vice President for Equity, Diversity and Inclusion is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

Some examples/scenarios of Retaliation include:

- A student-athlete files an allegation about sexual harassment by a coach; the coach subsequently cuts the student-athlete's playing time in half without a legitimate justification.
- A faculty member complains of gender inequity in pay within her department; the Department Chair then revokes his prior approval allowing her to attend a national conference, citing the faculty member's tendency to "ruffle feathers".
- A member of a student organization participates in a bias-related incident hearing about the organization president; the student member is subsequently removed as a member of the organization because he participated in the hearing.

False Allegations

Deliberately false and/or malicious accusations of harassment, as opposed to allegations which, even if erroneous, are made in good faith, are just as serious an offense as harassment and will be subject to investigation and appropriate disciplinary action.

Additionally, witnesses and parties providing knowingly false evidence or deliberately misleading an official conducting an investigation may be subject to discipline under College policy.

IV. COLLEGE RESPONSE TO NOTICE AND/OR COMPLAINTS

Overview of Response Options for Complainants

In addition to supportive measures, the College offers options for Complainants who provide notice or file a complaint with the Assistant Vice President for Equity, Diversity and Inclusion. Complainants can pursue informal options, grievance procedures, or facilitated resolution process (described in section VII). These options will be described in this section.

A. Informal Actions

When a Complainant believes that they have been subjected to behaviors that would be prohibited under this policy, it should be addressed as soon as possible. It is important for the College to have the opportunity to stop the behaviors that are being experienced before a hostile environment is created. While in many cases informal actions can be taken that will effectively stop the behavior or actions; informal actions are never required to resolve a concern. If the attempts made by the Complainant do not stop the misconduct, or if the Complainant does not feel that they can confront the individual engaging in the conduct or needs help in the process, then the Assistant Vice President for Equity, Diversity and Inclusion can assist in identifying the appropriate College Authority to address the issue. Examples of informal action include:

- Providing feedback about the impact of the behavior on the Complainant through Dean of Students, Department Chair, Dean, Human Resources or Vice President;
- The Respondent accepts responsibility for violating the policy and desires to accept a sanction; or
- The matter is resolved through the provision of supportive measures to remedy the situation.

It is not necessary to pursue Informal Actions first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Actions, the College will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the College. The College will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Actions before proceeding and will not pressure the parties to participate in Informal Actions.

For allegations of discrimination involving the Promotion and Tenure Committee, the first and last options would not apply. Resolution of complaints made against the Promotion and Tenure Committee would require a grievance process in order to determine if actions and/or decisions were discriminatory in nature.

B. Filing a Formal Complaint

A formal complaint requires a document filed/signed by the Complainant or signed by the Assistant Vice President for Equity, Diversity and Inclusion alleging a policy violation by a Respondent and requesting that the College investigate the allegation(s). A complaint may be filed with the Assistant Vice President for Equity, Diversity and Inclusion in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint.

If notice is submitted in a form that does not meet this standard, the Assistant Vice President for Equity, Diversity and Inclusion will contact the Complainant to ensure that it is filed correctly.

This policy contains the grievance procedure the Department of Education’s Office of Civil Rights, Department of Education requires in response to Title IX and qualifying VAWA offenses under Title IX (i.e. sexual assault, dating violence, domestic violence and stalking) and the grievance procedures for Civil Rights and non-Title IX sexual misconduct grievance. Formal complaints may include violations of other policies. Determinations may be made concurrently about those associated policy violations through the formal complaint and the grievance procedures outlined in this policy.

Notice/Complaint

Upon receipt of a complaint or notice to the Assistant Vice President for Equity, Diversity and Inclusion of an alleged violation of the Policy, College initiates a prompt initial assessment to determine the next steps the College needs to take.

The College will initiate at least one of three responses:

- 1) Offering supportive measures because the Complainant does not want to proceed formally; and/or
- 2) An informal resolution; and/or
- 3) A Formal Grievance Process including an investigation and a hearing.

The investigation and grievance process will determine whether or not the Policy has been violated. If so, the College will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

Promptness

All allegations are acted upon promptly by the College once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the College will avoid all undue delays within its control.

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

Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this Policy, the Assistant Vice President for Equity, Diversity and Inclusion¹² engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

- If notice is given, the Assistant Vice President for Equity, Diversity and Inclusion seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
 - If they do not wish to do so, the Assistant Vice President for Equity, Diversity and Inclusion determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
- If a formal complaint is received, the Assistant Vice President for Equity, Diversity and Inclusion assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Assistant Vice President for Equity, Diversity and Inclusion reaches out to the Complainant to offer supportive measures.
- The Assistant Vice President for Equity, Diversity and Inclusion works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Assistant Vice President for Equity, Diversity and Inclusion works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
 - If a supportive and remedial response is preferred, the Assistant Vice President for Equity, Diversity and Inclusion works with the Complainant to identify their wishes and

¹² If circumstances require, the President or Assistant Vice President for Equity, Diversity and Inclusion will designate another person to oversee the process below should an allegation be made about the Assistant Vice President or the Assistant Vice President be otherwise unavailable or unable to fulfill their duties.

then seeks to facilitate implementation. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.

- If an informal resolution option is preferred, the Assistant Vice President for Equity, Diversity and Inclusion assesses whether the complaint is suitable for informal resolution, [which informal mechanism may serve the situation best or is available] and may seek to determine if the Respondent is also willing to engage in informal resolution.
- If a Formal Grievance Process is preferred, the Assistant Vice President for Equity, Diversity and Inclusion determines if the misconduct alleged falls within the scope of Title IX:
 - If it does, the Assistant Vice President for Equity, Diversity and Inclusion will initiate the formal investigation and grievance process, directing the investigation to address:
 - an incident, and/or
 - a pattern of alleged misconduct, and/or
 - a culture/climate issue, based on the nature of the complaint.
 - If it does not, the Assistant Vice President for Equity, Diversity and Inclusion determines that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any), assesses which College policies may apply, and refers the matter for resolution under the Civil Rights and Non-Title IX grievance procedures or to the appropriate College processes. Please note that dismissing a complaint under Title IX is just procedural and does not limit the College’s authority to address a complaint with an appropriate process and remedies.

Violence Risk Assessment

In many cases, the Assistant Vice President for Equity, Diversity and Inclusion may determine that a Violence Risk Assessment (VRA) should be conducted by the Behavioral Intervention Team (BIT) as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
- Whether the Assistant Vice President for Equity, Diversity and Inclusion should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether to put the investigation on the footing of incident and/or pattern and/or climate;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Whether to impose transcript notation or communicate with a transfer College about a Respondent;
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term

used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other Behavioral Intervention Team (BIT) team members. A VRA authorized by the Assistant Vice President for Equity, Diversity and Inclusion should occur in collaboration with the BIT or threat assessment team. Where a VRA is required by the Assistant Vice President for Equity, Diversity and Inclusion, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

Dismissal (Mandatory and Discretionary)¹³

The Assistant Vice President for Equity, Diversity and Inclusion must engage in a review process of formal complaints to evaluate if a formal complaint fits within the parameters for Title IX as established by the Department of Education's Office for Civil Rights. A formal complaint or any allegations therein must be dismissed if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the formal complaint would not constitute sexual harassment as required by the Department of Education's Office of Civil Rights and defined in the Policy hereinabove, even if proved; and/or
- 2) The conduct did not occur in an educational program or activity controlled by the College (including buildings or property controlled by recognized student organizations), and/or the College does not have control of the Respondent; and/or
- 3) The conduct did not occur against a person in the United States; and/or
- 4) At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the College.

The College may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- 1) A Complainant notifies the Assistant Vice President for Equity, Diversity and Inclusion in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- 2) The Respondent is no longer enrolled in or employed by the College; or
- 3) Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the College will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

¹³ These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR Part 106.45.

This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

Discrimination, harassment, sexual misconduct, and retaliation policy violations that are dismissed as not qualifying as Title IX violations still can still be pursued under this policy through the civil rights/sexual misconduct grievance process, which includes an investigation as outlined below, a determination of findings and sanctions by the investigative team (See Appendix C), and appeals process described below.

Counterclaims

The College is obligated to ensure that the grievance process is not abused for retaliatory purposes. The College permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Assistant Vice President for Equity, Diversity and Inclusion. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

C. Right to an Advisor

The parties may each have an Advisor¹⁴ of their choice present with them for all meetings and interviews within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.¹⁵

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

The College may permit parties to have more than one Advisor upon special request to the Assistant Vice President for Equity, Diversity and Inclusion. The decision to grant this request is at the sole discretion of the Assistant Vice President for Equity, Diversity and Inclusion and will be granted equitably to all parties.

Who Can Serve as an Advisor?

¹⁴ This could include an attorney, advocate, or support person. The law permits one Advisor for each party (witnesses are not entitled to Advisors within the process, though they can be advised externally).

¹⁵ “Available” means the party cannot insist on an Advisor who simply doesn’t have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

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

The Assistant Vice President for Equity, Diversity and Inclusion will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from the College, the Advisor will be trained by the College and be familiar with the College's resolution process.

If the parties choose an Advisor from outside the pool of those identified by the College, the Advisor may not have been trained by the College and may not be familiar with College policies and procedures.

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

Advisors in Hearings/College-Appointed Advisor

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, the College will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

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

Advisor's Role

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

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

Pre-Interview Meetings

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and College's policies and procedures.

Advisor Violations of College Policy

All Advisors are subject to the same College policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not

address College officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross-examination.

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

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

Sharing Information with the Advisor

The College expects that the parties may wish to have the College share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The College also provides a consent form that authorizes the College to share such information directly with their Advisor. The parties must either complete and submit this form to the Assistant Vice President for Equity, Diversity and Inclusion or provide similar documentation demonstrating consent to a release of information to the Advisor before College is able to share records with an Advisor.

If a party requests that all communication be made solely through their attorney Advisor, the College will not comply with that request.

Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. College may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

Expectations of an Advisor

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

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

Expectations of the Parties with Respect to Advisors

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

The parties are expected to provide timely notice to the Assistant Vice President for Equity, Diversity and Inclusion if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Assistant Vice President for Equity, Diversity and Inclusion of the identity of their hearing Advisor at least two (2) business days before the hearing.

Resources for Securing an External Advisor

For representation, Respondents may wish to contact organizations such as:

- Illinois State Bar Association (<https://www.isba.org/>)
- IllinoisLawyerFinder (<https://www.isba.org/public/illinoislawyerfinder>)
- Families Advocating for Campus Equality (FACE) (<http://www.facecampusequality.org>)

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim's Bar Association.]
- The Time's Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund/>]

D. Formal Grievance Process

Rights of the Parties (See Appendix B)

Notice of Investigation and Allegations

The Assistant Vice President for Equity, Diversity and Inclusion will provide written notice of the investigation and allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,

- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that the College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about the College's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that the College's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to the College's Sexual Misconduct or Civil Rights Resource Brochure,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Assistant Vice President for Equity, Diversity and Inclusion any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

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

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

Resolution Timeline

The College will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Assistant Vice President for Equity, Diversity and Inclusion, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

Appointment of Investigators

Once the decision to commence a formal investigation is made, the Assistant Vice President for Equity, Diversity and Inclusion appoints Pool members to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

Ensuring Impartiality

Any individual materially involved in the administration of the resolution process, including the Assistant Vice President for Equity, Diversity and Inclusion, Investigator(s), and Decision-maker(s), may

neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Assistant Vice President for Equity, Diversity and Inclusion will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Assistant Vice President for Equity, Diversity and Inclusion will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Assistant Vice President for Equity, Diversity and Inclusion, concerns should be raised with:

- Dr. Abiodun Goke-Pariola, the Provost and Vice President for Academic Affairs (Old Main 538, agokepariola@noctrl.edu, (630) 637-5354)
- Dr. Jessica Brown, Vice President for Student Affairs and Athletics (Old Main 504, jjbrown1967@noctrl.edu, (630) 637-5153)
- Dr. Donna Carroll (Old Main 424, president@noctrl.edu, (630) 637-5454)

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

The College operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof of preponderance of the evidence.

Investigation Timeline

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

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

Delays in the Investigation Process and Interactions with Law Enforcement

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

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

College action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced. While the College's resolution procedures are separate, the Assistant Vice President for Equity, Diversity and Inclusion will make every effort to cooperate with active criminal investigations and may delay initiation of an investigation in order to allow law enforcement the opportunity to complete the evidence collection process without disruption. The College also cooperates with requests for records in response to subpoenas issued by law enforcement or the States Attorney's Office. The College will provide incident reports, witness statements, evidence gathered in an investigation, investigative reports, or other information that is included in the scope of the subpoena to the degree allowable by state and federal statutes. Decisions made or sanctions/remedies imposed through these complaint resolution procedures are not automatically subject to change because criminal or civil charges arising from the same conduct are dismissed, reduced, or rejected in favor of or against the Respondent.

In certain instances, North Central College may need to report conduct to law enforcement authorities even when the Complainant has not decided to do so. Such circumstances include incidents that warrant the undertaking of additional safety and security measures for the protection of the Complainant and the campus community or other situations in which there is clear and imminent danger or when a minor is involved.

Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Assistant Vice President for Equity, Diversity and Inclusion), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all the specific policies implicated
- Assist the Assistant Vice President for Equity, Diversity and Inclusion with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations

- Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the College does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
- For Title IX grievance procedures, the Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report. For Civil Rights and non-Title IX sexual misconduct, the Investigator(s) along with other members of the investigative team make determinations, engage in policy analysis, make determinations of findings and recommend sanctions.
- The Investigator(s) shares the report with the Assistant Vice President for Equity, Diversity and Inclusion and/or legal counsel for their review and feedback

- The Investigator(s) will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy. For Title IX grievance proceedings the final report is provided at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report. For Civil Rights complaints and non-Title IX related sexual misconduct, the final report is provided to the parties to review and have the opportunity to appeal the finding or sanction on limited grounds outlined in the Appeals section below.

Role and Participation of Witnesses in the Investigation

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

While in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The College will take appropriate steps to reasonably ensure the security/privacy of remote interviews. Any information from witnesses who participate in the investigation but do not submit to cross examination in the live hearing required by Title IX, will not be considered unless it can be independently corroborated.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

Recording of Interviews

All interviews will typically be recorded and transcribed. Participants are strictly forbidden to surreptitiously record the proceedings and doing so is a violation of policy. All participants in the process will have the opportunity to review their transcripts and provide additional information, clarifications or corrections. No unauthorized audio or video recording of any kind is permitted during investigation meetings or appeal processes.

Evidentiary Considerations in the Investigation

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

E. Grievance Pool Membership

The Assistant Vice President for Equity, Diversity and Inclusion, in consultation with the Provost, Vice

President for Student Affairs and President, appoints the Pool, which acts with independence and impartiality. The members of the Pool are trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases.

Grievance Pool Member Training

The Pool members start with intensive training about Title IX and how to conduct Civil Rights investigations. After their initial training, the pool members receive annual training. This training includes, but is not limited to:

- The scope of the College's Discrimination and Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the College with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

The pool members also receive specific training for serving on the appeals committee and the hearing panel. As the role of Hearing Chairs is fairly new, this function may be contracted out externally until the College can build appropriate capacity in this area. All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool will be publicly posted on the Title IX website.

Pool Membership

The Pool includes faculty and staff and appointed Deputy Title IX Coordinators. Faculty receive major service credit for evaluation, tenure, or promotion.

F. Investigative Team Approach and Decision Making for Civil Rights and non-Title IX Sexual Misconduct Allegations (See Appendix C)

V. REFERRAL FOR HEARING FOR TITLE IX ALLEGATIONS

Provided that the complaint is not resolved through Informal Resolution and the allegations fall under the jurisdiction of Title IX, the Assistant Vice President for Equity, Diversity and Inclusion will refer the matter for a hearing once the final investigation report is shared with the parties.

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

The Assistant Vice President for Equity, Diversity and Inclusion will select an appropriate group of between three and five (3-5) hearing panelists to serve as Decision-makers from the Pool depending on whether the Respondent is faculty, staff or student to serve on the hearing panel. An internal or external hearing chair will be identified at the discretion of the Assistant Vice President for Equity, Diversity and Inclusion.

Hearing Decision-maker Composition

The Decision-maker(s) will not have had any previous involvement with the investigation. The Assistant Vice President for Equity, Diversity and Inclusion may elect to have an alternate from the Pool sit in throughout the resolution process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision-makers. Those who are serving as Advisors for any party may not serve as Decision-makers in that matter.

The Assistant Vice President for Equity, Diversity and Inclusion may not serve as a Decision-maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Chair or designee.

Evidentiary Considerations in the Hearing

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

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, assuming the College uses a progressive discipline system. This information is only considered at the sanction stage of the process.

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

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

Notice of Hearing

No less than ten (10) business days prior to the hearing, the Assistant Vice President for Equity, Diversity and Inclusion or the Chair will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Assistant Vice President for Equity, Diversity and Inclusion at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Assistant Vice President for Equity, Diversity and Inclusion at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Assistant Vice President for Equity, Diversity and Inclusion if they do not have an Advisor, and the College will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.¹⁶
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the

¹⁶ The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

Decision-maker will review during any sanction determination.

- An invitation to contact the Assistant Vice President for Equity, Diversity and Inclusion to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- A statement that parties cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the College and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

Alternative Hearing Participation Options

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Assistant Vice President for Equity, Diversity and Inclusion or the Hearing Chair at least five (5) business days prior to the hearing.

The Assistant Vice President for Equity, Diversity and Inclusion or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Assistant Vice President for Equity, Diversity and Inclusion or the Chair know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

Pre-Hearing Preparation

The Chair, after any necessary consultation with the parties, Investigator(s) and/or Assistant Vice President for Equity, Diversity and Inclusion, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

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

The parties will be given a list of the names of the Decision-maker(s) at least five (5) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Assistant Vice President for Equity, Diversity and Inclusion as soon as possible and no later than three (3) days prior to the hearing. Decision-makers will only be removed if the Assistant Vice President for Equity, Diversity and Inclusion concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Assistant Vice President for Equity, Diversity and Inclusion will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Assistant Vice President for Equity, Diversity and Inclusion as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

Pre-Hearing Meetings

The Chair may convene a pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Chair, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Assistant Vice President for Equity, Diversity and Inclusion, or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded.

Hearing Procedures

At the hearing, the Decision-maker(s) has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the policy on Equal Opportunity, Harassment, and Nondiscrimination.

Participants at the hearing will include the Chair, any additional panelists, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives

when an organization is the Respondent¹⁷), Advisors to the parties, any called witnesses, the Assistant Vice President for Equity, Diversity and Inclusion, and anyone providing authorized accommodations or assistive services.

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

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

Joint Hearings

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

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

The Order of the Hearing – Introductions and Explanation of Procedure

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s) on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Assistant Vice President for Equity, Diversity and Inclusion will review and decide the challenge. The Chair and/or hearing facilitator then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Assistant Vice President for Equity, Diversity and Inclusion. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

Investigator Presents the Final Investigation Report

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

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

Testimony and Questioning

Once the Investigator(s) present their report and are questioned, the parties and witnesses may provide

¹⁷ Subject to the College's Code of Organizational Conduct.

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

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request or agreed to by the parties and the Chair), the proceeding will pause to allow the Chair to consider it, and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

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

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

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Chair may elect to address those issues, consult with legal counsel, and/or refer them to the Assistant Vice President for Equity, Diversity and Inclusion, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

Refusal to Submit to Cross-Examination and Inferences

Cross-examination is an all or nothing proposition, meaning that if any question is refused, no statements of that party or witness are admissible. Only if a party or witness is willing to submit to cross-examination, and answers all questions, will their statements prior to or at the hearing be fully admissible. If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The Decision-maker(s) must disregard all statements. Evidence provided that is something other than a statement by the party or witness may be considered.

Whether a party or witness does or does not answer questions from the Decision-maker, their statements will be admissible as long as they are willing to submit to cross-examination questions, even if they are not asked such questions. The Decision-maker(s) may not draw any inference solely from a party’s or witness’s absence from the hearing or refusal to answer cross-examination or other questions. If charges of policy violations other than sexual harassment are considered at the same hearing, the Decision-maker(s) may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their Advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

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

Recording Hearings

Hearings (but not deliberations) are recorded by the College for purposes of review in the event of an

appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of the College will be permitted to listen to the recording in a controlled environment determined by the Assistant Vice President for Equity, Diversity and Inclusion. No person will be given or be allowed to make a copy of the recording without permission of the Assistant Vice President for Equity, Diversity and Inclusion.

Deliberation, Decision-making, and Standard of Proof

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s). The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker(s) may – at their discretion – consider the statements, but they are not binding.

The Decision-maker(s) will review the statements and any pertinent conduct history provided by Student Affairs, Academic Affairs, Human Resources, and/or the Assistant Vice President for Equity, Diversity and Inclusion. The Decision-maker(s) will consult with the Provost or appropriate Vice President and Human Resources to make the appropriate sanction(s) recommendations.

The Chair will then prepare a written deliberation statement and deliver it to the Assistant Vice President for Equity, Diversity and Inclusion, detailing the determination, rationale, the evidence used in support of its determination of findings, the evidence disregarded, credibility assessments, and any recommended sanctions.

This report typically should not exceed three (3) to five (5) pages in length and must be submitted to the Assistant Vice President for Equity, Diversity and Inclusion within two (2) business days of the end of deliberations, unless the Assistant Vice President for Equity, Diversity and Inclusion grants an extension. If an extension is granted, the Assistant Vice President for Equity, Diversity and Inclusion will notify the parties.

VI. NOTICE OF OUTCOME AND APPEALS PROCESS

Notice of Outcome

Using the deliberation statement, the Assistant Vice President for Equity, Diversity and Inclusion will work with the Chair to prepare a Notice of Outcome. The Notice of Outcome will then be reviewed by legal counsel. The Assistant Vice President for Equity, Diversity and Inclusion will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within five business days of receiving the Decision-maker(s)' deliberation statement.

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

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

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the College is permitted to share such information under state or federal law; any sanctions issued which the College is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to the College's educational or employment program or activity, to the extent the College is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

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

Appeal Process

An appeal is not intended to be a new investigation. In most cases, an appeal is confined to a review of the written documentation and pertinent documentation regarding the grounds for appeal. An appeal is not an opportunity to substitute judgment for that of the investigation team merely because of disagreement with the finding and/or recommended sanction. Appeal decisions are to be deferential to the investigative team for students, faculty, administration, or staff, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

Disagreement with the finding or sanctions is not, by itself, grounds for an appeal. The ONLY grounds upon which an appeal may be made are:

- **Procedural Error:** A procedural error occurred that significantly impacted the outcome of the investigation and/or hearing panel as it applies to the appealing party (e.g. substantiated bias, material deviation from established procedures, etc.). A description of the error and its impact on the outcome of the case as it applies to the appealing party must be included in the written appeal;
- **New Information:** New information has arisen which was not available or known to the appealing party during the investigation or hearing panel and that could have substantially impacted the original finding or sanction(s) had it been available at that time. Information that was known to the appealing party at the time of the investigation or hearing panel but which the party chose not to present is not new information. A summary of this new evidence and its potential impact on the findings and/or sanctions must be included in the written appeal; or

- **Disproportionate Sanction(s):** The sanctions imposed are substantially disproportionate to the severity of the violation(s). An explanation of why the sanction(s) are disproportionate to the severity of the violation must be included. Mere dislike or disagreement with the sanction(s) or the impact of the sanction(s) on the appealing party is not grounds for an appeal.

Either party may appeal the investigative team's decision regarding finding and/or recommended sanctions. The written appeal should be submitted to the Assistant Vice President for Equity, Diversity and Inclusion within five (5) business days following the receipt date of the investigation report and finding letter. The non-appealing party will receive notice of the appeal from the Assistant Vice President for Equity, Diversity and Inclusion and will have five (5) business days to submit a written response to the appeal to the Assistant Vice President for Equity, Diversity and Inclusion. Where each party appeals, these appeal requests and responses will be exchanged accordingly. The parties will be notified in writing with the names of the individuals on the appeal committee and will have an opportunity to request substitutions for any individuals who pose a conflict of interest. In sexual misconduct cases where the Assistant Vice President for Equity, Diversity and Inclusion has a conflict of interest with the appeal, a Deputy Title IX Coordinator will assume responsibility for the appeal.

Appeal Committee Selection

The Assistant Vice President for Equity, Diversity and Inclusion will assemble at least three (3) individuals from the trained pool of faculty, staff, and academic administrators who serve as Deputy Title IX Coordinators, responsible administrators, investigators, and/or members of the Grievance Panel to form an appeals committee to review the case and appeal statements, and determine if the grounds for the appeal are substantiated. Every effort is made to identify and mitigate potential conflicts or bias in selecting members of the appeal committee. Each party has the opportunity to identify potential conflicts. The review of an appeal typically occurs within ten (10) business days of notification of a contested finding and/or sanction.

In the event that the Respondent and Complainant differ in classification, the composition of the appeal committee will provide balanced representation for each party involved. For example, when the Respondent is a student and the Complainant is a faculty member, the appeal committee will have a balanced number of appeal committee members from faculty or Academic Affairs and Student Affairs.

In addition, for faculty and staff, each appeal committee may include one of the following trained administrators:

- If the Respondent is a faculty member: A Dean or the Assistant Provost and Director of the Office of Institutional Effectiveness and Planning.
- If the Respondent is a member of the administration or staff: the Assistant Vice President for Human Resources, or the Director of Human Resource Services.

If a discrimination allegation relates to a Promotion and Tenure Committee action, including, but not exclusive to retention and tenure decisions, the appeals committee will consist of two (2) members appointed by the Assistant Vice President for Equity, Diversity and Inclusion and additionally supplemented by representation of three (3) of the ten (10) members of the Grievance Panel as defined in the Faculty Handbook. For Grievance Panel members to be eligible for selection as a member of the appeals committee in this process, they must have received eight (8) hours of related training on an annual basis. The Assistant Vice President for Equity, Diversity and Inclusion will select these additional

hearing panel members by lot from among the individuals who are eligible within the ten (10) Faculty Grievance Panelists. If a Grievance Panel representative identified by lot recuses themselves due to a conflict of interest or is recused for conflict of interest, the Assistant Vice President for Equity, Diversity and Inclusion will again make a selection by lot until the appeals committee is fully constituted. In the event there are not enough trained Grievance Panel members, the remainder of the appeals committee will be made up of trained faculty investigators, Deputy Title IX Coordinators, and/or Academic Affairs Administrators.

Appeal

If the grounds for appeal are not substantiated, the appeal will be denied and the parties will be notified in writing, under the provisions of notification described above. If the appeal is substantiated, the appeal officers, in conjunction with the Assistant Vice President for Equity, Diversity and Inclusion, will take appropriate action as indicated below.

- **Procedural Error:** If the appeals committee determines that a procedural error occurred that was substantially prejudicial to the outcome of the investigation, they will return the allegation to the Assistant Vice President for Equity, Diversity and Inclusion with instructions to reconvene the investigative team in order to cure the error. In rare cases, where the procedural error cannot be cured by the investigative team (as in cases of bias), the appeals committee may order a new investigation with a new investigation team. The results of a reconvened investigation cannot be appealed. The results of a new investigation can be appealed once, on the applicable grounds for appeals.
- **New Information:** If the appeals officers determine that new information should be considered, it will return the allegation to the original investigative team to reconsider the allegation in light of the new information only. The findings of the investigative team based on consideration of the new information are not appealable.
- **Disproportionate Sanction(s):** If the appeals officers determine that the sanctions imposed are substantially disproportionate to the severity of the violation(s), the appeals committee may return the allegation to the Assistant Vice President for Equity, Diversity and Inclusion with instructions to review the sanctions in light of the appeals committee's recommendations and make the appropriate changes to the sanctions.

The appeal committee will typically render a decision within ten (10) business days after the receipt of the written appeal and response from the non-appealing party. The appeal decision and subsequent changes made by the investigative team are final, except when a new investigation has been recommended.

All parties will be informed of the status of requests for appeal in a timely manner and will be informed of the outcome in the same manner in which the investigation outcome was shared.

Following the appeal process, the Assistant Vice President for Equity, Diversity and Inclusion will evaluate whether there are additional remedies required for the Complainant or the community to eliminate a hostile environment and prevent its recurrence (*see Supportive Measures-Section III, A*).

VII. SANCTIONS

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

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history

- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

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

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

Student Sanctions:

The following are the usual sanctions that may be imposed upon students.

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any College policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling:* A mandate to meet with and engage in either College-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Mentoring:* The student must meet weekly with an assigned mentor, often for a specific number of weeks. A student is required to complete any mentoring-related homework that is assigned by the mentor.
- *Campus Engagement:* The student may be assigned a specific number of "campus involvement" hours in order to help the student get better connected to positive campus activities and people. Campus Engagement can include attending any number of College sponsored activities, including speakers, student organization meetings, workshops, concerts, etc.(with the exception of athletic events). Typically, a student is able to choose what Campus Engagement activities they will attend although particular activities may be required.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Reprimand:* The student will receive a formal notice of reprimand for violation of the Statement of Student Conduct or a College Policy. A copy of this notice will be placed in the student's permanent disciplinary record. The notice of reprimand is intended to communicate to a student that further violation of the Statement of Student Conduct or College policies will not be tolerated.
- *Future Behavior Clause:* Disciplinary steps are outlined in the event the student is found in violation of a future College policy or Statement of Student Conduct.

- *Restitution*: The student may be required to make financial or other types of restitution when found in violation of a College policy or the Statement of Student Conduct.
- *Required Education or Training*: The student must participate in required education or training and provide proof of completion of the program, which may include a reflection paper or other means to demonstrate mastery of the material.
- *Campus Access Limitation*: A student may be on campus for classes only. While on campus a student may enter only the buildings where they have assigned classes. A student may not enter residence halls or any other campus buildings. Should a student need to be on campus to conduct official College business, they must receive approval from the Office of Student Affairs in advance.
- *Residence Hall Removal*: A student's Room and Board Agreement is terminated permanently or for a designated period of time. Until such a time as a student is again eligible to live in a residence hall, they are typically prohibited from entering any residence hall for any reason. Should a student need to enter a residence hall to conduct official College business, they must receive approval from the Office of Student Affairs in advance. If a student violates this order the College may contact the Naperville Police Department in order to pursue a charge of criminal trespassing.
- *College No Contact Order*: The student is required to have no contact with a specific student, faculty, or staff member.
- *College No Trespass Order*: The student is banned from certain areas of the College or the entire campus.
- *Suspension*: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the College.
- *Withholding Diploma*: The College may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for an alleged violation.
- *Expulsion*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend College-sponsored events.
- *Other Actions*: In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – Verbal or Written*
- *Performance Improvement/Management Process*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Loss of Annual Pay Increase*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Suspension with pay*
- *Suspension without pay*
- *Termination*

- *Other Actions:* In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

Withdrawal or Resignation While Charges Pending

Students:

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

However, the College will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to the College. Admissions will be notified they cannot be readmitted. Such exclusion applies to all programs of the College. They may also be barred from College property and/or events.

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

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

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

The employee who resigns with unresolved allegations pending is not eligible for rehire with the College or any campus of the College, and the records retained by the Assistant Vice President for Equity, Diversity and Inclusion will reflect that status.

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

Failure to Complete Sanctions/Comply with Interim and Long-term Remedies

All responding parties are expected to comply with the assigned sanctions, responsive actions, and corrective actions within the timeframe specified by the Assistant Vice President for Equity, Diversity and Inclusion. Failure to abide by the sanctions/actions imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions/actions, including suspension, expulsion, and/or termination from the College and may be noted in response to admission inquiries from other colleges and universities about disciplinary actions. A suspension will only be lifted when compliance is achieved to the satisfaction of the Assistant Vice President for Equity, Diversity and Inclusion.

VIII. FACILITATED RESOLUTION OPTIONS

Facilitated resolution options are voluntary processes that are facilitated by trained faculty and staff and

are used to remedy or resolve issues before they escalate in severity and scope to qualify as a hostile environment, sexual misconduct or a hate crime. Facilitated resolution options do not determine policy violations or sanctions. Facilitated resolution process typically results an agreement that is reached by the parties, although that is not always the case. Agreements or Memorandums of Understanding include mutually determined expectations around such things as reconciliation, apologies, remedial education as well as future communication, interactions, restitution, or other appropriate remedies. Internal or external facilitators are used who are trained in the specific facilitated resolution modality. Facilitated resolution options vary in how advisors are involved. For restorative resolution processes, support people are included in the process. For mediation, parties could have advisors accompany them to the pre-meetings and mediation but it is not required. Advisors participating in mediation are not active participants in the process. In contrast, restorative resolution processes ask the parties to identify supporting parties who are active participants in the process.

The Assistant Vice President for Equity, Diversity and Inclusion determines whether negotiated or facilitated resolutions options are appropriate based on the willingness of the parties to participate and nature of the conduct at issue. Certain facilitated resolution options such as mediation would not be appropriate to use in situations where there is a past abuse of power and authority, past history of intimate partner violence, chronic stalking, or sexual assault. Restorative resolution processes, however, have been effectively utilized in response to bias-related incidents and sexual misconduct when the Respondent has indicated responsibility for harm, genuine contrition, and a willingness to participate in the process.

Facilitated resolution options are voluntary and can be terminated by either party at any point in the process. The Assistant Vice President for Equity, Diversity and Inclusion can also determine that a facilitated resolution process is no longer an appropriate option based on new information, parties not entering into the process in good faith, or an identified risk of harm to self or others. Facilitated resolutions options do not have to be pursued before a formal grievance procedure. Facilitated resolution options can be used in lieu of (although a formal complaint still must be filed as is required by Section 106.30, per OCR) or following formal grievance procedures. Once the mediation or restorative resolution conference has been started, the parties cannot use the information gained in in the process for a formal resolution procedure. The Assistant Vice President for Equity, Diversity and Inclusion maintains the records of the agreements that are reached through the facilitated resolutions processes.

Negotiated Resolution

The Assistant Vice President for Equity, Diversity and Inclusion, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and the College. Negotiated Resolutions are not appealable.

Restorative Resolution Conferences and Circles

Restorative resolution processes include Restorative Resolution Conferences and Restorative Circles. Restorative Resolution Conferences bring together parties who have been impacted by an event or incident, which includes the party(ies) who experienced harm, the party(ies) who caused harm, and their support people to participate in a structured dialogue. All participants are afforded the opportunity to respond to questions about what happened and the harm caused by the incident. The harmed party has an active role in process in identifying what they need from the responsible party in order to repair harm and rebuild trust. The responsible party has an opportunity take responsibility for the harm as well

as identify actions that could repair the harm and rebuild trust for the harmed party and community. The process facilitates responsible party's ability to identify, acknowledge, and understand the harms caused by their behavior or actions.

Pre-conference meetings are conducted with all of the parties who will be participating in the Restorative Resolution Conference. An agreement to participate in the Restorative Resolution Conference is signed by the parties. Restorative Resolution Conferences are typically facilitated by two trained facilitators and result in a Memorandum of Understanding about the actions the Respondent needs to take in order to repair the harm and rebuild trust. This agreement is binding and can result in disciplinary action for non-compliance to the terms agreed upon during the conference. The content shared in the Restorative Resolution Conference cannot be used in a formal resolution process, however and while it is unlikely, the content from Restorative Resolution Conferences could be subpoenaed.

Through a less scripted process, Restorative Circles brings together members of a community that have been impacted by an event or incident. All members of the community have an opportunity to have an open and honest dialogue that focuses on the opportunity ask questions and to listen to others, gain understanding, and identify ways in which the harm can be repaired or trust rebuilt.

Mediation Processes

Mediation is a dispute resolution process that consists of a facilitated conversation between parties that identifies key issues, helps the parties understand each other's positions, and guides the parties to an agreed upon resolution. Mediation can be used to negotiate the terms of continued professional, educational or interpersonal interactions by working through the impact versus intent of behaviors, microaggressions, bias-related incidents, and harassment. Mediation involves pre-meetings with the parties to discuss the incident and issues, identify the focus of the mediation, and review the process of mediation. An agreement to mediate that contains the scope and goals of the mediation is signed by both parties. The parties brainstorm solutions based on the goals of the mediation and come to an agreement that is signed by both parties. Mediations can occur face-to-face or be conducted in an asynchronous manner in which the mediators convey the information between the parties.

The content of the discussions in mediation are confidential and will only be shared with supervisors, department chairs, deans and the provost to the extent requested by the parties. If the parties are dissatisfied with the degree to which the agreement is being honored, they can contact the Assistant Vice President for Equity, Diversity and Inclusion for additional options.

IX. RECORD RETENTION

Records of investigations and hearings are maintained by the Assistant Vice President for Equity, Diversity and Inclusion for a minimum of ten (10) years as indicated below.

Students: If the Respondent is a student, the records will be maintained for a minimum of ten (10) years past the student's graduation, or, if the student leaves the College before graduation, for a minimum of ten (10) years past the date of the incident and in accordance with the Family Educational Rights and Privacy Act (FERPA), which protects the privacy of student education records.

Faculty or Staff: If the Respondent is a faculty or staff member, the records will be maintained for a minimum of seven (7) years past the conclusion of the investigation and any hearing.

Groups/Programs: If the Respondent is a group, the records will be maintained for a minimum of ten (10) years past the conclusion of the investigation and any hearing.

X. INFORMATION CONCERNING REGISTERED SEX OFFENDERS

As required by the federal Campus Sex Crimes Prevention Act, institutions of higher education must issue a statement advising College community members where information concerning registered sex offenders may be obtained. This information can be found through the following web links:

Illinois Sex Offender Information: www.isp.state.il.us/sor/

North Central College Sex Offender Information: www.northcentralcollege.edu/content/registered-sex-offenders

Persons convicted of certain sex offenses are required by law to register with the state. Information on registered sex offenders is available at the Illinois State Police website and the Illinois Child Murderer and Violent Offender Against Youth Registry Database. The Department of Justice National Sex Offender Public Website is also a source for sex offender information. For information on registered sex offenders attending or employed at North Central College, contact the local police department or Campus Safety.

Appendix A

Definitions/Glossary of Terms and Examples

- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- *Civil Rights and non-Title IX Sexual Misconduct Grievance Procedures* is based on civil rights processes in which evidentiary materials are collected by two investigators, the parties have the opportunity to review all of the evidence used to make a determination before a determination is made, the parties have the opportunity to pose questions to the other parties and witnesses, and a team of four (4) trained faculty and staff (which includes the investigators) make a determination of policy violation and sanctions by a preponderance of evidence standard (See Appendix C)
- *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- *Complaint (formal)* means a document filed/signed by a Complainant or signed by the Assistant Vice President for Equity, Diversity and Inclusion alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that the College investigate the allegation.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when the College is in normal operation.
- *Education program or activity* means locations, events, or circumstances where the College exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the College.
- *Final Determination:* A conclusion by the preponderance of evidence standard of proof that the alleged conduct occurred and whether it did or did not violate policy.
- *Finding:* A conclusion by the standard of proof of the preponderance of evidence that the conduct did or did not occur as alleged.
- *Title IX Grievance Procedure* is a method of formal resolution designated by the College to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.

- *Grievance Process Pool* includes any investigators, hearing officers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).
- *Hearing Decision-maker or Panel* refers to those who have decision-making and sanctioning authority within the College's Formal Grievance process.
- *Investigator* means the person or persons charged by the College with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
- *Mandated Reporter* means an employee of the College who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Assistant Vice President for Equity, Diversity and Inclusion.¹⁸
- *Notice* means that an employee, student, or third-party informs the Assistant Vice President for Equity, Diversity and Inclusion or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- *Official with Authority (OWA)* means an employee of the College explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the College.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *College* means a postsecondary education program that is a College of federal funding.
- *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the College's educational program.
- *Title IX Grievance Procedure* means the Formal Grievance Process as defined by the Department of Education's Office for Civil Rights detailed below and defined above.

Some examples of possible sexual harassment include:

- A professor offers for a student to have sex or go on a date with them in exchange for a good grade. This constitutes sexual harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is promised or a bad grade is threatened.
- A student repeatedly sends graphic, sexually-oriented jokes and pictures around campus via social media to hundreds of other students. Many don't find it funny and ask them to stop, but

¹⁸ Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of individuals with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility in this Policy.

they do not. Because of these jokes, one student avoids the sender on campus and in the residence hall in which they both live, eventually asking to move to a different building and dropping a class they had together.

- A professor engages students in class in discussions about the students' past sexual experiences, yet the conversations are not in any way germane to the subject matter of the class. The professor inquires about explicit details and demands that students answer them, though the students are clearly uncomfortable and hesitant.
- An ex-partner widely spreads false stories about their sex life with their former partner to the clear discomfort and frustration of the former partner, turning the former partner into a social pariah on campus.
- Chris has recently transitioned from male to non-binary, but primarily expresses as a female. Since their transition, Chris has noticed that their African Studies professor, Dr. Mukembo, pays them a lot more attention. Chris is sexually attracted to Professor Mukembo and believes the attraction is mutual. Chris decides to act on the attraction. One day, Chris visits Dr. Mukembo during office hours, and after a long conversation about being non-binary, Chris kisses Dr. Mukembo. Dr. Mukembo is taken aback, stops the kiss, and tells Chris not to do that. Dr. Mukembo explains to Chris that they are not interested in Chris sexually or romantically. Chris takes it hard, crying to Dr. Mukembo about how hard it is to find someone who is interested in them now based on their identity. Dr. Mukembo feels sorry for Chris and softens the blow by telling them that no matter whether they like Chris or not, faculty-student relationships are prohibited by the university. Chris takes this as encouragement. One night, Chris goes to a gay bar some distance from campus and sees Dr. Mukembo at the bar. Chris tries to buy Dr. Mukembo a drink and, again, tries to kiss Dr. Mukembo. Dr. Mukembo leaves the bar abruptly. The next day, Chris makes several online posts that out Dr. Mukembo as gay and raise questions about whether they are sexually involved with students. Dr. Mukembo contacts the Title IX Office and alleges that Chris is sexually harassing him.

Examples of Stalking

- Students A and B were friends with benefits. Student A wanted a more serious relationship, which caused student B to break it off. Student A could not let go, and pursued student B relentlessly. Student B obtained a campus no-contact order. Subsequently, Student B discovered their social media accounts were being accessed, and things were being posted and messaged as if they were from them, but they were not. Whoever accessed their account posted a picture of a penis, making it look as if they had sent out a picture of themselves, though it was not their penis. This caused them considerable embarrassment and social anxiety. They changed their passwords, only to have it happen again. Seeking help from the Assistant Vice President for Equity, Diversity and Inclusion, Student B met with the IT department, which discovered an app on their phone and a keystroke recorder on their laptop, both of which were being used to transmit their data to a third party.
- A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate it if the gift deliveries stopped. The student then started leaving notes of love and gratitude on the tutor's

car, both on-campus and at home. Asked again to stop, the student stated by email, "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. If I can't have you, no one will."

Examples of Sexual Assault:

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00 p.m. until 3:00 a.m., Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. Despite her clear communications that she is not interested in doing anything sexual with him, Bill keeps at her, questions her religious convictions, and accuses her of being "a prude." He brings up several rumors that he has heard about how she performed oral sex on a number of other guys. Finally, it seems to Bill that her resolve is weakening, and he convinces her to "jerk him off" (hand to genital contact). Amanda would have never done it but for Bill's incessant advances. He feels that he successfully seduced her and that she wanted to do it all along but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn't want it, she could have left.
- Jiang is a junior. Beth is a sophomore. Jiang comes to Beth's residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, soon become more intimate, and start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a babysitter at the age of five and avoids sexual relations as a result, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses, and begins to have intercourse with Beth, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop but cannot. Beth is stiff and unresponsive during the intercourse.
- Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his apartment, and John comes on to Kevin, initiating sexual activity. Kevin asks John if he is really up to this, and John says yes. They remove each other's clothes, and they end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex, but he came to again. When Kevin runs into John the next day, he thanks him for the great night. John remembers nothing and decides to make a report to the Dean.

Examples of Retaliation:

- Student-athlete A alleges sexual harassment by a coach; the coach subsequently cuts the student-athlete's playing time without a legitimate justification.
- A faculty member alleges gender inequity in pay within her department; the Department Chair then revokes his approval for her to attend a national conference, citing the faculty member's tendency to "ruffle feathers."

- A student from Organization A participates in a sexual misconduct investigation as a witness whose testimony is damaging to the Respondent, who is also a member of Organization A; the student is subsequently removed as a member of Organization A because of their participation in the investigation.

Appendix B

Rights of the Parties

- When a student or employee reports to the College that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on- or off-campus, the College will provide the student or employee with a written explanation of the student's or employee's rights and options. If the report is submitted online, links to rights, options, and resources will be provided within 12 hours in an email acknowledging receipt of the report.
- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or discrimination made in good faith to College officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by College officials.
- The right to have College policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by College officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities.
- The right to be informed by College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by College authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by College law enforcement and/or other College officials.

- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- The right to a College No Trespass Order against a non-College affiliated party, when that person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
 - Relocating an on-campus student's housing to a different on-campus location
 - Assistance from College staff in completing the relocation
 - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
 - Transportation accommodations
 - Visa/immigration assistance
 - Arranging to dissolve a housing contract and a pro-rated refund
 - Exam, paper, and/or assignment rescheduling or adjustment
 - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
 - Transferring class sections
 - Temporary withdrawal/leave of absence (may be retroactive)
 - Campus safety escorts
 - Alternative course completion options.
- The right to have the College maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair the College's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to ask the Investigator(s) and Decision-maker(s) to identify and question relevant witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Chair, may be asked of any party or witness.
- The right to have inadmissible prior sexual history or irrelevant character evidence excluded by the decision-maker.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.

- The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Assistant Vice President for Equity, Diversity and Inclusions, and Decision-maker(s) who have received at least eight hours of relevant annual training.
- The right to a Title IX Hearing Panel that is not single-sex in its composition, if a panel is used.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any College representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to have the College compel the participation of faculty and staff witnesses.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale therefor (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.

- The right to be informed in writing of when a decision by the College is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the College.
- The right to a fundamentally fair resolution as defined in these procedures.

Appendix C

Investigative Team Approach for Civil Rights and non-Title IX Sexual Misconduct

A team investigative approach is taken for those alleged policy violations that do not fall under Title IX. Those alleged policy violations include but are not limited to:

- Discriminatory harassment on the basis of protected class other than sex, sexual orientation, gender identity, and/or gender expression,
- Discriminatory harassment on the basis of sex, gender identity, and/or gender expression that occurred off-campus,
- Sexual misconduct that occurs off-campus, and/or
- Sexual misconduct that a non-community member, and/or
- Conduct that was policy violation that was engaged in on the basis of perceived or actual protected class such as hate acts

Investigation Process

The investigation team typically includes two investigators, a responsible administrator, and a Deputy Title IX Coordinator (for cases of sex discrimination, sexual or gender-based harassment, sexual misconduct, or retaliation). The investigators are neutral fact-finders in charge of interviewing all parties and witnesses, collecting information submitted by the parties and witnesses, independently gathering evidentiary information and pertinent facts, and drafting an investigative summary and report. The responsible administrator oversees the investigation, monitors the timeline, provides regular updates to the parties, reviews the evidence, and assists in writing the investigative summary and report. The Deputy Title IX Coordinator facilitates the investigative team's review of the evidence, analysis of credibility, determination of findings regarding policy violations; assists in writing the investigative report, and the selection of appropriate recommended sanctions if there is a finding of violation.

The investigative team has the authority to investigate all collateral misconduct, meaning that it will investigate all allegations of discrimination, sexual misconduct, harassment and retaliation, but also may identify any additional alleged policy violations that have occurred in concert with the discrimination, sexual misconduct, harassment or retaliation, even though those collateral allegations may not specifically fall within the jurisdiction of these procedures. Accordingly, investigations are conducted with as wide a scope as necessary.

Determination of Finding

The four-person investigative team reviews all the materials collected in the investigation, analyzes the credibility of the parties and witness, and on this basis determines the finding of whether or not a policy violation occurred. The investigation team provides a rationale for its decision based on the preponderance of evidence and recommends sanctions and remedies if appropriate. During these deliberations, the investigative team can consult with the Assistant Vice President for Equity, Diversity and Inclusion about precedent, parity, and sanctioning guidelines.

The Assistant Vice President for Equity, Diversity and Inclusion will review any finding and recommended sanctions/remedies to assure equitable and remedial mandates have been met. Based on this review, the Assistant Vice President for Equity, Diversity and Inclusion can recommend changes, including additional corrective actions that should be taken in order to remedy the effects of a hostile

environment for the reporting party, and implement remedies required for the broader campus community.

For student misconduct, the recommended finding and sanctions/remedies are then finalized by the Assistant Vice President for Equity, Diversity and Inclusion. For faculty and staff members, the finding, recommended sanctions for a finding of **“in violation,”** and proposed remedies are provided to the hiring manager and appropriate administrator in consultation with Human Resources. In the case of a resolution to a Promotion and Tenure Committee allegation, the recipients of the finding and recommended sanctions include the Chairperson of the Promotion and Tenure Committee and the Provost and Vice President for Academic Affairs.

As outlined in the Privacy section, the parties are not required to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the investigation. The Complainant and Respondent have discretion to share their own experiences if they so choose. It is recommended that the Complainant and Respondent discuss disclosures with their advisors so as to not inadvertently create an adverse impact for the other party at the College. Faculty and staff who are witnesses are expected to maintain privacy, subject to College consequences for failure to do so.

Once a finding has been made by the investigative team, the following will take place:

Finding of NOT In Violation:

If the investigative team finds the Respondent **not responsible** for a policy violation, the investigation will be closed and the parties will be notified simultaneously in writing. If the investigative team finds violations of other policies (for offenses outside the policy on Discrimination, Harassment, Sexual Misconduct and Retaliation) this information will be included in the notification letter.

- a. The parties will typically receive written notification of the outcome of the investigation within 1-2 business days of the Assistant Vice President for Equity, Diversity and Inclusion’s review. This written notification will inform the parties about the findings and rationale, when an outcome of this process is considered final, and will include information on the right to appeal and the procedures for doing so in accordance with the standards for appeal established by this policy.
- b. In some circumstances involving a finding of **“Not in violation,”** other forms of remedial, community-based responses, such as educational initiatives and/or trainings, may be instituted as deemed appropriate by the Assistant Vice President for Equity, Diversity and Inclusion and/or the investigative team.

Finding of In Violation:

If the Respondent is found responsible for a policy violation, the Assistant Vice President for Equity, Diversity and Inclusion will notify the Complainant and the Respondent of the findings simultaneously in writing. If the investigative team finds violations of other policies (for offenses outside the policy on Discrimination, Harassment, Sexual Misconduct and Retaliation), this information will be included in the notification letter.

- a. The parties will receive written notification of the outcome of the investigation typically within one to two (1-2) days of the Assistant Vice President for Equity, Diversity and Inclusion's review. This written notification will inform the parties about the findings and rationale, when the outcome of this process is considered final, any changes that occur to the outcome prior to finalization, information on the right to appeal, and the procedures for doing so in accordance with the standards for appeal established by this policy. Sanctions are in effect immediately unless otherwise indicated by the Assistant Vice President for Equity, Diversity and Inclusion.
- b. In some circumstances involving a finding of "**in violation**," other forms of remedial, community-based responses, such as educational initiatives and/or trainings, may be instituted as deemed appropriate by the Assistant Vice President for Equity, Diversity and Inclusion and/or the investigative team.
- c. Either or both the Complainant and the Respondent can appeal the determination of findings on the basis that is outline in the Appeals section of the document.

Appendix D

Potential Sanctions for Policy Violations
--

Sexual Assault:

An oral warning, a written warning, required counseling, mentoring, campus engagement, probation, reprimand, future behavior clause, restitution, required education or training, campus access limitation, residence hall removal, College no contact order, College no trespass order, suspension, withholding diploma, expulsion, other actions, performance improvement/management process, loss of annual pay increase, loss of oversight or supervisory responsibility, demotion, suspension with pay, suspension without pay, termination

Dating Violence:

An oral warning, a written warning, required counseling, mentoring, campus engagement, probation, reprimand, future behavior clause, restitution, required education or training, campus access limitation, residence hall removal, College no contact order, College no trespass order, suspension, withholding diploma, expulsion, other actions, performance improvement/management process, loss of annual pay increase, loss of oversight or supervisory responsibility, demotion, suspension with pay, suspension without pay, termination

Domestic Violence:

An oral warning, a written warning, required counseling, mentoring, campus engagement, probation, reprimand, future behavior clause, restitution, required education or training, campus access limitation, residence hall removal, College no contact order, College no trespass order, suspension, withholding diploma, expulsion, other actions, performance improvement/management process, loss of annual pay increase, loss of oversight or supervisory responsibility, demotion, suspension with pay, suspension without pay, termination

Stalking:

An oral warning, a written warning, required counseling, mentoring, campus engagement, probation, reprimand, future behavior clause, restitution, required education or training, campus access limitation, residence hall removal, College no contact order, College no trespass order, suspension, withholding diploma, expulsion, other actions, performance improvement/management process, loss of annual pay increase, loss of oversight or supervisory responsibility, demotion, suspension with pay, suspension without pay, termination

Appendix E

Illinois State Law and Informing Legislation

Criminal Sexual Assault, 720 ILCS 5/11-1.20(a)

A person commits criminal sexual assault if that person commits an act of sexual penetration and: (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

Sexual Penetration, 720 ILCS 5/11-0.1

"Sexual penetration" means any contact, however slight, between the sex organ or anus of one person and an object or the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

Consent, 720 ILCS 5/11-1.70

(a) "Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.

(c) A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.

Aggravated Criminal Sexual Assault, 720 ILCS 5/11-1.30

(a) A person commits aggravated criminal sexual assault if that person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense:

(1) the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;

(2) the person causes bodily harm to the victim, except as provided in paragraph (10);

(3) the person acts in a manner that threatens or endangers the life of the victim or any other person;

(4) the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony;

(5) the victim is 60 years of age or older;

(6) the victim is a physically handicapped person;

(7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes;

(8) the person is armed with a firearm;

(9) the person personally discharges a firearm during the commission of the offense; or

(10) the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.

(b) A person commits aggravated criminal sexual assault if that person is under 17 years of age and: (i) commits an act of sexual penetration with a victim who is under 9 years of age; or (ii) commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act.

(c) A person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is a severely or profoundly intellectually disabled person.

Predatory Criminal Sexual Assault of a Child, 720 ILCS 5/11-1.40(a)

A person commits predatory criminal sexual assault of a child if that person is 17 years of age or older, and commits an act of contact, however slight, between the sex organ or anus of one person and the part of the body of another for the purpose of sexual gratification or arousal of the victim or the accused, or an act of sexual penetration, and: (1) the victim is under 13 years of age; or (2) the victim is under 13 years of age and that person: (A) is armed with a firearm; (B) personally discharges a firearm during the commission of the offense; (C) causes great bodily harm to the victim that: (i) results in permanent disability; or (ii) is life threatening; or (D) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.

Criminal Sexual Abuse, 720 ILCS 5/11-1.50

(a) A person commits criminal sexual abuse if that person: (1) commits an act of sexual conduct by the use of force or threat of force; or (2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent.

(b) A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age.

(c) A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.

Aggravated Criminal Sexual Abuse, 720 ILCS 5/11-1.60

(a) A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense:

(1) the person displays, threatens to use, or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;

(2) the person causes bodily harm to the victim;

(3) the victim is 60 years of age or older;

(4) the victim is a physically handicapped person;

(5) the person acts in a manner that threatens or endangers the life of the victim or any other person;

(6) the person commits the criminal sexual abuse during the course of committing or attempting to commit any other felony; or

(7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception.

(b) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member.

(c) A person commits aggravated criminal sexual abuse if:

(1) that person is 17 years of age or over and: (i) commits an act of sexual conduct with a victim who is under 13 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or

(2) that person is under 17 years of age and: (i) commits an act of sexual conduct with a victim who is under 9 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 9 years of age but under 17 years of age and the person uses force or threat of force to commit the act.

(d) A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim.

(e) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a severely or profoundly intellectually disabled person.

(f) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.

Domestic Violence, 750 ILCS 60/103

Domestic violence means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.

Physical abuse includes sexual abuse and means any of the following: (i) knowing or reckless use of physical force, confinement or restraint; (ii) knowing, repeated and unnecessary sleep deprivation; or (iii) knowing or reckless conduct which creates an immediate risk of physical harm.

Harassment means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances; would cause a reasonable person emotional distress; and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress: (i) creating a disturbance at petitioner's place of employment or school; (ii) repeatedly telephoning petitioner's place of employment, home or residence; (iii) repeatedly following petitioner about in a public place or places; (iv) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows; (v) improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner's from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following

an actual or attempted improper removal or concealment, unless Respondent was fleeing an incident or pattern of domestic violence; or (vi) threatening physical force, confinement or restraint on one or more occasions.

Intimidation of a dependent means subjecting a person who is dependent because of age, health or disability to participation in or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.

Interference with personal liberty means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.

Willful deprivation means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, accessible shelter or services, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forgo such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

Domestic Battery, 720 ILCS 5/12-3.2, 720 ILCS 5/12-0.1

(a) A person commits domestic battery if he or she knowingly without legal justification by any means: (1) causes bodily harm to any family or household member; (2) makes physical contact of an insulting or provoking nature with any family or household member.

"Family or household members" include spouses, former spouses, parents, children, stepchildren, and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of this Code. For purposes of this Article, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship.

Stalking, 720 ILCS 5/12-7.3

(a) A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress.

(a-3) A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or (2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.

(a-5) A person commits stalking when he or she has previously been convicted of stalking another

person and knowingly and without lawful justification on one occasion: (1) follows that same person or places that same person under surveillance; and (2) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.

For purposes of this Section:

(1) Course of conduct means 2 or more acts, including but not limited to acts in which a defendant 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, engages in other non-consensual contact, or interferes with or damages a person's property or pet. A course of conduct may include contact via electronic communications.

(2) Electronic communication means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system. "Electronic communication" includes transmissions by a computer through the Internet to another computer.

(3) Emotional distress means significant mental suffering, anxiety or alarm.

(4) Family member means a parent, grandparent, brother, sister, or child, whether by whole blood, half-blood, or adoption and includes a step-grandparent, step-parent, step-brother, step-sister or step-child. "Family member" also means any other person who regularly resides in the household, or who, within the prior 6 months, regularly resided in the household.

(5) Follows another person means (i) to move in relative proximity to a person as that person moves from place to place or (ii) to remain in relative proximity to a person who is stationary or whose movements are confined to a small area. "Follows another person" does not include a following within the residence of the defendant.

(6) Non-consensual contact means any contact with the victim that is initiated or continued without the victim's consent, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim.

(7) Places a person under surveillance means: (1) remaining present outside the person's school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or (2) placing an electronic tracking device on the person or the person's property.

(8) Reasonable person means a person in the victim's situation.

(9) Transmits a threat means a verbal or written threat or a threat implied by a pattern of conduct or a combination of verbal or written statements or conduct.

(d) Exemptions.

(1) This Section does not apply to any individual or organization (i) monitoring or attentive to

compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements, or (ii) picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute, including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements.

(2) This Section does not apply to an exercise of the right to free speech or assembly that is otherwise lawful.

(3) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.

Aggravated Stalking, 720 ILCS 5/12-7.4

(a) A person commits aggravated stalking when he or she commits stalking and: (1) causes bodily harm to the victim; (2) confines or restrains the victim; or (3) violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986.

(a-1) A person commits aggravated stalking when he or she is required to register under the Sex Offender Registration Act or has been previously required to register under that Act and commits the offense of stalking when the victim of the stalking is also the victim of the offense for which the sex offender is required to register under the Sex Offender Registration Act or a family member of the victim.

(c) Exemptions.

(1) This Section does not apply to any individual or organization (i) monitoring or attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements, or (ii) picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the managing or maintaining of collective bargaining agreements, and the terms to be included in those agreements.

(2) This Section does not apply to an exercise of the right to free speech or assembly that is otherwise lawful.

(3) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.

Cyberstalking, 720 ILCS 5/12-7.5

(a) A person commits cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person, and he or she knows or should know that would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress.

(a-3) A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; or (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.

(a-5) A person commits cyberstalking when he or she, knowingly and without lawful justification, creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours, and which contains statements harassing another person and:

- (1) which communicates a threat of immediate or future bodily harm, sexual assault, confinement, or restraint, where the threat is directed towards that person or a family member of that person, or
- (2) which places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint, or
- (3) which knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.

(c) For purposes of this Section:

(1) "Course of conduct" means 2 or more acts, including but not limited to acts in which a defendant 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, engages in other non-consensual contact, or interferes with or damages a person's property or pet. The incarceration in a penal institution of a person who commits the course of conduct is not a bar to prosecution under this Section.

(2) "Electronic communication" means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system. "Electronic communication" includes transmissions through an electronic device including, but not limited to, a telephone, cellular phone, computer, or pager, which communication includes, but is not limited to, e-mail, instant message, text message, or voice mail.

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

(4) "Harass" means to engage in a knowing and willful course of conduct directed at a specific person that alarms, torments, or terrorizes that person.

(5) "Non-consensual contact" means any contact with the victim that is initiated or continued without the victim's consent, including but not limited to being in the physical presence of the victim; appearing

within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim.

(6) "Reasonable person" means a person in the victim's circumstances, with the victim's knowledge of the defendant and the defendant's prior acts.

(7) "Third party" means any person other than the person violating these provisions and the person or persons towards whom the violator's actions are directed.

(d) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.

Illinois Human Rights Act (775 ILCS 5/1-101)

(A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations.

(B) Freedom from Sexual Harassment-Employment and Elementary, Secondary, and Higher Education. To prevent sexual harassment in employment and sexual harassment in elementary, secondary, and higher education.

(C) Freedom from Discrimination Based on Citizenship Status-Employment. To prevent discrimination based on citizenship status in employment.

(D) Freedom from Discrimination Based on Familial Status-Real Estate Transactions. To prevent discrimination based on familial status in real estate transactions.

(E) Public Health, Welfare and Safety. To promote the public health, welfare and safety by protecting the interest of all people in Illinois in maintaining personal dignity, in realizing their full productive capacities, and in furthering their interests, rights and privileges as citizens of this State.

(F) Implementation of Constitutional Guarantees. To secure and guarantee the rights established by Sections 17, 18 and 19 of Article I of the Illinois Constitution of 1970.

(G) Equal Opportunity, Affirmative Action. To establish Equal Opportunity and Affirmative Action as the policies of this State in all of its decisions, programs and activities, and to assure that all State departments, boards, commissions and instrumentalities rigorously take affirmative action to provide equality of opportunity and eliminate the effects of past discrimination in the internal affairs of State

government and in their relations with the public.

(H) Unfounded Charges. To protect citizens of this State against unfounded charges of unlawful discrimination, sexual harassment in employment and sexual harassment in elementary, secondary, and higher education, and discrimination based on citizenship status in employment.

Informing Legislation:

While the intent of listing pertinent legislation is to share the wide scope of federal and state mandates that this policy covers, it is not intended to be a complete and all-inclusive listing of all applicable legislation.

Age Discrimination in Employment Act (ADEA) (1967): Forbids employment discrimination against anyone at least 40 years of age. The ADEA includes a broad ban against age discrimination and also specifically prohibits discrimination in hiring, promotions, wages, or termination of employment and layoffs, statements or specifications in job notices or advertisements of age preference and limitations, denial of benefits to older employees. Since 1986 it has prohibited mandatory retirement in most sectors, with phased elimination of mandatory retirement for tenured workers, such as college professors, in 1993.

Americans with Disabilities Act and ADA Amendments Act of 2008: Prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. Requires an employer to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an “undue hardship” on the operation of the employer’s business. It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on disability or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADA.

In response to civil and Supreme Court rulings, Congress enacted the ADA Amendments Act of 2008 to provide clarity around the definition of a disability through operationalizing what impairments in major life activities must be present in order to determine the presence of a disability, the role of auxiliary aides in the analysis, the nondiscriminatory treatment for those regarded as having an impairment and transitory or minor impairments not subject to accommodations.

Equal Pay Act of 1963 (EPA): Amends the Fair Labor Standards Act, aimed at abolishing wage disparity based on sex. Prohibits “employer[s] from discriminating on the basis of sex by paying wages to employees at a rate less than the rate paid to employees of the opposite sex for equal work on jobs requiring equal skill, effort, and responsibility, and which are performed under similar working conditions.”

Hate Crimes Law: Protects against hate crimes (also known as *bias crimes*) motivated by enmity or animus against a protected class. Although state laws vary, current statutes permit federal prosecution of hate crimes committed on the basis of a person's protected characteristics of race, religion, ethnicity, nationality, gender, sexual orientation, gender identity, and disability. The U.S. Department of Justice (DOJ)/FBI, as well as campus security authorities, are required to collect and publish hate crime statistics.

Illinois 'At Will' Employment: States that Illinois is an "at-will" employment state. As an "at-will" employment state, it does not have any regulations or laws that prohibit an employer from firing an employee at any time for whatever reason (except a reason based on race, gender or ethnicity). At the same time, employees are not required to give an employer notice that they are leaving their job. An employee is free to leave the job at any time for any reason.

Illinois Domestic Violence Laws: Asserts that any person who physically assaults (which includes but is not limited to: hitting, choking, kicking, shoving, raping, destruction of personal property), threatens, harasses, exploits, neglects, deprives, intimidates dependents, stalks, or interferes with the personal liberty of another family or household member has broken the Illinois Domestic Violence law. Under Illinois law family or household members are defined as family members related by blood; people who are married or used to be married; people who share or used to share a home, apartment, or other common dwelling; people who have or allegedly have a child in common or a blood relationship through a child in common; people who are dating or engaged or used to date, including same sex couples; and people with disabilities and their personal assistants.

Illinois Preventing Sexual Violence in Higher Education Act: Requires institutions of higher education in Illinois to provide prevention education to incoming and current students and employees, trauma informed training to those individuals who respond to reports of sexual violence and to those who conduct investigations and hearings. The legislation requires the designation and training of confidential advisors for victims of sexual violence. Institutions of higher education are also required to form a campus-wide or regional task force with local law enforcement, community advocacy agencies, local state's attorneys, faculty, staff, and students in order to improve policy and coordinated community response.

Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act: The Clery Act, named for Jeanne Clery, a 19-year-old Lehigh University freshman who was raped and murdered in her campus residence hall in 1986, requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses. Compliance is monitored by the United States Department of Education.

Section 504 of the Rehabilitation Act of 1973: Prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment, and in the employment practices of federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in Title I of the Americans with Disabilities Act. Section 504 has provided opportunities for children and adults with disabilities in education, employment and various other settings. It allows for reasonable accommodations such as special study area and assistance as necessary for each student.

The Victims' Economic Security and Safety Act (VESSA): Allows employees who are victims of domestic or sexual violence or who have family or household members who are victims of such violence to take up to twelve (12) weeks of unpaid leave per any twelve (12) month period to seek medical help, legal assistance, counseling, safety planning, and other assistance. The Act also prohibits employers from discriminating against employees who are victims of domestic or sexual violence or who have family or household members who are victims of domestic or sexual violence.

Title VI of the Civil Rights Act of 1964: Protects people from discrimination on the basis of race, color, or national origin in any program, or activity receiving Federal financial assistance, where the primary

purpose is employment or where the discriminatory practice has an impact on program beneficiaries [students].

Title VII of the Civil Rights Act of 1964: Prohibits discrimination by covered employers on the basis of race, color, religion, sex or national origin. Title VII also prohibits discrimination against an individual because of their association with another individual of a particular race, color, religion, sex, or national origin.

Title IX of the U.S. Department of Education Amendments of 1972: Provides that no person will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance (Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R., Part 106 [Title IX]). Includes the guidance issued through the “Dear Colleague” Letter of April 4, 2011, from the U.S. Department of Education, Office of Civil Rights, the “Questions and Answers on Title IX and Sexual Violence” guidance document of April 29, 2014 and the website www.notalone.gov. The College acknowledges its obligations under Title IX and is committed to complying with all Title IX requirements.

Uniformed Services Employment and Re-employment Rights Act (USERRA): Clarifies and strengthens the Veterans' Reemployment Rights (VRR) Statute by protecting civilian job rights and benefits for veterans, members of reserve components, and even individuals activated by the President of the United States to provide Federal Response for National Emergencies.

Section 304 of the Violence Against Women Reauthorization Act (VAWA): Addresses reporting, policy, and procedural requirements for sexual assault, stalking, dating violence and domestic violence. The amendments expand annual crime reporting to include to include dating and domestic violence and stalking, in addition to the pre-existing requirements for sexual assault. Addresses requirements for procedures, structures and the need for trained officials to investigate, resolve and communicate the outcome of allegations; establishes standards of evidence; provides insight into sanctions and remedies; requires sharing information regarding available support services; requires the establishment of prevention and awareness programs, and outlines specifications regarding institutional reporting and documentation.

Whistleblower Laws (the Illinois Whistleblower Act): Protects every citizen when he/she blows the whistle on government corruption. A State agency cannot retaliate through a reprimand, discharge, suspension, demotion or denial of promotion or transfer.

Appendix F

Related Policies

These related policies can be found on the Title IX website (Title IX and Related Policies), Title IX HUB, and under Human Resources.

I. CONSENSUAL RELATIONSHIPS:

<https://www.northcentralcollege.edu/sites/default/files/documents/2020-03/20-3-18-consensual-relationships-policy.pdf>

II. PREGNANT AND PARENTING STUDENTS:

https://www.northcentralcollege.edu/sites/default/files/documents/2020-03/20%203.23%20Pregnant_and_Parenting_Students_Policy.pdf

III. SERVICE ANIMALS: <https://www.northcentralcollege.edu/sites/default/files/documents/2020-03/service-animal-policy-19-20.pdf>

IV. EMOTIONAL SUPPORT ANIMALS:

<https://www.northcentralcollege.edu/sites/default/files/documents/2020-03/emotional-support-animal-policy-19-20.pdf>

Appendix G

History/Revision Dates

Origination Date: June 1, 2006

Last Amended Date: August 14, 2020

Endorsed by Board of Trustees: May 17, 2014

Review Frequency: Annually

Citation: ATIXA 2020 ONE POLICY, TWO PROCEDURES MODEL

USE AND ADAPTATION OF THIS MODEL WITH CITATION TO ATIXA IS PERMITTED THROUGH A LIMITED LICENSE TO NORTH CENTRAL COLLEGE. ALL OTHER RIGHTS RESERVED. ©2020.

Consensual Relationships

Responsible College Official: Assistant Vice President of Human Resources

Responsible Offices: Office of Student Affairs; Office of Academic Affairs; Office of Human Resources

Policy Implementation Date: August 19, 2019

Policy Statement

Any perceived abuse of authority diminishes trust and respect among members of the College community; therefore, all members of the College community are expected to maintain appropriate professional relationships with one another. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. However, a consensual relationship policy serves an important purpose in protecting the integrity of the academic and work environment.

Persons in positions of power or authority over others should be aware of and sensitive to the problems that may arise from apparently consensual relationships with their subordinates. There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty-student, staff-student, senior faculty/staff-junior faculty/staff, administrator to staff or faculty, coach-student, supervisor-supervisee, counselor-student, mentor-mentee, advisor-advisee, etc.). These relationships may be less consensual than perceived by the individual whose position confers power. The power differential inherent in such relationships may compromise free choice, produce conflicts of interest, or encourage favoritism and/or exploitation, and consensual relationships can turn into *quid pro quo* harassment. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later allegation of a violation of applicable College policies.

Relationships with Students

There are potential risks arising out of romantic or sexual relationships between students and faculty, staff, or administrators in a higher education setting, where differences in power and authority are substantial and there is potential for coercion or perceptions of favoritism or exploitation. For the

personal protection of members of the College community, the College specifically prohibits all faculty, and staff whose roles include, but are not limited to, teaching, coaching, advising, counseling, mentoring, supervision of research, supervision of student employees, or participation in disciplinary actions, sanctions or remedies involving a student, from entering into or inviting a consensual sexual, romantic, and/or physically intimate relationship. Any sexual involvement between a faculty and/or staff member and a student who is aged 17 or younger, can never be considered consensual and violates the Discrimination, Harassment, Sexual Misconduct policy and potentially state law.

Relationships between Faculty and Staff

An individual may be found to have professional influence or authority over a faculty or staff member when one individual supervises or evaluates performance, or recommends/awards salary, is responsible for reappointment, mentorship, promotion, or tenure of another individual. The existence of professional influence or authority is determined on a case-by-case basis.

When a consensual sexual, romantic, and/or physically intimate relationship exists or develops between faculty or staff and individuals over whom they have professional influence or authority, the person with professional influence or authority must promptly report the existence of the relationship to the College. The College will take steps to address the professional influence and authority between the two individuals, take action to remove potential conflicts, and minimize the potential detrimental impact on the individual who is in the subordinate position.

The College cautions faculty and staff to carefully consider the potential costs before entering into sexual, romantic and/or physically intimate relationships with each other. Such relationships may adversely affect the subordinate person in the relationship, may jeopardize the position at the College of the person with influence or authority, and/or may inconvenience or cause undue hardship to other members of the College community.

Reporting to the College

Faculty and staff are required to report all relationships that are covered by this policy to the College. Once notified, the College may inform relevant College officials including the Vice President for Student Affairs and Strategic Initiatives for reports that involve students, Provost and Assistant Vice President for Academic Affairs for reports that involve faculty, and/or Assistant Vice President of Human Resources for reports that involve staff.

There may be occasions in which a faculty or staff member has or had a consensual relationship with an individual who becomes a student. Faculty or staff should not accept authority over a student with whom they have had a consensual relationship, without first seeking authorization from the College. In this circumstance, the pre-existing relationship should be promptly disclosed to the College. The College will take steps to remove the conflict in a manner that causes the least detrimental effect for the student.

It is important to note that the submission of tuition remission forms do not act as notice of a pre-existing relationship to the College. Failure to comply with this policy or to self-report the existence of a relationship as required by this policy is considered employee misconduct and will be subject to the appropriate disciplinary action in collaboration with Human Resources, which may include suspension without pay or dismissal/termination of employment.

Retaliation

Retaliation is defined as any materially adverse action taken against an individual because of their participation in a protected activity such as reporting a violation of the Consensual Relationships policy, supporting a party bringing an allegation, or participating in an investigation. Retaliatory actions include, but are not limited to, threats or actual violence against the person or their property, adverse educational or employment consequences, ridicule, intimidation, bullying or ostracism.

Retaliation is a serious violation of College policy and will be treated as another possible instance of harassment or discrimination that is investigated, with violations resulting in additional sanctions. Acts of alleged retaliation should be reported immediately to the appropriate College Official listed below and the matter will be promptly addressed. The College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

If you want to report a consensual relationship or potential violations of this policy, contact:

Sharon Merrill
Assistant Vice President Human Resources (Staff)
508 Old Main
30 N. Brainard
(630) 637-5718
semerrill@noctrl.edu

Dr. Abiodun Goke-Pariola
Provost and Vice President for Academic Affairs (Faculty)
530 Old Main, Academic Affairs
30 N. Brainard
(630) 637-5356
agokepariola@noctrl.edu

Jessica Brown
Vice President for Student Affairs and Athletics
500 Old Main, Student Affairs
30 N. Brainard
(630) 637-5153 jjbrown1967@noctrl.edu

If you want to report violations of this policy that have created a hostile environment based on sex or gender, contact:

Dr. Rebecca Gordon
Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer
524 Old Main
30 N. Brainard
(630) 637-5340
rgordon@noctrl.edu

Pregnant and Parenting Students

Responsible College Official: Assistant Vice President of Equity, Diversity, and Inclusion

Responsible Offices: Office of Equity, Diversity, and Inclusion, Office of Student Affairs & Office of Academic Affairs;

Policy Implementation Date: August 19, 2019

Policy Statement

As stated in the *Discrimination, Harassment, Sexual Misconduct and Retaliation* policy, Title IX ensures protection and equal treatment of pregnant individuals, persons with pregnancy-related conditions, and new parents in the College's admission process, educational programs, extracurricular activities, hiring, leave policies and employment policies. *Title IX also prohibits the College from applying any rule related to a student's parental, family, or marital status that treats students differently on the basis of sex.*

Students who are pregnant will be treated as students who have temporary medical conditions. Therefore pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery will be viewed as a justification for excused absences or a leave of absence for the period of time deemed medically necessary by the student's physician. To receive approval for leaves, students are expected to comply with the Medical Emergencies policy in the Student Handbook and they or their designee (parents, guardian, etc.) should notify the instructors and the Assistant Vice President of Equity, Diversity, and Inclusion at (630) 637-5340. Upon the student's return to the College, reasonable steps will be taken to ensure that the student retains the same position of academic progress they were in when the leave was initiated, which includes access to the same course catalogue in place at the start of the medical leave.

Pregnant and parenting students with medically necessary absences will be granted reasonable accommodations to make up missed work, attendance, or graded class participation (e.g. assignments, projects, papers, quizzes, tests, and presentations) wherever possible. Reasonable accommodations may include, but are not limited to: excused absences, extended deadlines, alternative test dates, projects in lieu of class participation, independent study, tutoring, online course completion options, incomplete grades, retroactive withdrawal, or when medically warranted, retaking a term. In addition, pregnant students may have access to ergonomic and assistive supports typically provided through Student Success and Disability Services. The College offers a lactation space in the

- Oesterle Library, room 012.
- Wentz Center for Health Sciences and Engineering, room 305

Additional spaces can be identified by contacting the Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer, Rebecca Gordon, at (630) 637-5340 or rgordon@noctrl.edu.

The College will work with the student to devise an alternative path to completion, if possible, for programs that include clinical rotations, performances, labs, and group work. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave, but essential program requirements or licensure requirements cannot be modified.

Students are encouraged to work with their faculty members and College's support systems such as success coaches, Student Success, and Dyson Wellness Center staff to proactively devise a plan for how

to best address anticipated need for leave, minimize the academic impact of their absence, and work toward a smooth re-entry to the student's academic program. The Assistant Vice President of Equity, Diversity, and Inclusion will assist with plan development and implementation, as needed.

The Assistant Vice President of Equity, Diversity, and Inclusion has the authority to determine that such accommodations are necessary and appropriate and will maintain all appropriate documentation related to accommodations. The Assistant Vice President of Equity, Diversity, and Inclusion may inform faculty members of the need to adjust academic parameters accordingly. A request for accommodations from a student who is pregnant or parenting will be shared with faculty and staff only to the extent necessary to provide reasonable accommodation. The Assistant Vice President of Equity, Diversity, and Inclusion may grant accommodations retroactively, within a reasonable period of time, if appropriate.

To access reasonable accommodations or leave, the student is required to contact:

Dr. Rebecca Gordon
Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer
524 Old Main
30 N Brainard
(630) 637-5340
rgordon@noctrl.edu

Residence Life and Housing-Related Accommodations

The on-campus housing of a student who is pregnant will not be altered based on pregnancy status unless requested by the student.

Leave Policies

Relevant leave policies include the Graduate School Leave of Absence policy:

<http://catalog.noctrl.edu/content.php?catoid=13&navoid=879> and Medical Emergencies policy in the Student Handbook: <https://cardinalnet.northcentralcollege.edu/student-life/student-handbookhall-policies>.

Complaint Process

Students who feel that they have been discriminated against based on their pregnant and/or parenting status can access the Title IX complaint process outlined in the *Discrimination, Harassment, Sexual Misconduct and Retaliation* policy. To make a report, contact:

Dr. Rebecca Gordon
Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer
524 Old Main
30 N Brainard
(630) 637-5340
rgordon@noctrl.edu

For external inquiries:

Office for Civil Rights (OCR); Chicago Office
U.S. Department of Education

Citigroup Center
500 W. Madison Street,
Suite 1475
Chicago, IL 60661-4544
Telephone: (312) 730-1560
Fax: (312) 730-1576
Email: OCR.Chicago@ed.gov

Definitions

Caretaking: caring for and providing for the needs of a child.

Medical Necessity: a determination made by a health care provider (of the student's choosing) that a certain course of action is in the patient's (e.g. infant or mother) best health interests.

Parenting: the raising of a child by the child's parents/legal guardians in the reasonably immediate postpartum period.

Pregnancy Related Conditions: include (but are not limited to) pregnancy, childbirth, false pregnancy, termination of pregnancy, conditions arising in connection with pregnancy, and recovery from any of these conditions.

Pregnancy Discrimination: includes treating an individual affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected, and includes a failure to provide legally mandated leave or accommodations.

Pregnant Student/Birth-Parent: refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

Reasonable Accommodations: (for the purposes of this policy) changes in the academic environment or typical operations that are made to the extent possible in order to enable pregnant students, students with pregnancy related conditions, and parenting students (whose accommodations relate to the medical necessity of the mother or child) to continue to pursue their studies and enjoy the equal benefits of the College.

Emotional Support Animal Policy

Responsible College Official: Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer

Responsible Offices: Office of Equity, Diversity, and Inclusion, Office of Student Affairs, and Student Disability Services

Policy Implementation Date: August 19, 2019

Policy Statement

North Central College recognizes the importance of "Emotional Support Animals" as defined by the Americans with Disabilities Act Amendments Act (ADAAA) and Section 504 of the Rehabilitation Act and under the Office of Housing and Urban Development (HUD) and Fair Housing Act (FHA) in providing

equal access to and participation in the College for qualified individuals with disabilities. The College is committed to allowing Emotional Support Animals that are necessary to provide individuals with disabilities an equal opportunity to use and enjoy campus housing.

Students with disabilities who utilize Emotional Support Animals as an accommodation to use campus housing are requested to meet with Student Disability Services. For an appointment contact the Student Disability Services via email at sds@noctrl.edu or by phone [630-637-5264](tel:630-637-5264).

If you believe your rights under disability law are not being provided appropriately by the College, grievance procedures can be found in the *Discrimination, Harassment, Sexual Misconduct and Retaliation* policy. Individuals with disabilities who have a complaint or grievance regarding how this policy has been implemented or who feel that the individual has been wrongfully denied access, services, or accommodations related to an Emotional Support Animal can contact the:

Dr. Rebecca Gordon
Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer
524 Old Main
30 N. Brainard
(630) 637-5340
rgordon@noctrl.edu

External Inquiries may also be made to:

Office for Civil Rights (OCR), Chicago Office
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544
Telephone: 312-730-1560
FAX: 312-730-1576; TDD: 800-877-8339
Email: OCR.Chicago@ed.gov

Emotional Support Animals

Emotional Support Animals are defined as untrained animals that provide emotional support, comfort and/or therapy required for individuals with disabilities to be able to utilize and enjoy living in the residence halls. Emotional Support Animals are not pets and must alleviate symptoms or effects of a disability.

Requests for Emotional Support Animals are determined on a case-by-case basis through an interactive process with Student Disability Services in consultation with the Office of Residence Life. The interactive process must establish that the individual seeking to live with the emotional support animal has a disability and a disability-related need for the emotional support animal. An individual with a disability must provide supporting documentation of the individual's disability and/or specific recommendations for an emotional support animal as an accommodation by a licensed service provider with expertise in the individual's specific condition.

In determining if a particular Emotional Support Animal is appropriate, the College may consider:

- the type, size and weight of the emotional support animal for the assigned housing space
- if the animal poses an undue financial or administrative burden
- if the presence of the animal fundamentally alters the nature of the program or services offered in housing
- whether the animal is house broken
- if the animal is under the owner's control
- if the animal would cause substantial physical damage to the property of others that cannot be reduced or eliminated through another reasonable accommodation, and
- whether the animal poses a direct threat to the health and safety of others that cannot be mitigated through other reasonable accommodations

Approved Emotional Support Animals are allowed in the residence halls but not in classrooms, other buildings, or the workplace.

The College may determine that an Emotional Support Animal is not permitted if the Emotional Support Animal's presence interferes with the reasonable use and enjoyment of others living in the same dwelling. This may include making housing assignments based on separating residents with Emotional Support Animals from residents with allergies, phobias or religious preferences. If the College determines that the individual with the Emotional Support Animal would be better served in an individual room or different residence hall, the student will not be charged the difference in price of a single room or the cost of relocating.

The College is not responsible for the supervision or care of the Emotional Support Animal. Emotional Support Animals must be under the handler's/owner's control at all times. The animal must be harnessed, leashed, tethered or in a pet carrier when being transported or exiting the room. The individual is also responsible for:

- The health, well-being, and cleanliness of the animal
- The cost of any damages incurred as a result of the animal
- The immediate clean-up after and proper disposal of the animal's waste
- Adhering to all State and local ordinances for dog licensing, registration, and vaccination requirements

Students with Emotional Support Animals may be asked to remove the animal from the premises when the animal causes a substantial disruption, unreasonably interferes with the College's study, learning or work environment, or creates health and safety concerns. For example,

- The animal's behavior or actions show aggression towards their handler or other members of the campus community
- The animal is out of control or disruptive (e.g. repeated barking, meows, screeches) and the handler does not take effective action to control it
- The presence of the animal causes danger to the safety of the handler or other students/campus members
- The animal would fundamentally alter the nature of a job, service, or activity
- The animal is not housebroken
- The animal is physically ill or unreasonably dirty

A specific Emotional Support Animal can be determined to be inappropriate for providing the accommodation if, over time, the individual with the disability allows the animal to substantially disrupt or unreasonably interfere with the College's study, learning, or work environment or if the emotional support animal is not house-broken, physically ill, or jeopardizes the safety or well-being of the handler or campus community. These matters will be referred to Student Conduct or Human Resources.

Service Animal Policy

Responsible College Official: Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer

Responsible Offices: Office of Equity, Diversity, and Inclusion, Office of Student Affairs, and Student Disability Services

Policy Implementation Date: August 19, 2019

Policy Statement

North Central College recognizes the importance of "Service Animals" as defined by the Americans with Disabilities Act Amendments Act (ADAAA) and Section 504 of the Rehabilitation Act in providing equal access to and participation in the College for qualified individuals with disabilities. The College is committed to providing reasonable accommodations to individuals with disabilities including the use of Service Animals on campus to facilitate the individual's full-participation and equal access to the College's programs, activities and work environment.

Students with disabilities who utilize Service Animals are requested to meet with Student Disability Services. For an appointment, contact Student Disability Services via email at sds@noctrl.edu or by phone at [630-637-5264](tel:630-637-5264).

Faculty and staff with disabilities who utilize Service Animals are asked to contact Human Resources via email at humanresources@noctrl.edu or phone 630-637-5757.

If you believe your rights under disability law are not being provided appropriately by the College, grievance procedures can be found in the *Discrimination, Harassment, Sexual Misconduct and Retaliation* policy. Individuals with disabilities who have a complaint or grievance regarding how this policy has been implemented or who feel that the individual has been wrongfully denied access, services, or accommodations related to a Service Animal can contact:

Dr. Rebecca Gordon

Assistant Vice President of Equity, Diversity, and Inclusion, Title IX/504 Coordinator, and Chief Diversity Officer

524 Old Main

30 N. Brainard

(630) 637-5340

rgordon@noctrl.edu

External Inquiries may also be made to:

Office for Civil Rights (OCR); Chicago Office

U.S. Department of Education Citigroup Center

500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544 Telephone: 312-730-1560
FAX: 312-730-1576; TDD: 800-877-8339
Email: OCR.Chicago@ed.gov

Service Animal

Service Animals are defined as dogs, without breed restrictions, that have been individually trained to do work or perform tasks directly related to an individual's disability. The ADA also has a provision to include miniature horses as Service Animals so long as they have been trained to perform work or tasks for the individual with disabilities and the College determines this is reasonable. No other species of animals, wild or domestic, are included as Service Animals under ADA.

Service Animals must provide a work or task related to the individual's disability. Where it is not readily apparent that the animal is a Service Animal, the College may ask the following two questions: 1) Is the animal a Service Animal required because of a disability? and 2) What work or task has the animal been trained to perform? While Service Animals can also provide comfort, therapy, and emotional support, they must also perform work or tasks related to the individual's disability to be considered a Service Animal.

For Service dogs and miniature horses, the College may consider:

- whether the service animal is house broken,
- if the animal is under the handler's/owner's control, and
- whether or not the animal's presence will compromise legitimate safety requirements for safe operations.

In addition, the College may determine that a service animal is not permitted if the service animal's presence fundamentally alters the nature of a job, service, program, or activity.

The types of work or tasks performed by service animals include, but are not limited to:

- Alerting an individual with diabetes that the individual's blood sugar reaches high or low levels
- Calming an individual with Post Traumatic Stress Disorder (PTSD) or anxiety
- Detecting the onset of a seizure and then help the individual to remain safe during the seizure
- Assisting an individual with low vision with navigation
- Retrieving items or turning on/off light switches
- Providing assistance with stability or balance
- Alerting an individual with hearing loss to the presence of people

Students with disabilities may live with the student's service animal in campus housing. If the College determines that the individual and Service Animal would be better served in an individual room or different residence hall, the student will not be charged the difference in price of a single room or the cost of relocating. Service Animals are permitted to accompany the individual in all public areas of the College, which include areas such as classrooms, the cafeteria, residence halls, and other campus buildings.

Service Animals are not required to wear an identifying vest or badge. An interactive process will be engaged in if the service animal poses an issue to another member of the campus community because of allergies, phobias, or religion-based reasons. This may include making housing assignments based on separating residents with service animals from residents with allergies, phobias or religious preferences.

Dogs not trained to do work, perform a task, or take specific action to mitigate the effects of a disability and only provide comfort, therapy or emotional support (aka, Emotional Support Animals) do not qualify as Service Animals and may be excluded from public areas of the campus such as classrooms and other public buildings.

The College is not responsible for the supervision or care of the Service Animal. Service animals must be under the handler's/owner's control at all times. The animal must be harnessed, leashed or tethered. In the event these devices interfere with the Service Animal's work or the individual's disability prevents using these devices, the individual must maintain control through voice, signal or other effective controls. The individual is also responsible for:

- The health, well-being, and cleanliness of the animal
- The cost of any damages incurred as a result of the animal
- The immediate clean-up after and proper disposal of the animal's waste
- Adhering to all State and local ordinances for dog licensing, registration, and vaccination requirements

Students with Service Animals may be asked to remove the animal from the premises when causing a substantial disruption, unreasonably interfering with the College's study, learning, or work environment, or for health and safety reasons. For example,

- The animal's behavior or actions show aggression toward their handler or other members of the campus community
- The animal is out of control or disruptive (e.g. barking repeatedly) and the handler does not take effective action to control it
- The presence of the animal causes danger to the safety of the handler or other students/campus members
- The animal would fundamentally alter the nature of a job, service, or activity
- The animal is not housebroken
- The animal is physically ill or unreasonably dirty

If an owner is not able to maintain control of the animal and/or if the animal is disruptive or aggressive, the owner will be referred to Student Conduct or Human Resources.

Credentialing Policy for External Media

North Central College is a private, independent and comprehensive college of the liberal arts and sciences located in Naperville, IL. The campus is private property. College officials will provide access to campus activities and events only to qualified media representatives. College officials reserve the right to accompany reporters, videographers and photographers during media interviews with students, faculty and staff.

Members of the media and/or media agencies intending to visit campus must contact the Office of Marketing and Communication (OMC) at 630-637-5300 to receive a College media credential.

Media agencies can include, but are not limited to, daily and weekly online and print publications, cable systems, internet provider, radio and television stations or networks. A campus press pass may be provided to an individual who represents, or is one acting on a specific assignment for, an accredited media agency. Membership in a writers or broadcaster's association does not automatically qualify an individual for media credentials.

An individual holding a media credential is subject to removal from owned or controlled property by College officials and/or Campus Safety for violating media policies. The credential is not transferable and may be revoked at any time without cause.

Reporters granted a College media credential must be properly credentialed at all times while on campus property. In some cases, Campus Safety may be notified in the event cameras and other photography equipment are used.

College event coordinators, as well as students, faculty and staff hosting an activity or event on campus will be notified of media inquiries, and all reserve the right to decline the presence of media at their campus events. There may be occasions where OMC may not be aware of a media representative's presence on campus. If faculty, staff and students are approached by a reporter or media agency directly, please contact OMC, regarding any concerns or questions.

Driver Certification

Faculty, staff, and students wishing to use North Central College vans must be driver certified in order to meet College insurance requirements. A driver certification may be obtained by contacting the Department of Campus Safety at 630-637-5826. The certification process consists of online training modules and the completion of a registration packet. Faculty/Staff member certifications will be valid for four years, and students must renew certifications on an annual basis.

Emergency Response Plan

North Central College is committed to the safety of all students, faculty and staff and all who visit our campus. The Emergency Response Team has put together the Emergency Response Plan with the sole purpose of preparing the College community in the event of an emergency or a disaster.

Our priorities are to protect human life, to meet community needs, to ensure the academic viability of the institution, to protect College property, to recover as quickly as possible from the emergency, and to protect the reputation of the College.

This information is a summary of the institutional Emergency Response Plan and was developed to provide guidelines so students, faculty, and staff know how to react during emergency situations. Please review this information carefully and be prepared for situations that can arise at any time.

For more information about the Emergency Response Plan, please visit its website at:
<https://hub.northcentralcollege.edu/sites/crisis-management>.

Emergency Procedures

The safety of all members of the campus community and visitors to the College is of the utmost importance. Emergency information is posted near the door or light switch in every classroom, office, and residence hall room and in the lobbies of administrative and academic buildings. It is important that you review this information and pay attention to what is going on around you. Please report any suspicious person, object, or behavior to Campus Safety at 630-637-5911 immediately.

- A. **Emergency Notification:** In the event of an emergency, the College will communicate with you in a number of ways. Pop up messages may appear on your campus computer, an announcement or siren may sound from our campus outdoor alert system, a faculty or staff person may communicate a message in person, and/or you may receive a voicemail or an email. Our campus siren/outdoor alert system is tested on the First Tuesday of every month.
- B. **Emergency Text Message:** To ensure that the College has another means of communicating with you, you may sign up for emergency text messaging via RAVE, the College's emergency communication system. To add your mobile phone number, or to update your account, go to: <https://www.getrave.com/login/northcentralcollege>.
- C. **Evacuation/Safe Area:** If an emergency situation occurs, North Central may need to evacuate a building or area. As every second counts in an emergency, the College needs your full cooperation whenever you hear an alarm or are instructed by College personnel to evacuate, even if it appears to be a false alarm. Upon evacuation, proceed to a safe area away from the building and threat. It is vital that emergency responders have enough room to address the situation. Once you are safe, look around to see if someone is collecting names. If you see a College employee accounting for individuals, please check in with them immediately.
- D. **Fire Safety:** When a fire alarm sounds, every student, employee, and visitor must promptly and carefully evacuate the building. In preparation for a possible fire, it is a good idea to locate at least two exit routes from your room/floor. If a fire begins in the room you are in, leave the room and close the door behind you to keep smoke and flames out of the corridor. Locate the closest pull station and sound the alarm. Exit the building via the closest exit. If the fire alarm sounds:
 - 1. If the door to the room is closed, first feel the door and door knob with the palm of your hand. If either is hot, leave the door shut. If the door and door knob are not hot, open the door slowly.
 - 2. Check the hall. If you can leave safely, shut the door behind you and exit the building via the closest exit.
 - 3. If the nearest exit or stairway is blocked by smoke or fire, use an alternate exit if clear. If you cannot find a safe exit, return to your room, close the door, and let someone know that you are in your room (call 911 and/or Campus Safety at 630-637-5911 and hang something out the window).
- E. **Medical Emergency:** If a student, employee, or visitor experiences a medical emergency while on campus, please call 9-1-1 immediately; then contact the Department of Campus Safety at 630-637-5911. All accidents or injuries that occur on College property should be promptly reported to Campus Safety.
- F. **Violent Behavior:** If confronted with violent behavior or a crime in-progress attempt to remain calm. When deciding what action to take, consider any real-time information that may be

available to you. Avoid approaching the situation or placing yourself in danger. Remain observant and vigilant to your surroundings and be prepared to seek safety, if necessary.

Considerations may include:

1. Whether a threat is nearby? Are you in immediate danger?
2. Do you need to consider options (Run, Hide, Fight) to provide for your safety?
 - a. **Run** - Are there options to leave the area and relocate to a place of safety?
 - b. **Hide** - Are there options to seek shelter in a locked room or closet?
 - c. **Fight** - If the threat is in or entering the area you are in, be prepared to take steps to distract the threat and defend yourself until you can escape.

As you consider your options and take action, inform others of what is taking place. Remain observant and vigilant to your surroundings and be prepared to seek safety, if necessary. Call 9-1-1 as soon as possible; then notify Campus Safety at 630-637-5911. Provide as much information as possible.

- G. **Severe Weather:** In the event of severe weather, occupants of campus buildings should take shelter in the designated areas. Designated areas are typically listed on the back of every office, classroom, and residence hall room door. All individuals on campus should:
1. Move away from the outside perimeter of the building and toward a safe area such as an interior washroom, stairwell, basement, or other interior room. Avoid areas with large glass windows or a large expanse of roof/ceiling.
 2. Not attempt to leave the building.
 3. Not get on an elevator.
 4. Remain calm and follow instructions from North Central College personnel.
- H. **School Closures:** As a general practice, North Central College does not close unless the health, safety and security of the College personnel and students are seriously brought into question. When this does happen, either because of severe weather conditions or other emergencies, the College will notify students and employees via text alert, voicemail and/or email and the Office of Marketing and Communications will update the public via the College website and/or other modes of communication. Announcements of the emergency closing will, to every extent possible, specify the starting and ending times of the closing and whether the closing includes specific College services, events and evening or weekend classes and programs. Listen to radio announcements and check the College website for closing information.

For school closing information:

- Listen to radio stations WBBM-AM 780/105.9FM, WGN-AM 720 or WONC-FM 89.1
- Watch CBS 2 Chicago, NBC 5 Chicago, ABC 7 Chicago, WGN-TV 9, Fox News Chicago and CLTV news
- Check your campus email, voicemail and the College home page northcentralcollege.edu
- Sign up for emergency text messages at:
<https://www.getrave.com/login/northcentralcollege>.

Enrollment Verifications

The Registrar's Office verifies student enrollment status for the current semester and/or past semesters of enrollment to financial lending institutions for loans, for insurance companies for "good driver"

discounts, for scholarship receipt and/or continuance, for health insurance coverage, and for employment purposes. Verifications are processed on the form a student provides or on official College letterhead or forms. Please note that current semester enrollment can only be verified after the tenth day of the semester.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to the student's education records. These rights include:

- A. **The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.** A student should submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Registrar, the Registrar will advise the student of the correct official to whom the request should be addressed.
- B. **The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.** A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision, and the student's right to a hearing regarding the request for amendment.
- C. **The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.** The College discloses educational records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position; a person serving on the Board of Trustees; a student serving on an official committee (such as a disciplinary or grievance committee) or assisting another school official in performing the official's tasks; or a person, institution, or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials. The College currently outsources enrollment and degree verification, debt collection, tuition management services, enrollment, retention and graduation tracking and financial aid analysis; other agents include attorneys and auditors. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill the official's professional responsibilities for the College. Upon request, the College also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. Additionally, the College will disclose records without consent to comply with a judicial order or lawfully issued subpoena and to appropriate officials in cases of health and safety emergencies.
- D. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.**

Flag Policy

North Central College understands there is interest on the part of College community members to display on campus the flags that represent a community member's country, ethnic group(s), and/or cultural communities. The College also recognizes that a display of any particular flag may elicit different reactions in different cultures.

As such, North Central College has established the following policy for the display of flags:

- The main campus flagpole is located on the lawn of Old Main (30 N. Brainard St) and is reserved solely for displaying the United States and North Central College flags.
- The U.S. flag will be lowered to half-staff at the direction of the President of the United States or the Governor of the State of Illinois. Further, the U.S. flag will be lowered to half-staff at the direction and discretion of the North Central College Office of the President, for the death of current members of the faculty, staff, student body, Board of Trustees, a friend of the College, a former member of the faculty, staff or Board of Trustees, etc.
- Flags representing groups, cultures, or nations not specified above, may be displayed at designated locations throughout campus. Determination of the location and the flags to be displayed will be made by the Vice President for Student Affairs and Athletics, or their designee.
- Inquiries about the Flag Policy should be directed to the Office of Student Affairs.

Filing a Formal Complaint

A formal student complaint is a written and signed complaint; initiated by a student or a family member on behalf of a student (and confirmed by the student), that is a non-trivial, non-routine complaint, either academic or non-academic, the resolution of which rises to the level of a President's Cabinet member. Formal student complaints and their resolution are logged and regularly reviewed by the Cabinet. Petitions for waiver of College regulations, College disciplinary actions and grade appeals are not formal student complaints. Complaints related to discrimination, harassment, sexual misconduct and retaliation are handled through the process outlined in the section of this handbook labeled "Discrimination, Harassment, Sexual Misconduct and Retaliation."

Any member of the North Central community – faculty, staff or student – may report a serious complaint or concern to the Campus Conduct Hotline at 866-943-5787. The hotline is staffed by professional staff members of BHR Worldwide, an organization which specializes in compliance hotlines, and it is available 24 hours a day, seven days a week. The hotline operator will record the complaint or concern and forward it to the appropriate staff member at North Central for review and action as appropriate. Callers to the hotline may remain anonymous.

Hazard Communications Standard

It is the policy of North Central College to train all employees and students on – and inform them of – the Hazard Communication Standard.

Definitions:

1. Material Safety Data Sheet (MSDS) – A document that lists information related to occupational safety and health for the use of various substances and products.
 2. Safety and Compliance Officers – Individuals responsible for ensuring a safe and healthy work environment. At the College, the department(s) and individuals serving in this role are the department of Operations, Human Resources, and Lab Managers.
- A. **Purpose:** The purpose of this notice is to inform all employees and students that North Central College is complying with the Occupational Safety and Health Administration [OSHA Hazard

Communication Standard, Title 29 Code of Federal Regulations 1910.1200], by compiling a hazardous chemicals list, by using Material Safety Data Sheets [MSDS], by ensuring that containers are labeled, and by providing all employees with training. All affected persons will be advised of the hazard communication program at the College, during the hiring and training process. This program applies to work operations at the College where the individual may be exposed to hazardous substances under normal working conditions or during an emergency situation.

- B. **Training:** Each employee who works with or is potentially exposed to hazardous chemicals will receive initial training on the Hazard Communication Standard, as well as the safe use of toxic substances. This general training program will be organized by the safety and compliance officers and participation is a condition of employment at the College. The program prepared for this purpose uses both audio-visual materials and seminar-type training. The training program will emphasize the following items:
1. A summary of the standard and this written program.
 2. The chemical and physical properties of hazardous substances and methods that can be used to detect the presence or release of chemicals.
 3. The physical hazards of chemicals.
 4. The health hazards, including signs and symptoms of exposure, the hazards associated with exposure to chemicals, and any medical condition known to be aggravated by exposure to the chemical.
 5. The procedures to protect against hazards.
 6. Where Material Safety Data Sheets (MSDS) are located, how to read and interpret the information on both labels and MSDS, and how employees may obtain additional hazard information.
- C. **Specialized Training:** In addition to the general training program, the employee will, when appropriate, participate in a second session devoted to the hazards specific to the employee's work area. This session will be part of the on-the-job training program. This job-specific training will be organized by the program and regional coordinators. Whenever a new hazard is introduced into the work area, additional training will be provided. Supervisors will provide training regarding hazards and appropriate protective measures so they will be available to answer questions and to provide regular monitoring of safe-work practices.
- D. **Non-Routine Tasks:** When an employee is required to perform hazardous non-routine tasks, a special training session should be conducted to inform the employee about the hazardous chemicals to which the employee might be exposed, and the proper precautions to take to reduce or avoid exposure. The departmental supervisor is responsible for the special training.
- E. **General Principles:** Under this program, the employee will be informed of the content of the Hazard Communication Standard, the hazardous properties of the chemicals with which the employee works, safe-handling procedures, and measures for protection from these chemicals. The employee will also be informed of the hazards associated with non-routine tasks, when applicable.
- F. **List of Hazardous Chemicals:** The safety and compliance officers will maintain a list of all hazardous chemicals on the campus and related work practices used by the College, and will update this list as necessary. This list will include the work area in which the substance is used.

In addition, departmental supervisors will maintain a list of all hazardous substances for the supervisor's designated area and update these lists as required. The departmental lists are available from each departmental supervisor.

- G. **Material Safety Data Sheets:** The Material Safety Data Sheets [MSDS] provide individuals with specific information on the chemicals the College uses. The safety and compliance officers will maintain an MSDS file in the office for every substance on the list of hazardous chemicals. The MSDS will be a fully completed OSHA Form 74 or equivalent. In addition, the departmental coordinators will maintain a file of MSDS in the coordinator's work area, which will be available to all individuals.
1. The departmental supervisors are responsible for acquiring and updating MSDS files. Any updates should be submitted to the safety and compliance officers for the master file. Chemical manufacturers will be contacted by the supervisors if additional information is necessary.
 2. It is the supervisors' responsibility to contact the supplier to obtain an MSDS sheet in the event that any hazardous material is received without one.
 3. All new procurement of hazardous chemicals for the College must be cleared by one of the supervisors.
- H. **Labels and Other Forms of Warning:** The safety and compliance officers will assist departmental supervisors in ensuring that all hazardous chemicals at the College are properly labeled and updated, as required. Labels should include at least the chemical identity, appropriate hazard warnings, and the name and address of the supplier. The program and departmental supervisors will refer to the corresponding MSDS to assist the individual in verifying label information. No hazardous material delivered to the College will be accepted, unless it is properly labeled.
1. If there are a number of stationary containers in a work area that have similar contents and hazards, signs will be posted to convey the hazard information.
 2. If the individual transfers chemicals from a labeled container into a portable container that is intended for immediate use only, no labels are required on the portable container.
- I. **Contractor Employees:** The safety and compliance officers will advise, in person, outside contractors of any chemical hazards that may be encountered in the normal course of the contractor's work on the College premises, the labeling system in use, the protective measures to be taken, and the safe-handling procedures to be used. In addition, these individuals will be notified of the location and availability of MSDS. Each contractor bringing chemicals on-site must provide the College with the appropriate hazard information on these materials, including the labeling system used and the precautionary measures to be taken in working with these chemicals.
- J. **Administration:** The safety and compliance officers will act as the representative of the Vice President for Operations, Mr. Mike Hudson, who has the overall responsibility for the program. The safety and compliance officers will review and update the program as necessary. Copies of the written program may be obtained in the Operations Office. Due to the operational structure of the institution, each supervisor, each division chairperson, department head or student organization advisor will be responsible for their respective area and will report to the safety and compliance officers.

- K. **Additional Information:** Any individual can obtain further information on this written program, the hazard communication standard, applicable MSDS, and chemical information by contacting Human Resources at 630-637-5757 or the Operations office at 630-637-5656.

Housing Accommodations

North Central College students living on campus are provided with accommodations under Section 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and the Fair Housing Act. If a student has a disability as defined by the ADA, the student may be granted reasonable accommodations in student housing. These accommodations are determined on a case-by-case basis through an interactive process which includes a verification of disability. The disability verification must substantiate a need for a particular housing accommodation based on the student's disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more of the major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The verification must show substantial limitations to major life activities relevant to living in campus housing. Approved accommodations are dependent on availability. More information on the housing accommodation process can be found here:

<https://hub.northcentralcollege.edu/sites/support-assistance/SitePageModern/8916/student-disability-services>.

Lock Outs

In the event on-campus residents are locked out of their rooms, the resident should attempt to contact the following resources in the following order for assistance: roommate(s), the resident's Resident Assistant (RA), any other RA in the building/area, the on-call RA, the resident's Area Hall Director (AHD), and finally, Campus Safety or the AHD on duty. Residents must show the resident's ID prior to, or immediately after, the resident's door is unlocked, or upon receipt of a temporary key. If a temporary key is issued it must be returned in the timeline outlined by the issuer. Failure to return a temporary key will result in a lock change at the student's expense.

Lost and Found

The Department of Campus Safety will attempt to return all found property to rightful owners. When the owner can be determined, the Department of Campus Safety will attempt to notify the owner by telephone or by e-mail, giving instructions on procedures to claim the property. The Department of Campus Safety maintains found property for up to 90 days. Property not claimed within 90 days may be destroyed or discarded. Persons claiming lost property will be required to show proper identification, and sign for all items returned. Individuals can also file a lost property report at the Department of Campus Safety to speed along the identification and return of recovered property.

If you have lost something, please contact the Department of Campus Safety at 630-637-5826, or at their office, located at 451 S. Brainard St. in Naperville.

Mental Health Emergency Contact Policy

North Central College maintains a safe community by encouraging students to care for the student's physical and mental health. In accordance with Illinois state law, North Central College is required to provide each student an opportunity to designate a contact person in the event of a mental health emergency. The Illinois Student Optional Disclosure of Private Mental Health Act states that the

institution may disclose the student's mental health information "if a physician or qualified examiner makes a determination that the student poses a clear danger to himself, herself, or others."

Students have the choice to elect a desired contact person or decline this option. A mental health emergency contact person can be anyone over the age of 18 (e.g., parent, sibling, or friend). Students do not have to designate a mental health emergency contact person if the student does not wish to do so. Students may also modify the designation entries at any time.

In the event that a mental health clinician or physician at the Dyson Wellness Center at North Central College finds that a student is experiencing an emergency that puts the student or others at risk for serious injury or death, the mental health clinician or physician will contact the designated mental health emergency contact person listed within 24 hours.

Students may complete the designation form by accessing the student's Merlin account, selecting the [Emergency Contact Information](#) link and completing the applicable fields for the Emergency Mental Health Contact.

Please note that the College reserves the right to contact any emergency contact person (including parents or legal guardians) as required or permitted by law.

Privacy – Safeguard Rule

North Central College, in compliance with the Federal Trade Commission's rules and consumer protection mission, has instituted privacy principles and policies designed to safeguard students, users, employees, and customer information against such risks as loss, unauthorized access, destruction, misuse, modification, or disclosure.

The Safeguard Rule policy will ensure the security of personally identifiable information that is stored in hardcopy or electronic format. Information Technology Services, in conjunction with the Office of Human Resources, is responsible for data security policies and procedures and all related technical and legal issues.

Student Record Retention

Records of incidents, investigations, hearings, meetings, Early Alert referrals, bias incident reports, and any other student conduct/behavioral record are maintained by the Office of Student Affairs for a minimum of ten (10) years as indicated below. If the records involve a student, the records will be maintained for a minimum of ten (10) years past the date of the incident/event and in accordance with the Family Educational Rights and Privacy Act (FERPA), which protects the privacy of student education records. The College reserves in its sole discretion, the right, but is not required, to maintain any record it deems appropriate for a longer period. For example, records involving a student's suspension or dismissal from the College may be kept for a longer time period. The College may purge applicable records annually.

Note: Records involving the College's Discrimination, Harassment, Sexual Misconduct and Retaliation Policy have specific processes and procedures that may differ from the above records retention policy. To obtain information unique to these records, please refer to the Discrimination, Harassment, Sexual Misconduct and Retaliation policy located in "The College's Responsibility to Students" section of this Handbook.

See the North Central College Undergraduate and Graduate Academic Catalogs for institutional policies regarding retention of student academic records.

Office of Residence Life Staff

Each residence hall has committed staff members who live within the community and provide resident students with assistance and service. The Office of Residence Life Staff include:

- A. **Area Hall Directors:** The general administration of student services within each residence hall is the responsibility of the Area Hall Director (AHD), a professional staff member who lives on campus. All professional live-in staff members have an office within the AHD's assigned area, and can be reached by contacting the Office of Residence Life or the AHD's individual offices. Staff members serve as a resource for each resident student and can assist in managing/addressing a wide range of questions, issues, and concerns related to a student's continued success at the College. Staff members coordinate and implement educational and social programs, and organize large-scale programs with the intent of promoting an environment that encourages a student's academic and personal growth. Professional staff members may have additional advising responsibilities for student organizations. AHDs work to create an engaging and irresistible living community for all residents.
- B. **Resident Assistants:** A Resident Assistant (RA) is a current student serving as a paraprofessional assigned to a residence hall community. These student leaders have taken on the responsibility of acting as a resources for residential students. RAs serve as positive role models for students, and strive to aid residents in achieving individual and community goals. RAs also help students familiarize themselves with policies and guidelines, as well as help to maintain an environment conducive to learning. In addition, RAs organize educational and social programs with the intent of promoting an environment that encourages each student's academic and personal growth. RAs work to create an engaging and irresistible living community for all residents.
- C. **On-Call Residence Life Staff:** In emergency situations, residents should not hesitate to call either 911 for police, fire, ambulance, or 630-637-5911 for Campus Safety assistance. In non-emergency situations during the daytime hours, residents should first attempt to contact the resident's Resident Assistant (RA), then any other RA in the hall or area, and then the resident's Area Hall Director. In the evenings, on-call RAs are available from 4:30 p.m. to 8:00 a.m. to assist students. On-call RAs can be contacted by calling the duty cell phone number posted throughout the respective residence halls. For questions or assistance when an RA is not available, residents can contact the resident's Area Hall Director or the Area Hall Director on duty. The Area Hall Director on duty can be reached at 630-816-5298.

Unmanned Aircraft Systems (Drones)

The personal, institutional or commercial use of unmanned aircraft systems (UAS), as defined by the Federal Aviation Administration (FAA) is prohibited on campus unless pre-approved in writing by the Vice President for Operations or the Assistant Vice President for External Affairs. Requests for approval are to be made by submitting the Unmanned Aircraft Flight Request Form available at <https://www.northcentralcollege.edu/dronepolicy>.

Any and all data obtained from an approved use of a UAS on campus must be provided to the College. UAS operators are solely responsible for any injuries or damage of any type caused to property and/or people by the UAS. The UAS Operator will indemnify, defend and hold the College harmless for any costs or damages, including reasonable attorney's fees, incurred by the College in connection with the use of a UAS. The College will not be responsible for any damages of any kind caused by use of a UAS. Any operator of a UAS must register the UAS with the FAA and other governmental authorities as required. The operator must also follow all pertinent federal, state and local laws and regulations including, but not limited to, the City of Naperville, the Naperville Park District, and DuPage County. Detailed information regarding federal regulations can be found on the Federal Aviation Administration website at www.faa.gov/uas/.

Voter Registration

Information on registering to vote may be found at the Illinois State Board of Election's website <http://www.elections.il.gov/InfoForVoters.aspx>. Students who need additional assistance in registering to vote should contact the Office of Student Affairs or the College's Student Governing Association.

Daily Crime Log

The Department of Campus Safety maintains a Daily Crime Log to record all criminal incidents and alleged criminal incidents that are reported to the Department of Campus Safety. The Department of Campus Safety does not disclose information when the disclosure is prohibited by law, if the disclosure would jeopardize the confidentiality of a victim, would cause a suspect to flee or evade detection, or if it would result in the destruction of evidence. The Daily Crime Log is designed to provide crime statistics/information on a timelier basis than the statistical disclosures in the College's Annual Security and Fire Safety Report. This Daily Crime Log is maintained and updated within two business days of the date the crime is reported to the Department of Campus Safety. Dispositions on the Daily Crime Log are maintained for 60 days after a crime is included in the log. A copy of the College's Daily Crime Log may be requested from the Department of Campus Safety for review. The crime log for the most recent 60-day period is immediately available for public inspection, upon request, during normal business hours. Any portion of the log that is older than 60 days is open to public inspection, upon request, and made available within two business days of the request.

Weekly Safety Reports

The Department of Campus Safety publishes a Weekly Campus Safety Report, which is available on the College website at <https://www.northcentralcollege.edu/campus-safety/campus-safety-reports>. This weekly report is compiled using the Daily Crime Log information for a seven-day period. The last 90 day period of reports are available for public inspection, upon request, during business hours. If a major safety incident occurs, the campus community will be notified by a RAVE text message alert and/or a special bulletin that will be emailed to all students, faculty and staff. Additionally, a safety bulletin may be posted at the entrance/exit to each residence hall, various high traffic areas on campus, and on the Campus Safety website. The safety bulletins are displayed on bright orange paper designed to indicate the bulletin's importance.

STUDENT CONDUCT PROCEDURES

When a student is alleged to have violated College policy (except as noted below), a review of the incident report and/or a preliminary investigation will take place within a reasonable period of time. The purpose of the preliminary investigation is to determine whether there is reasonable cause to believe that the conduct reported may have violated College policy. When in the judgment of the Vice President for Student Affairs and Athletics (or their designee, typically the Dean of Students) and based on the incident report and/or preliminary investigative report, a violation of College policy may have occurred, the student will be informed of the allegations against them and will have a hearing to resolve the matter. Documentation associated with the conduct case is kept in the student's conduct file. Students are informed of the hearing date, time, and location via the student's North Central College email account and/or the student's campus or home mailing addresses. Should the Vice President for Student Affairs and Athletics (or their designee, typically the Dean of Students) determine that there is no reasonable cause to believe that a violation of College policy has occurred, the reporting party will be informed and may request an independent review of the incident report and/or investigative report by the Vice President for Student Affairs and Athletics.

When in the judgement of the Provost and Vice President for Academic Affairs (or their designee) and based on the information available, incident report and/or preliminary investigative report that a violation of academic integrity may have occurred, the matter will be addressed through the Academic Honesty policy of this Handbook. Should the Provost and Vice President for Academic Affairs (or their designee) determine that there is no reasonable cause to believe that an academic integrity violation has occurred, the reporting party will be informed and may request an independent review of the incident report and/or investigative report by the Provost and Vice President for Academic Affairs.

It is expected that students attend and participate in an investigative and/or student conduct process when called to appear as a witness or respondent. Students with disabilities who wish to request a modification to the hearing process may do so in writing to the Office of Student Affairs at least two working days prior to the scheduled hearing.

Note: Reports or allegations that fall under the College's Discrimination, Harassment, Sexual Misconduct and Retaliation Policy have specific processes and procedures that may differ from the other procedural standards described in the Student Handbook. To obtain information unique to those cases, please refer to the Discrimination, Harassment, Sexual Misconduct and Retaliation policy located in "The College's Responsibility to Students" section of this Handbook.

Conduct Process Administration

Members of the College administrative staff including but not limited to, the Provost and Vice President for Academic Affairs (or their designee), the Vice President for Student Affairs and Athletics, the Dean of Students, and professional staff members of the Office of Residence Life have the responsibility of providing an environment which is conducive to comfortable and safe living and effective learning. As a result, these individuals have the authority to discipline students for conduct which is not consistent with the College's policies. Such discipline may be either permanent or interim. All cases where academic integrity is involved will be addressed through the Academic Honesty section of this Handbook. The President of the College and the Board of Trustees may also discipline students when necessary and appropriate.

Privacy

Allegations involving student conduct can be sensitive and demand special attention to issues of privacy. Those responsible for carrying out procedures in this policy will take reasonable efforts to maintain the privacy of the individuals involved, to the extent possible and otherwise mandated by law. Absolute confidentiality may not be possible in certain circumstances, including but not limited to when the College is required to disclose information in response to a legal process or when the need to protect the safety of others outweighs the privacy concerns. College personnel responsible for handling or investigating various matters are permitted to consult with legal or other counsel at any point during the process.

The parties and witnesses involved in an allegation of student misconduct are encouraged to keep the matter as private as is reasonably possible. Staff involved in the investigation are expected to maintain reasonable privacy. The College cannot prevent the re-disclosure of information related to the outcome of the investigation or appeal. Nondisclosure agreements that prohibit the re-disclosure of information related to the outcome of the investigation or appeal are discouraged. The parties have discretion to share the party's own experiences if they so choose. It is recommended that the parties discuss disclosures with the parties' advisors prior to any actual disclosure.

Preponderance of the Evidence

The student conduct process at North Central College requires a preponderance of the evidence in order for a student to be found in violation of College policy. This means that a student will be found in violation of a College policy if the evidence demonstrates that it is "more likely than not" that the alleged violation occurred.

Hearings

A Hearing is a formal way of resolving a violation of College policy or the Statement of Student Conduct. Two kinds of hearings are possible: an Administrative Hearing or a Hearing Panel (Sanction Hearings are considered part of the official Hearing Panel process). All academic integrity cases will be resolved through the Academic Honesty policy of this Handbook. Hearing Panels will be convened to address repeated policy violations, or to resolve more serious matters – i.e., those that may result in a student being suspended or dismissed from the College, or permanently dismissed from the residence halls. The College may refer any matter, regardless of potential outcome, to a Hearing Panel for resolution.

- A. **Investigation:** Any preliminary investigation into a policy violation will be conducted by Campus Safety Staff, the Residence Life Staff, the Dean of Students, the Provost and Vice President for Academic Affairs (or their designee), or another appropriate designee, as determined by the Vice President for Student Affairs and Athletics and/or the Provost and Vice President for Academic Affairs. It is expected that all members of the College community will cooperate fully in an investigation; this includes responding fully and truthfully to requests for information. If the result of the investigation is such that an Administrative Hearing or Hearing Panel must be convened, the Office of Student Affairs, or its designee, will provide written notice to the student clearly outlining the violations alleged, and the time and date on which the Administrative Hearing or the Hearing Panel will convene. Every attempt will be made so as to avoid conflicts with classes, but students are expected to make arrangements for other schedule

conflicts. The names of the Administrative Hearing Officer or the members of the Hearing Panel will also be included in the written notification.

- B. **Advisor:** The Student Conduct Process allows all parties the right to be accompanied by an advisor of the party's choice during any investigation or disciplinary-related meeting or proceeding. The parties may select whomever they wish to serve as the party's advisor as long as the advisor is available for the process as scheduled, and is not otherwise involved in the current student conduct process, such as, but not limited to serving as a witness or as a hearing panelist. The advisor may be a friend, mentor, family member, attorney, advocate or any other supporter a party chooses. Witnesses and/or Hearing Panel members cannot also serve as advisors. The parties may choose advisors from inside or outside the campus community.

The parties may be accompanied by the party's advisor in all meetings and interviews at which the party is entitled to be present. Advisors may help their advisees prepare for each meeting, and are expected to advise ethically, with integrity and in good faith. The College does not guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide one.

All advisors are subject to the same campus rules, whether the advisor is an attorney or not. Advisors may not address administrative officials in a meeting or interview unless invited to do so. The advisor may not make a presentation or represent the parties during any meeting or proceeding and may not speak on behalf of the advisee to the investigators or hearing panelists. The parties are expected to ask and respond to questions on the party's own behalf, without participation by the party's advisor. Advisors may confer quietly with their advisees or in writing as necessary, as long as the advisor does not disrupt or unreasonably delay the process. For longer or more involved discussions, the parties and the parties' advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be permitted the opportunity to meet in advance with the administrative officials conducting the interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have, and allows the College an opportunity to clarify the role the advisor is expected to take.

Advisors are expected to refrain from interference with the investigation and resolution. Any advisor who is unable to follow these guidelines will be allotted only one warning. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting. When an advisor is removed from a meeting, that meeting will typically continue without the advisor present. Subsequently, the administrative officials conducting the interview or meeting will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the interview, meeting or hearing.

The College expects that the parties will wish to share documentation related to the allegations with the parties' advisors. Before the College will provide information directly to an advisor, a consent form must be completed by the party in question. Parties may share any information the party receives directly with their advisor, if party wishes. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with 3rd parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may

seek to restrict the role of any advisor who does not respect the nature of the process or who fails to abide by the College's privacy expectations.

The College expects an advisor to adjust the advisor's schedule to allow for attendance at any scheduled meeting, hearing or interview. The College does not typically change scheduled meetings to accommodate an advisor's inability to attend. The College will, however, make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video and/or virtual meeting technologies as may be convenient and available.

A party may elect to change advisors during the process but changing advisors will not delay the process. The parties must provide notice to the administrators and/or investigators of the identity of the party's advisor and if/when the party wishes to change the party's advisor with sufficient time, so the process is not delayed.

Administrative Hearings

Administrative Hearings are conducted by members of the College administrative staff, including, but not limited to the Office of Residence Life staff, the Dean of Students, and the Vice President for Student Affairs and Athletics. All Administrative Hearings are closed to non-parties, with the exception of witnesses, victims, members of the College community serving as advisors, and student conduct process personnel.

- A. **Notification:** Students will be notified, in writing, of the student's hearing date, time, location, and of all charges.
- B. **Process:** During an Administrative Hearing, the student accused of violating a College policy will meet with an Administrative Hearing Officer (AHO) to discuss any and all alleged policy violations. The student will have an opportunity to share the student's account of the incident both verbally and in writing.
- C. **Sanctioning:** Based on the information provided in the Incident Report and the conversation with the accused student, the AHO will determine whether the student was in violation of College policies. If a student is found in violation, the AHO also will issue appropriate sanctions.

Hearing Panels

Note: Reports or allegations that fall under the College's Discrimination, Harassment, Sexual Misconduct and Retaliation Policy have specific processes and procedures that differ from other policies described in the Student Handbook. For these cases, please refer to the Discrimination, Harassment, Sexual Misconduct and Retaliation policy located in "The College's Responsibility to Students" section of this Handbook.

The Hearing Panel process begins once the Office of Student Affairs receives an Incident Report, typically from the Office of Residence Life, Department of Campus Safety, or law enforcement authority that outlines an alleged policy violation. A Panel may be convened because of repeated policy violations, or because of an especially egregious or serious matter – i.e., those that may result in a student being suspended or dismissed from the College, or permanently dismissed from the residence halls. The College may refer any matter, regardless of potential outcome, to a Hearing Panel for resolution. Written notification (typically an official North Central College email) will be provided to the accused student to set-up an initial appointment to discuss the student conduct process with a Student Affairs

staff member. At this time the accused student will be able to review all relevant documents and/or Incident Reports regarding the case, and if desired, provide a written Voluntary Statement describing the student's knowledge of the incident. At this time, the student will also be given the option to submit an Early Plea.

Early Plea Option for Hearing Panel Cases: A student will be permitted to submit a plea of "in violation" to all charges prior to a Hearing Panel being convened. By pleading "in violation" to all policies in question, the student gives up the following rights: (1) The right to have the case heard by a Hearing Panel, (2) the right to see, hear and question all witnesses, if any, (3) the right to present evidence and call witnesses, and (4) the right to be found NOT in violation.

If a student chooses this option, the standard hearing process will be abbreviated and a Sanction Hearing will be scheduled. Sanction Hearings can be administered by the Vice President for Student Affairs and Athletics, the Dean of Students, the Director of Residence Life, a Sanction Hearing Panel or any staff member deemed appropriate by the Vice President for Student Affairs and Athletics, or their designee. Sanction Hearing Panels will consist of two students and two faculty or staff members assigned by the Office of Student Affairs. During periods when the College is not in session, at the beginning of a semester or during the final examination period of each semester, the Office of Student Affairs reserves the right to convene a Sanction Hearing Panel that is different in make-up than described above. Every attempt will be made to secure two students and two faculty/staff members.

Sanction Hearings for Hearing Panel Cases: After an initial conversation regarding the information pertaining to the case (i.e. Incident Reports, Voluntary Statements) the Sanction Hearing Officer or Panel will levy sanctions, as appropriate. In the event the incident involves a reporting party or victim, that party will be invited to attend the Sanction Hearing. The reporting party or victim will have the ability to make a statement and answer any questions posed by the Sanction Hearing Officer or Panel. A reporting party or victim will be afforded all rights as explained in the Student Handbook under Student Rights/Rights of Victims section. Sanction Hearings will be digitally recorded.

If the respondent to a Sanction Hearing decides at any time prior to, or during, a Sanction Hearing that the respondent no longer wishes to accept responsibility, a standard Hearing Panel will be scheduled to resolve the case. Once the Sanction Hearing Officer or Panel administers sanctions or enters deliberation, the case is finalized and the responding party no longer has the ability to change the student's plea or request the case be heard by a standard Hearing Panel. Sanction Hearings are eligible for appeal through the standard student conduct appeal process as outlined in the "Appeals" section of this policy.

If the student does not wish to submit an Early Plea of "In Violation," a standard Hearing Panel will be scheduled.

A. Hearing Panel Personnel

Panelists: Panelists, including Sanction Hearing Panelists, will be specially selected and trained members of the North Central community, and may include any student who has not been found in violation of a major College policy.

Panel Chairperson: A Panel Chair will be appointed by the Office of Student Affairs from among the members of the panel. This may be a faculty or staff member, or a student. The individual serving as Chair of the Hearing Panel will call the hearing to order through an opening statement and explain the rules governing the process. The Chair will be responsible for making procedural decisions during the hearing; the panel as a whole will vote upon substantive decisions.

Initiator: The Initiator is a representative of the College who brings the case on behalf of the College. The burden of proof will be with the Initiator at all times. The Initiator will have the opportunity to present any facts substantiating the claims made by the College. The Initiator will ask questions of any Responding Party, Reporting Party and/or witnesses (in person, or, if necessary and with consent, by written statement) and inspect information and documents in order to best determine what specifically took place during the alleged incident and the role the Responding Party played in the alleged incident. Broad latitude should be given by the Panel in this regard.

Responding Party: The Responding Party is the individual being examined by the Hearing Panel. The Responding Party will have the opportunity to present evidence and make statements in the responding party's defense and rebut any claim(s) made by the Initiator, Reporting Party, and/or witnesses in any way that the Panel deems appropriate and fair. The Respondent can ask questions of the Initiator, any Reporting Party and/or witnesses (in person, or, if necessary and with consent, by written statement), and inspect information and documents in order to illustrate what specifically took place during the alleged incident and the role the Responding Party played in the alleged incident. Broad latitude should be given by the Panel in this regard.

Reporting Party: The Reporting Party is the individual who reports an allegation of student misconduct. Reporting parties may be individuals or groups of individuals who have been impacted by student misconduct, or a third-party who brings an allegation on behalf of another member(s) of the College community. Allegations may be brought forth in person, in writing, by phone, via email, or by other means of notice. The Reporting Party will have the opportunity to present any facts substantiating any alleged student misconduct. The Reporting Party will be able to ask questions of any Responding Party, witnesses, and/or the Initiator (in person, or, if necessary and with consent, by written statement) and inspect information and documents in order to illustrate what specifically took place during the alleged incident and the role the Responding Party played in the alleged incident. Broad latitude should be given by the Panel in this regard.

NOTE: Reports or allegations that fall under the College's Discrimination, Harassment, Sexual Misconduct and Retaliation Policy have specific processes and procedures that may differ from the other procedural standards described in the Student Handbook. To obtain information unique to those cases, please refer to the Discrimination, Harassment, Sexual Misconduct and Retaliation policy located in "The College's Responsibility to Students" section of this Handbook.

Witnesses: Witnesses may be called to the hearing to provide additional information. Before the hearing, any Responding Party or Reporting Party and the Initiator should submit to the Office of Student Affairs and Hearing Panel Coordinator a full list of any persons who will speak at the hearing as witnesses.

Hearing Panel Coordinator: The Hearing Panel Coordinator oversees the organization of Hearing Panels, including Sanction Hearings. The Coordinator can be any member of the College's faculty or staff deemed appropriate by the Dean of Students. To ensure that due process is served, the Hearing Panel Coordinator serves as resource and guide during the hearing processes but is not present for deliberations. .

B. Hearing Panel Process Policies

Dismissing Panelists: To ensure fairness and impartiality, those participating in the hearing as Initiator (the representative of the College who brings the case on behalf of the College) and the

Responding Party (the party subject to disciplinary action) will have the uncontested right to request a change of one (1) student and one (1) faculty member of the panel. The Hearing Panel Coordinator will select a substitute member from the list of trained panelists. In any instance where an Initiator or Responding Party has significant concerns about additional Panel members, a written appeal may be made to the Dean of Students to consider additional substitutions. The Dean of Student's decision on the appeal, including the individuals selected as substitutions (if any), will be considered final. As an additional safeguard of fairness and impartiality, any member of the Panel assigned may request to be excused or and/or replaced. Panel members will be expected to excuse themselves where a conflict of interest or the appearance of a conflict of interest is present.

No-Contact: The parties called to a Hearing Panel will not contact any member of the Panel in any way before the hearing, nor will the Panel members contact the parties in any way before the hearing.

Hearing Panel Proceedings: A Hearing Panel will be convened no later than seven business days from final Panel assignment, barring unusual circumstances. However, the Panel or the Office of Student Affairs may consider and allow reasonable requests for postponement. All Hearing Panels will be closed to non-parties, with the exception of witnesses, Reporting Parties, members of the College community serving as advisors, and relevant College personnel.

Pleading In Violation: If a respondent willingly pleads "in violation" to charges during a standard Hearing Panel, the Panel will convene to hear the student's testimony and plea related to the incident. In this case, the Initiator and any witnesses will not be called to speak at the Panel. A Reporting Party, will have a right to make a statement to the Hearing Panel before its deliberation in those cases where a Responding Party pleads "in violation."

Order of Events: Each party, commencing with the Initiator, will have the opportunity to make a full opening and closing statement. The burden of proof will be with the Initiator at all times. The Initiator, Responding Party and any Reporting Party will have the opportunity to ask questions of each other and of witnesses before closing statements are made.

Absence of the Responding Party: A hearing will proceed in the absence of a Responding Party who was given proper notice, who does not request a postponement, or who does not attend the hearing. While a Responding Party is permitted to appeal the decision made by a Panel in the responding party's absence, the appeal may not be made on the basis of the party's absence.

Interim Panels: During periods when the College is not in session, at the beginning of a semester or during the final examination period of each semester, the Office of Student Affairs reserves the right to convene a Hearing Panel that is different in make-up than described above. Every attempt will be made to secure two students and two faculty/staff members.

Student Rights

North Central College is committed to the safety and well-being of all its community members. The College strives to create an environment that is free of acts of violence, bullying, intimidation, threats, and infringement of rights of privacy and property. The Student Affairs staff is committed to assisting students, whether victim of an alleged incident (reporting party) or an accused student (responding

party), in identifying resources that will provide support before, during, and after the student conduct process takes place.

Rights of Accused Students (Responding Party)

The Student Conduct Process does not replace or prevent any civil or criminal law action or proceeding. Students who are charged with violating College policies (i.e. Responding Party) are entitled to the rights listed below:

1. To be treated with dignity and respect and in a non-judgmental manner.
2. To receive a written statement of any and all charges.
3. To receive a written and timely notice of the date, time and place of any hearing.
4. To have an Advisor, as outlined above, accompany them throughout any student conduct hearing, meeting, or interview.
5. To have the opportunity to meet with a staff member prior to a hearing to discuss the adjudication process, if requested.
6. To hear and respond to the information that supports the charges against them.
7. To provide a written statement and/or verbal information on the student's own behalf.
8. To receive nondiscriminatory treatment with regard to race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or any other category protected by applicable State or Federal law.
9. To have case information be held in confidence by student conduct personnel as well as Hearing Panel members (with the exception of College personnel or other parties who have a legitimate need to know).
10. To receive a written and timely notice of the outcome of any hearing.
11. If found "in violation", to receive written and timely notice detailing any assigned sanctions and any relevant appeal process.
12. To be informed of all College resources as available and applicable, including counseling services.

Rights of Victims (Reporting Party)

The Student Conduct Process does not replace or prohibit any civil or criminal law action or proceeding. This means that any victim (i.e. Reporting Party) who brings a complaint to the College may also file criminal or civil complaints. All faculty, staff, or students who may be a victim of a crime are encouraged to report violations of law to the proper authorities on- or off-campus.

A victim and/or Reporting Party is afforded the following procedural rights during the investigation of the alleged incident and in any subsequent official student conduct hearing or meeting:

1. To be treated with dignity and respect and in a non-judgmental manner.
2. To assume the role of Reporting Party, and all that is entailed therein, if an alleged incident is referred for adjudication.
3. To be notified of the progress of the case, including initial contact with the Responding Party and outcomes related to any student conduct proceedings.
4. To have an Advisor, as outlined above, accompany them throughout any student conduct hearing, meeting, or interview.
5. To receive a written and timely notice of the date, time and place of any hearing.
6. To have the opportunity to meet with a staff member prior to a hearing to discuss the adjudication process, if requested.

7. To provide, hear and respond to the information that supports the charges against the Responding Party.
8. To provide a written statement and/or verbal information on the student's own behalf.
9. To receive nondiscriminatory treatment with regard to race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or any other category protected by applicable State or federal law.
10. To have case information be held in confidence by student conduct personnel as well as Hearing Panel members (with the exception of College personnel or other parties who have a legitimate need to know).
11. To receive a written and timely notice of the outcome of any hearing, including any assigned sanctions and/or relevant appeal process.
12. To be informed of all College resources as available and applicable, including counseling and medical services.
13. To request campus housing relocation, a College No-Contact Order, or other steps to prevent unnecessary or unwanted contact or proximity to a Responding Party. These types of requests will be honored whenever feasible.

Note: Reports or allegations that fall under the College's Discrimination, Harassment, Sexual Misconduct and Retaliation Policy have specific processes and procedures that may differ from the other procedural standards described in the Student Handbook. To obtain information unique to those cases, please refer to the Discrimination, Harassment, Sexual Misconduct and Retaliation policy located in "The College's Responsibility to Students" section of this Handbook.

Sanctions

Consideration of a student's entire disciplinary record at North Central College will be taken into account when designing sanctions. The Administrative Hearing Officer (AHO) or Hearing Panel will reach a decision, and determine sanctions (if appropriate) within two (2) business days of the completion of a hearing. If a Panel conducts the hearing, the decision must be made by agreement of no less than three members, and must be submitted in writing to the Office of Student Affairs. If the case is heard by a Sanction Hearing Panel or Officer, sanctions will be determined within two (2) business days of the completion of a Sanction Hearing.

Upon reaching a decision, the AHO or Panel may assign one or more of the following sanctions, or any other sanction deemed an appropriate response to the violation(s):

- A. **Counseling:** The student may be required to take part in a mandatory counseling consultation or assessment either on campus at the Dyson Wellness Center, or off campus. Off-campus counseling or assessments will be at the student's expense.
- B. **Substance Use Consultation/Assessment:** The student must meet with a staff member in the Dyson Wellness Center, or off campus, to discuss alcohol and/or drug use and must comply with all related recommendations. Off-campus consultations/assessments will be at the student's expense.
- C. **Dismissal:** The student is separated involuntarily and permanently from the College.

- D. **Educational Project:** The student may, for example, be required to attend an alcohol, drug or conflict resolution education program, write an essay, reflection paper or apology letter, complete a floor program/bulletin board or any other appropriate project.
- E. **Campus/Community Service:** The student may be required complete a number of service hours potentially assigned to a specific office on Campus and in which the student works to benefit the College or Campus community.
- F. **Campus Engagement:** The student may be assigned a specific number of "campus involvement" hours in order to help the student get better connected to positive campus activities and people. Campus Engagement can include attending any number of College sponsored activities, including speakers, student organization meetings, workshops, concerts, etc. (with the exception of athletic events). Typically, a student is able to choose what Campus Engagement activities the student will attend.
- G. **Fine:** A student found in violation of the College's alcohol or drug policies will be assessed a \$100.00 fine, in addition to other possible sanctions, for the student's first violation of the policy. All subsequent violations of the policies will carry with them a \$200.00 fine, per person found in violation, in addition to other possible sanctions. Authorized medical marijuana users will not have a fine imposed for violation of the College's drug policy but are subject to other forms of sanctioning. Fines must be paid within one month (31 days) of the date of the decision of the Administrative Hearing Officer, Hearing Panel, or Sanction Hearing. Fines must be paid in cash or by personal check in the Office of Student Affairs located on the 5th floor of Old Main. Any fine outstanding after one month will be doubled and placed on the student's account. All money collected through fines for alcohol and drug violations will be used for alcohol and drug abuse programming or interventions.
- H. **Parental Notification:** Parents will be notified when students who are under the age of 21 violate the alcohol policy for a second time at North Central College. Parents may be notified of a student's first violation of the alcohol policy, if, in the College's sole opinion, the offence is severe. The College informs parents, of students under the age of 21, in all cases where a student violates the College's drug policies. For additional information on parental notification, please contact the Office of Student Affairs.
- I. **Alcohol Education:** The student is required to complete an online alcohol assessment and education program. Once the student has completed the program, the student is required to submit verification of completion (as an electronic printout, screen shot, electronic document, or scanned copy) to an assigned College official.
- J. **College No Contact Order:** The student is required to have no contact with another student, faculty, or staff member.
- K. **College No Trespass Order:** The student is not allowed in any North Central building nor is the student allowed on any property owned or leased by North Central College. Should a student need to be on campus to conduct official College business, the student must receive approval from the Office of Student Affairs in advance. If a student violates this order the College may contact the Naperville Police Department in order to pursue a charge of criminal trespassing.

- L. **Residence Hall No Trespass Order:** The student is not allowed in any North Central College owned or leased residence halls or apartment. Should a student need to enter a residence hall to conduct official College business, the student must receive approval from the Office of Student Affairs in advance. If a student violates this order the College may contact the Naperville Police Department in order to pursue a charge of criminal trespassing.
- M. **Residence Hall Removal:** A student's Room and Board Agreement is terminated permanently or for a designated period of time. Until such a time as a student is again eligible to live in a residence hall, the student is typically prohibited from entering any residence hall for any reason. Should a student need to enter a residence hall to conduct official College business, the student must receive approval from the Office of Student Affairs in advance. If a student violates this order the College may contact the Naperville Police Department in order to pursue a charge of criminal trespassing.
- N. **Residence Hall Relocation:** A student is involuntarily relocated to a different residence hall room assignment, as deemed appropriate by the College. Any cost associated with Residence Hall Relocation will be at the student's expense.
- O. **Campus Access Limitation:** A student may be on campus for classes only. While on campus a student may enter only the buildings where the student has assigned classes. A student may not enter residence halls or any other campus buildings. Should a student need to be on campus to conduct official College business, the student must receive approval from the Office of Student Affairs in advance.
- P. **Disciplinary Probation:** The student may continue enrollment and/or residence on campus only under conditions established by the AHO or Panel. One condition that may be applied under probation is that the student be partially or completely restricted from representing the College in any capacity. While a student is under probation, any further infraction of College policies typically results in stricter sanctioning. This may include suspension or dismissal.
- Q. **Reprimand:** The student will receive a formal notice of reprimand for violation of the Statement of Student Conduct or a College Policy. A copy of this notice will be placed in the student's permanent disciplinary record. The notice of reprimand is intended to communicate to a student that further violation of the Statement of Student Conduct or College policies will not be tolerated.
- R. **Restitution:** The student may be required to make financial or other types of restitution when found in violation of a College policy or the Statement of Student Conduct.
- S. **Suspension:** The student is separated involuntarily from the College for a specified time or until conditions are met. While a student is under Suspension, any further infraction of regulations may result in dismissal from the College.
- T. **Mentoring:** The student must meet weekly with an assigned mentor, often for a specific number of weeks. A student is required to complete any mentoring-related homework that is assigned by the mentor.

- U. **Future Behavior Clause:** An AHO or Panel outlines next disciplinary steps in the event the student is found in violation of a future College policy or the Statement of Student Conduct.

Interim Sanctions

The Student Conduct processes and sanctions described above are ones that require time to implement and complete. When, in the judgment of the Vice President for Student Affairs and Athletics, or their designee, there is reason to believe that a student poses a threat to harm themselves or others, to unreasonably interfere with another's right to learn, study, sleep or work, to cause damage to College property, or to disrupt the stability and continuance of normal College operations, the student may be issued a College "no contact" restriction with another student or faculty/staff member, a College "no trespass" directive for all or a portion of College property, may be removed immediately from the residence halls and/or the College (interim suspension) or any other interim sanction deemed appropriate, including a monetary fine. The Vice President for Student Affairs and Athletics, or their designee, may reassign a student to alternate housing and/or limit student access to residence halls or campus facilities on an interim basis. These interim sanctions will be imposed pending formal and final resolution of the alleged violation(s) of College policy through the Student Conduct Hearing Process. An interim sanction begins immediately upon notification by the Vice President for Student Affairs and Athletics or their designee. Every attempt will be made to resolve the matter as soon as possible. Interim sanctions are not subject to appeal prior to the required formal hearing.

Appeals

Responding and/or victim/reporting parties may appeal a decision made by a Hearing Panel or Administrative Hearing Officer (AHO) concerning the finding of a violation or the sanction(s) imposed, within five (5) business days of notification of a decision. Either party may appeal a decision made by a Sanction Hearing Panel or Officer concerning only imposed sanction(s) within five (5) business days of notification of a decision.

- A. **Submitting an Appeal:** To submit an appeal, the student must deliver a typed explanation of the grounds upon which the appeal is made to the Office of Student Affairs. This explanation should clearly and completely set forth the grounds for appeal.
- B. **Usual Grounds for Appeal:** Mere dissatisfaction with a decision or sanction is not grounds for appeal. The burden of demonstrating an inequity in the hearing or sanction will lie with the Responding Party. Usual grounds for an appeal may include:
 - 1. That the AHO or the Hearing Panel made a clearly erroneous finding of fact contrary to the substantial weight of the evidence.
 - 2. That the administrator or Hearing Panel did not correctly interpret a responsibility or policy.
 - 3. That there was an error in procedure.
 - 4. That the sanction imposed by the AHO, Hearing Panel, or Sanction Hearing Panel/Officer was clearly erroneous in light of the facts of the case and the student's disciplinary history at North Central College.
 - 5. That there is new evidence to the case that was not available at the time of the hearing, including a statement as to why the evidence was not available.

NOTE: Appeals for cases adjudicated under the College's Discrimination, Harassment, Sexual Misconduct and Retaliation Policy have specific processes and procedures that may differ from the appeal process for other policies described in the Student Handbook. For these cases, please refer to the Discrimination, Harassment, Sexual Misconduct and Retaliation policy located in "The College's Responsibility to Students" section of this Handbook.

C. Appeal Process:

1. **Appealing the Decision of an Administrative Hearing:** A copy of the appeal, the entire record, and the complete disciplinary file will be reviewed by the Dean of Students, or other appropriate Student Affairs staff member as determined by the Vice President for Student Affairs and Athletics. The Appellate Officer will render a final decision on the appeal. The Appellate Officer may deny an appeal, overturn the decision of an Administrative Hearing Officer, alter sanctions, or order a new hearing to be held.
 - a. If all appropriate Student Affairs staff members need to recuse themselves due to a real or perceived conflict of interest, the appeal will be heard by the Vice President for Student Affairs and Athletics.
2. **Appealing the decision of a Hearing Panel:** A copy of the appeal, the entire record, and the complete disciplinary file will be reviewed by the Vice President for Student Affairs and Athletics, who will render a final decision on the appeal. The appeal may be denied, a new hearing may be ordered, or the case may be sent back to the original panel. The Vice President for Student Affairs and Athletics may not alter sanctions rendered by standard Hearing Panels.
 - a. If the Vice President for Student Affairs and Athletics needs to recuse themselves due to a real or perceived conflict of interest, the appeal will be heard by the Vice President for Finance.
 - b. If a student, after choosing to submit an Early Plea of "in violation," appeals the decision of a Sanction Hearing, the appeal will be heard by the Vice President for Student Affairs and Athletics, who will render a final decision on the appeal. The appeal may be denied, a new Sanction Hearing may be ordered, the case may be sent back to the original Sanction Hearing Panel/Officer, or sanctions may be altered. If the Vice President for Student Affairs and Athletics needs to recuse themselves due to a real or perceived conflict of interest, the appeal will be heard by the Vice President for Finance.
3. If a new hearing is called for on the basis of the appeal, the Office of Student Affairs will convene a new Panel or assign a new Administrative Hearing Officer according to the guidelines set forth by the College. The findings and decisions made by the second hearing will be final, and no further appeal will be granted.

Felony Charges, Indictments, or Convictions

All applicants and current students are required to notify North Central College's Office of Student Affairs of any charge, indictment, or conviction involving a felony, or act that may develop into a felony. Failure to provide such notification may result in student disciplinary action, up to and including expulsion from North Central College. To determine appropriate College action, additional information regarding any charge, indictment, or conviction may be collected and assessed by the Office of Student Affairs, and/or, in cases where information may indicate a risk to the campus community, the College's Behavior Intervention Team. Where additional information is required, it is expected that an applicant or student will assist in making or authorizing that information be made available to College staff for review to the extent allowed by law.

Disciplinary Action for Off-Campus Behavior

As part of the North Central College community, students represent the College at all times, whether on or off campus. It is the hope of the College that each member of the student community will serve as an ambassador of the College when away from the College campus, showing a regard for others that goes beyond the minimum requirements of the law. As such, the College may choose to address student misconduct that occurs off-campus. A student may be charged with violating College policy in situations that include, but are not limited to:

- A. When the alleged off-campus misconduct occurs while a student is officially representing the College.
- B. When the alleged off-campus misconduct is criminal in nature.
- C. When the alleged off-campus misconduct causes a significant neighbor or community concern.

Cooperation with Local Law Enforcement

North Central College's top priority is to protect the health and safety of the College community. Additionally, the College has an obligation to abide by the laws of the Naperville community of which it is a part, as well as the laws of the State and Federal governments. While activities covered by the laws of the community and those covered by the College's policies may overlap, the community's laws and the College's policies operate independently, and do not substitute for each other.

- A. Membership in the College community does not exempt anyone from Local, State or Federal laws, but rather imposes the additional obligation to abide by all of the College's regulations.
- B. The College may pursue enforcement of its own rules whether or not legal proceedings are underway or are prospect, and may use information from third party sources, such as law enforcement agencies and the courts, to determine whether College policies have been broken.
- C. The College will make no attempt to shield members in the College community from the law, nor would it intervene in legal proceedings on behalf of a member of the community.

Legal Proceedings Outside of the College

Students should be aware that while student conduct hearings, both administrative and panel, are protected under certain regulations, the records are subject to subpoena in the course of investigation and prosecution of a criminal or civil matter. If a student believes the student may be liable for criminal prosecution and is asked to appear before an on-campus panel or participate in an administrative hearing, legal counsel is strongly advised before participating. Pending civil or criminal charges will not typically disrupt the schedule of College Hearing Panels or administrative hearings.

Withdrawing from the College during Disciplinary Proceedings

Students cannot withdraw from school in the hopes of avoiding disciplinary proceedings. Violations of the Statement of Student Conduct and College Policies that take place while a student is enrolled may be adjudicated and sanctions applied regardless of the enrollment status of the individual. If in the

unlikely event a case is not adjudicated after a student withdraws from the College, the student may not enroll again at North Central College until the case has been adjudicated, and the student may be issued a "College No Trespass" order that would prohibit the student from being present on any College owned or leased property.