



STUDENT HANDBOOK

2023-2024

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, 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.

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INTRODUCTION

Welcome Cardinals! As the 2023-2024 academic year begins there are a few important notes I'd like to share regarding the North Central College Student Handbook.

The North Central College mission statement outlines two key points: acknowledging we are a diverse community of learners, and that we are dedicated to preparing this diverse community of learners to be curious, engaged, ethical and purposeful citizens in local, national and global contexts.

I encourage each of you all to take full advantage of this diverse community of learners to ensure you are positioned well for those local, national and global experiences that I know each of you will enter.

The NCC staff, faculty, administration, and the city of Naperville are 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. First and foremost, take care of yourself. Your mental health and wellbeing are important to us. We know you can only do your best when you are at your best.

Moreover, I encourage you to take advantage of all that the College has to offer, both inside and outside of the classroom.

This handbook provides you with the expectations that help 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 a healthy and successful year,

Dr. Jessica Brown (Dr. JB) she/her
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:** Public 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: Undergraduate 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 bongs, 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.

Because the College wants students to seek assistance promptly in the event of a health or safety emergency involving alcohol or drug use, a policy of medical amnesty has been adopted as part of a comprehensive approach to reduce the harmful effects of substance use.

- 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. 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.
- C. 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.
- D. 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 [mailto:630-637-5718](mailto:semerrill@noctrl.edu).

To see a list of commonly abused substances and possible health effects, go to:
<https://nida.nih.gov/research-topics/commonly-used-drugs-charts>

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
Dr. Jessica Brown, Vice President for Student Affairs and Athletics	630-637-5151
Steve Weaver, Dean of Students	630-637-5151
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.

In the event that community members are found to be or suspected of using tobacco products on campus, the tobacco products present or in the possession of the community member are subject to confiscation.

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-enter/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.

Registration Confirmation

Registration confirmation occurs on the first official day of each semester. At this time, students have the responsibility to verify their 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 they are receiving and the requirements. For questions regarding registration confirmation, students should contact their Success Coach. For questions regarding financial aid and respective requirements, students 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, practical, 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, Federal Direct Student Loans, Federal Direct Graduate PLUS Loans, and Federal Direct Parent PLUS Loans) received by students who withdraws 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 are dismissed) before completing 60% of the enrollment period for the semester.

The North Central College Financial Aid Withdrawal and Refund policy 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. **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.

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.
2. **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.

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. 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 about whether 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, and 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. In the event North Central College community members are coordinating with external individuals or organizations, notification to the College must occur at least 7 business days in advance of a demonstration. The College will respond to the demonstration organizers with respect to reasonable time, place, and manner considerations within 24 business 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. No exceptions will be made, to the two-day prior notice expectation, for demonstrations involving external individuals or organizations.

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. Anticipated cost. i.e. additional staff and/or materials.
7. Time of the demonstration.
8. Plans for managing disruptive behavior, should it occur.
9. 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.
10. Contact information for demonstration organizers, including information for any individuals or organizations involved from outside of the North Central College community.
- 11.

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, campus walkways, 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, and 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, hover boards, 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. 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. When the parking pavilion opens in 2024, the Remote Lot will close. At that time students with a Remote Lot permit will receive instructions from Campus Safety with the specified campus parking lot available for these vehicles. 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 not to exceed seven (7) days per semester. 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. **Electric Vehicle Charging:** Current students, faculty and staff with a valid parking permit may charge their registered electric vehicle at one of the College's Charge Point stations by creating a Charge Point account using the North Central College code. The code may be obtained on the Campus Safety Hub page: <https://hub.northcentralcollege.edu/sites/campus-safety/news/26050/electric-vehicle-charging-stations> Approved vehicles may charge at no cost for up to four (4) hours. After four (4) hours, owners will have a one (1) hour grace period to move their vehicle to a parking space designated for their parking permit. Any vehicle still charging or parked in the charging space after the grace period will be assessed a fee through Charge Point of \$2 per hour, up to \$10 per charging session. Vehicles excessively parked in a charging space may also be given a citation by Campus Safety.
- K. **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, hover

boards, sky walkers, Segway's, 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, hover boards 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.
- L. **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.
- M. **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/news/10397/parking-citation-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 a towing service to act as its relocation service for all College owned and leased properties. If your vehicle is towed from the property, you may contact Campus Safety for the company information.

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, inclusive, 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. 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 Food and Housing 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 Food and Housing 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. Emergency contact persons will be notified if a student is taken to the hospital.
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. Office of Student Affairs 630-637-5151
 - iv. 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.
4. **Decorations within rooms or in hallways cannot be affixed to any fire or other emergency equipment.**

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 unless they are properly stored and labeled. 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 unless they are properly labeled and stored.

- 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 submitting a written request to the Office of Residence Life.

- K. **Lofts:** The only lofts permitted in residence halls are those rented through our outside partner Bedloft (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). Students under 21 cannot display any alcoholic beverage packaging in their rooms.
 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. **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. No grace periods will be given for the removal of animals.
- P. **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.
- Q. **Food and Housing Agreements:** Every North Central Student required or choosing to live on campus is required to electronically sign a Residence Hall Food and Housing Agreement during the housing application process on eRezLife (noctrl.erezlife.com) 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 Food and Housing Agreement is issued for the entire academic year. A resident may request to be released from the Food and Housing Agreement by completing a Live Off-Campus Request Form on eRezLife. If granted, a release involves the assessment of a liquidation fee. For more information, please refer to the current Food and Housing Agreement or the Office of Residence Life.
- R. **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. The use of 3M products and or tape on walls may result in damage charges. Use of blue painters tape is encouraged.
- S. **Room Changes:** Room changes may be requested any time during the semester by completing a Wait List Request on eRezLife (noctrl.erezlife.com). Students may not move rooms without

authorization from a professional Residence Life staff member. Students will be held responsible for the room they are officially assigned to and must pay any damage costs associated with their assigned room. 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.

- T. **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, emergency 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.
- U. **Room Selection:** The annual room selection process for returning 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.
- V. **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.
- W. **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 consider renter's insurance to protect their personal belongings.
- X. **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.
 5. **There may be fees associated with remaining on campus during a break period. If a student is required to leave campus due to a policy violation, their fees will not be refunded.**
- Y. **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. Guests are not permitted to take up residence in any residence hall room unless they are assigned by a Residence Life staff member.
 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 in the process of 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, and guests should never enter a room without at least one resident present and with the consent of all residents.
 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, Athletics, 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. Guests violating this policy will be required to leave immediately.

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 Operations Office at 630-637-5658.

Bias Incident Response Procedures

North Central College's mission is to be 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. The North Central College community values its students, staff, and faculty from all historically marginalized and underrepresented backgrounds, and strives to create an inclusive environment by implementing policies, initiatives, and programs that provide needed support and resources.

While the College adheres to and supports the principles of free expression and academic freedom, each member of the North Central College community also shares in a common responsibility to maintain an environment free from bias and hate. The purpose of the College's bias incident policy is to support an inclusive atmosphere that fosters respect, embraces differences and welcomes diversity.

Unfortunately, some members of our community have experienced bias incidents on campus, in and out of the classroom that have involved racial epithets; sexist, homophobic, and transphobic comments; microaggressions and more. This Bias Incident Policy is meant to provide definitions of terms related to bias incidents, clarify the roles of the Bias Incident Response Team ("BIRT") and other offices/areas, share how to report a bias incident, and outline steps taken after a bias incident report is received by the College.

A. Definitions:

5. **Bias:** Prejudice in favor or against one thing, person, or group compared with another, usually in an offensive way. Results from the tendency and need to classify individuals into categories.
6. **Bias incident:** Acts of conduct, speech, or expression that target individuals and groups based on their actual or perceived protected identity. Bias incidents reflect similar motivation as hate crimes but may not reach the legally defined threshold of criminality.
7. **Hate crime:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.
8. **Impacted party:** An individual that has been negatively affected by the reported incident.

9. **Reporting party:** An individual that reports a bias-related incident or concern to the College.
10. **Responding party:** An individual that has allegedly participated in the bias related concern.
11. **Protected Identity:** Defined by federal law, state law or College policy. Protected classes may include age, ancestry, color, disability, ethnicity, gender, gender identity or expression, military status, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status.

B. Bias Incident Response Team (BIRT):

The BIRT consists of representatives from multiple areas of campus. The BIRT receives, monitors, refers and coordinates college responses to hate and bias-related incidents or concerns on campus. The team also serves as a resource to those who want to explore and proactively respond to patterns of bias concerns or incidents. All members of the team are trained to ensure the team is in alignment with best practices in bias response. The BIRT meets weekly but may call emergency or special meetings for incidents that greatly impact the College community.

1. Team Membership

Members of the BIRT include representatives from the following offices:

- Student Affairs
- Academic Affairs
- Dyson Wellness Center
- Residence Life
- Campus Safety
- Human Resources
- Athletics
- Multicultural Affairs

2. Team Responsibilities

The purpose of the BIRT is to:

- Inform members of the North Central College community of the process for reporting bias concerns or incidents
- Receive, review and discuss bias incident reports
- Collaborate and refer to the appropriate office as needed to best support the involved individuals, begin the applicable process, and for additional actions which may be outside the purview of the BIRT
- Engage other offices as necessary to assess and respond to incidents that have the potential to significantly impact a portion of or the entire North Central College community
- Make recommendations to the appropriate college officials regarding actions and remedies consistent with college policies and procedures
- Engage in ongoing refinement of team procedures and protocols to foster optimal team functioning and interface with the college community
- Identify college policy and procedural issues and refer them to the appropriate entities, to begin formulating a resolution

- Remain informed of federal & state laws that impact responsibilities outlined above

C. Bias Incident Reporting:

Individuals who have experienced or witnessed a bias-related incident, discrimination, or hate crime may use one or more of the following methods to report the incident. Any act of bias, regardless of severity, can be reported by members of the community, via the online Bias Incident Reporting Form.

The Bias Incident Reporting Form can be located on the college website at the following links:

- <https://www.northcentralcollege.edu/transparency/reporting-tools>
- <https://hub.northcentralcollege.edu/sites/diversity-inclusion/news/10020/bias-incident-reporting>

Any member of the North Central community (faculty, staff or student) may report any serious complaint or concern such as a bias incident via the campus conduct hotline via the Reporting Tools webpage above or by calling 866-943-5787. Callers to the hotline may remain anonymous. While anyone can report an incident anonymously, it is important to understand that the BIRT may be limited in ability to respond to or fully investigate anonymous reports due to lack of ability to follow up with reporting party.

Community members can call 911 or contact Campus Safety at 630-637-5911 for an emergency or event that an individual believes is an immediate threat to health or safety. Campus Safety, Residence Life staff and other on-call staff are available to receive reports and support impacted and reporting parties after regular business hours.

Staff in offices such as Student Affairs, the Department of Campus Safety and the Office of Residence Life are equipped to receive reports of concerns and offer support to impacted parties. Incidents may be reported both written or orally. While staff in these offices may also be involved in investigations into violations of college policy, reporting bias incidents to these offices does not mean that a violation of college policy or a hate crime has occurred.

For questions about reporting incidents where the responding party is a faculty or staff member of the College, please contact the Office of Human Resources. For questions about reporting incidents where the responding party is a student or community member, please contact the Office of Student Affairs.

D. What Happens After a Report is Submitted?

The College reviews all bias incident reports filed through the Bias Incident Reporting Form. The College's initial review of reports determines if the concern described involves a violation of college policies, as described below:

1. Possible Violations of College Policy

A party having or expressing bias may not be in itself a violation of college policy. A bias incident must violate a college policy to be eligible for disciplinary action. If a report involves a possible violation of college policy, a review of the incident report will take place within a reasonable period of time. The purpose of the review is to determine whether there is reasonable cause to believe that the conduct reported may have violated College policy. If there is reasonable cause, to believe that a college policy was violated, the

appropriate office would follow the process outlined in the relevant policies. Incidents that require review for possible violation of college policies will be referred as appropriate to one of the following offices/areas for review and response:

- Student Conduct (for possible violation by students of policies within the [Student Handbook](#)). Student conduct policies that may be related to bias incidents include, but are not limited to:
 - Bullying, Intimidation and Threats
 - Disruption
 - Damage and Vandalism
- Title IX Office (for possible violation of the College's Title IX and Sexual Misconduct Policy)
- Human Resources (for possible violation of Human Resources Policies)
- Campus Safety or law enforcement (for possible Hate Crimes)
- ADA/504 Coordinator (for possible violation of the College's ADA/504 Policies)

If a person is found to have violated a college policy, they will be notified in compliance with the applicable policy and may be subject to disciplinary action under the relevant policy as circumstances warrant. If the review determines that the report does not involve a violation of any of the above policies, the report may be referred to the BIRT for response.

2. Reports that are not a Violation of College Policy

Many bias incidents do not rise to the level of a violation of Student Handbook or Human Resources policy. Some examples would be insensitive comments or microaggressions. If it is determined that the conduct described in a report does not constitute a possible policy violation, the College will respond through the BIRT (for student or visitor/guest as responding party), through the Office of Human Resources (for faculty or staff as responding party) or through the appropriate college Vice President (for vendor or contracted service as responding party).

• Reports with Students as Responding Party

Once a report is received, a representative of the BIRT or designee will contact the reporting and/or impacted party for an initial intake meeting to discuss the information contained in the report and the impacted party's desires for next steps.

We understand that witnessing or experiencing a bias incident can be traumatic. Participation in an intake meeting is voluntary. However, not participating in the intake meeting may limit the ability for the BIRT to follow up on the report. Reporting, responding and impacted students may have an advisor of their choice present with them for all meetings and interviews, if they so choose. The parties may select whoever they wish to serve as their advisor as long as the advisor is available at the scheduled time and is not involved in the reported incident. The advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses. A party may choose advisors from inside or outside of the College community.

When responding to the incident, the BIRT representative will take the wishes of the impacted party into account. Reporting parties may request no action following the intake meeting. However, reports may require a response from the College if there is a significant

health or safety issue involved or when a non-discriminatory environment cannot be maintained in the absence of action.

The BIRT representative may also contact other individuals who may know information relevant to the incident. The representative will also provide support to impacted parties by directing the individual to campus resources and providing information about the bias response process. After the initial contacts, the BIRT will review the report, and any relevant documentation, and information determined from interviews. The BIRT will then make recommendations to the appropriate parties for the next steps in response to the report.

The BIRT may provide feedback to the responding parties involved about the impact of the incident and the College's expectations regarding diversity, equity, inclusion, and belonging. The BIRT or designee will coordinate feedback. Participation in feedback conversations by responding students, for incidents that do not involve a violation of college policies are voluntary.

- **Reports with Faculty/Staff as Responding Party**

Once a report is received, a representative from Human Resources will contact the reporting and/or impacted party for an initial intake meeting to discuss the information contained in the report and the impacted party's desires for next steps. Participation in this intake meeting is voluntary. However, not participating may limit the ability for the Human Resources to follow up on the report.

Human Resources will coordinate the intervention with the responding party. Human Resources will contact the supervisor, dean or chair of the responding party's department to offer a summary of the concern and points for feedback. Human Resources will report back to the BIRT chair that the intervention has occurred. Feedback for faculty staff may not be voluntary.

- **Reports with Vendors/Contractors/Visitors as Responding Party**

Once a report is received, a representative from the BIRT will contact the reporting and/or impacted party for an initial intake meeting to discuss the information contained in the report and the impacted party's desires for next steps. Participation in this intake meeting is voluntary. However, not participating may limit the ability for the BIRT to follow up on the report.

The BIRT will coordinate the intervention with the responding party, if they are a visitor/guest/outside community member. If a vendor or contractor is involved as a responding party, the appropriate college Vice President will coordinate contact the vendor or contracting company to offer a summary of the concern and points for feedback. The appropriate Vice President will report back to the BIRT chair that the intervention has occurred.

3. Additional Response Options for Reports

Depending on the nature of the report, the BIRT may also recommend one or more of the following next steps to the appropriate area of the College:

- Contacting students, groups, or other members of the community who may be impacted by the incident and need assistance or support

- Providing or Evaluating communications that may inform the campus community and impacted groups about bias incidents and the response
- Recommending or providing coaching, education or mediation to members of the campus community
- Providing options for support referrals and resources to impacted parties or referral to the Behavioral Intervention Team for support

4. Report Closure

The staff members who conducted the intake will provide follow-up with the reporting and/or impacted party to confirm that the concern has been addressed. This staff member will also report to the BIRT any other response options, such as support referrals and resources.

E. Free Expression, Free Speech, and Hate Speech:

College policies are 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. Speech or conduct that is protected by academic freedom and/or the First Amendment will not be considered a violation of college policy. However, supportive measures or feedback may be offered to those involved.

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 nonfaculty employees share with the College a responsibility to help ensure a campus climate of civility—one where intimidation, hostility, or demeaning actions directed toward a specific individual or group are not tolerated.

The terms free expression and free speech are often used interchangeably. Freedom of speech refers to the right of an individual to express their opinions and ideas without fear of government censorship or punishment and is protected by the First Amendment. Freedom of expression is a broader term that includes not only speech, but also other forms of communication, such as writing, art, and other forms of expression including social media.

However, not all speech or expression is protected. The categories of speech that may not be protected under the First Amendment may include:

- Words or expressive conduct that incite violence or illegal activity
- Obscenity¹
- Fighting words
- True threats
- Defamation/libel
- Fraud
- Expressive activity that involves illegal conduct (e.g., vandalism, trespass, disturbance, terrorizing activity)

^F For speech to be obscene, it must appeal to the prurient interest, depict or describe sexual conduct in a patently offensive way, and lack serious literary, artistic, political, or scientific value.

Hate Speech does not have a legal definition in the United States. According to the American Library Association, hate speech is any form of expression through which speakers intend to vilify, humiliate, or incite hatred against a group or a class of persons based on a particular identity. Like free speech, hate speech is protected by the First Amendment. While hateful speech about groups of people may be protected by the First Amendment, this behavior runs counter to our values as a college that values diversity, equity and inclusion for members of our community.

F. Retaliation:

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. Retaliation is a serious violation of college policy. Acts of alleged retaliation should be reported immediately to the Office of Student Affairs or Human Resources and will be promptly addressed. The Office of Student Affairs or Human Resources is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

G. Privacy:

All information and referrals of alleged Bias incidents will be handled by the BIRT in a confidential manner with information released only on a need-to-know basis. The BIRT will make reasonable efforts to protect the identity of involved individuals. Information about an incident may be disclosed (date, time, location of the incident, nature of the incident) in the form of safety announcements, summary reports, or as required by law.

H. Annual Reporting:

The campus community will be updated about bias related report response via the following:

- Twice yearly reports to the campus community of bias reporting statistics
- Quarterly reports to the Board of Trustees
- If reports rise to the level of a hate crime, in weekly safety report from Campus Safety and Annual Security Report

I. Resources and Support:

The impact and effect of bias incidents can be harmful due to the nature of targeting someone's actual or perceived membership in an identity group. These types of incidents can affect the well-being and success of the individuals involved, as well as the campus community. To help those impacted by bias, North Central College offers resources and support.

1. Offices that may offer support include:

- Office of Multicultural Affairs | mca@noctrl.edu | Harold & Eva White Activities Center (WAC), 2nd Floor
- Campus Safety | campussafety@noctrl.edu | 630-637-5911 | Available 24/7 | New Hall, Lower Level

- Office of Residence Life | reslife@noctrl.edu | 630-637-5858 | New Hall, Lower Level. Note: Contact Campus Safety at 630-637-5911 after hours to reach the Area Hall Director on Duty
- Dyson Wellness Center (DWC) | dyson@noctrl.edu | 630-637-5550 | Stadium, 2nd Floor. Note: Reporting to the DWC is a confidential option. Staff are unable to report or share any information without an individual's written permission.
- Athletics Office | 630-637-5500 | Merner, 1st Floor
- Office of Faith & Action | 630-637-5417 | Keikhofer, 2nd Floor
- Student Success | studentsuccess@noctrl.edu | 630-637-5111 | Oesterle Library. Note: Academic Advisor Contact information at northcentralcollege.edu/undergraduate-studies/center-student-success
- Student Disability Services | sds@noctrl.edu | 630-637-5264 | Oesterle Library
- Office of Student Affairs | studentaffairs@noctrl.edu | 630-637-5151 | Old Main, 5th Floor
- Office of Human Resources | humanresources@hr.noctrl.edu | 630-637-5757 | Old Main, 5th Floor
- Title IX Office | TitleIX@noctrl.edu | 630-637-5156 | Old Main, Room 524

J. References:

North Central College Student Handbook

North Central College Bias Resource Guide

American Library Association (n.d.) First Amendment and Censorship.

<https://www.ala.org/advocacy/intfreedom/censorship>

American Library Association (n.d.) Hate Speech and Hate Crime.

<https://www.ala.org/advocacy/intfreedom/hate>

FindLaw Staff (2022, July 19). First Amendment Limits: Obscenity.

<https://constitution.findlaw.com/amendment1/first-amendment-limits--obscenity.html>

Camera Policy

The Department of Campus Safety operates a public safety video system to complement its anti-crime strategy, to effectively allocate and deploy personnel and to enhance public safety and security in public areas. Cameras may be placed in strategic locations on campus to detect and deter crime, to help safeguard against potential threats to the community, to help manage emergency response situations during natural and man-made disasters and to assist College personnel in providing services to the community.

The existence of this policy does not imply or guarantee that cameras will be monitored in real time continuously or otherwise. Video monitoring in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

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 recent previous educational institution attended; dates of attendance; degrees and awards conferred, including dates; and current course load.

Credentialing Policy for External Media

North Central College is a private institution and its 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 conduct media interviews or recordings on campus must contact the Office of Institutional Communication (OIC) at 630-637-5300 or oic@noctrl.edu to request a College-issued media credential and/or approval.

Media agencies can include, but are not limited to, online and print news publications, cable systems, internet providers, radio and television stations or networks, podcasters, photographers, and videographers. A College-issued media credential 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.

Reporters granted a College-issued media credential must be properly credentialed at all times while on campus property. An individual holding a media credential is subject to removal from College-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 at the discretion of the College.

College event coordinators, as well as students, faculty and staff hosting activities or events on campus will be notified of media inquiries, and reserve the right to decline the presence of media at their campus events. There may be occasions where OIC may not be aware of a media representative's presence on campus. If faculty, staff or students are approached by a reporter or media agency directly, please contact OIC 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, and 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>.

Emotional Support Animal Policy

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

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, Old Main
30 N. Brainard
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

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
Old Main
30 N. Brainard
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.

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. North Central College has authorized the National Student Clearinghouse to provide enrollment verification for third-party requestors. 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 sexual misconduct, discrimination, harassment, and retaliation are handled through our "Title IX and Sexual Misconduct Policy" as outlined above. Reports can be made at titleixreport.northcentralcollege.edu.

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 using the following link: <https://chemmanagement.ehs.com/9/f9d5d35b-d535-4d5d-b6b0-e04fbee1d>.
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 and online database. 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, availability of MSDS and link to the online database (<https://chemmanagement.ehs.com/9/f9d5d35b-d535-4d5d-b6b0-e04fbee1d1d1>) 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. 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.

Pregnant and Parenting Policy

Responsible College Official: Title IX Coordinator

Responsible Offices: Title IX Office, Office of Student Affairs

Policy Implementation Date: August 19, 2019

Policy Statement

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 both their instructors and the Title IX Coordinator at (630) 637-5156. 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 Title IX Coordinator, Cortney Matuszak, at (630) 637-5156 or cmatuszak@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 Title IX Coordinator will assist with plan development and implementation, as needed.

The Title IX Coordinator has the authority to determine that such accommodations are necessary and appropriate and will maintain all appropriate documentation related to accommodations. The Title IX Coordinator 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 Title IX Coordinator may grant accommodations retroactively, within a reasonable period of time, if appropriate.

To access reasonable accommodations or leave, the student is required to contact:

Cortney Matuszak, JD
Title IX Coordinator
524 Old Main
30 N Brainard
(630) 637-5156
cmatuszak@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 file a report with the Title IX Coordinator. To make a report, contact:

Cortney Matuszak, JD
Title IX Coordinator
524 Old Main
30 N Brainard
(630) 637-5156
cmatuszak@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.

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 office. 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 assist in creating an inclusive, safe, and supportive environment that encourages a student's academic and personal growth. AHDs provide support to students by connecting them with campus resources and providing students with someone to talk to when they're feeling overwhelmed. Professional staff members may have additional advising responsibilities for student organizations. In some situations, AHDs also provide support to off-campus, commuting students.
- 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 resource 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 inclusive 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, and/or 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.

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 Director of Campus Safety. 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.

TITLE IX AND SEXUAL MISCONDUCT POLICY

1. Glossary

- **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 questioning for the party at the hearing, if any.
- **Appeal Decision-Maker** means the person or panel who accepts or rejects a submitted appeal request, determines whether an error occurred that substantially affected the investigation or original determination, and directs corrective action, accordingly.
- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected characteristic, or retaliation for engaging in a protected activity.
- **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.
- **Decision-Maker** means the person or panel who hears evidence, determines relevance, and makes the Final Determination of whether this Policy has been violated and/or assigns sanctions.
- **Directly Related Evidence** is evidence connected to the complaint, but which is neither exculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the Decision-Maker(s). Compare to [Relevant Evidence](#), below.
- **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 harassment, discrimination, and/or retaliation occurs and also includes any building owned or controlled by a student organization that is officially recognized by the College.
- **Final Determination** is a conclusion by the standard of proof that the alleged conduct did or did not violate policy.
- **Finding** is a conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a “finding of fact”).
- **Formal Complaint** means a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging a Respondent engaged in harassment or discrimination based on a protected characteristic or retaliation for engaging in a protected activity and requesting that the College investigate the allegation(s).
- **Formal Grievance Process** means “Process A,” 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 the Title IX regulations (34 C.F.R. § 106.45) and the Violence Against Women Act § 304.

- **Grievance Process Pool** includes any Investigators, Hearing Decision-Makers, Appeal Decision-Makers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same complaint).
- **Informal Resolution** a complaint resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a formal Final Determination being reached.
- **Investigator** means the person(s) authorized by the College to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report of Relevant Evidence and a file of Directly Related Evidence.
- **Mandated Reporter** means a College employee who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.²
- **Notice** means that an employee, student, or third party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct under this Policy.
- **Official with Authority (OWA)** means a College employee who has responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the College.
- **Parties** means the Complainant(s) and Respondent(s), collectively.
- **Process A** means the Formal Grievance Process detailed [below](#) and defined [above](#).
- **Process B** means the administrative resolution procedures detailed below that only apply when Process A does not, as determined by the Title IX Coordinator.
- **College** means a postsecondary education program that receives federal funding.
- **Relevant Evidence** is evidence that tends to prove (exculpatory) or disprove (exculpatory) an issue in the complaint.
- **Remedies** are post-Final Determination actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the College's education program.
- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected characteristic, or retaliation for engaging in a protected activity under this Policy.

² 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.

- **Resolution** means the result of an Informal Resolution or Formal Grievance Process.
- **Sanction** means a consequence imposed on a Respondent who is found to have violated this Policy.
- **Sexual Harassment** is an umbrella category including the offenses of sexual harassment, sexual assault, stalking, dating violence, and domestic violence. See [Section 16.A](#) for greater detail.
- **Student** means any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing educational relationship with the College.
- **Title IX Coordinator** is the official designated by the College to ensure compliance with Title IX and the College's Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.
- **Title IX Team** refers to the Title IX Coordinator, any deputy coordinators, and any member of the [Grievance Process Pool](#).

2. Rationale for Policy

North Central College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination and harassment based on a protected characteristic, and retaliation for engaging in a protected activity.

The College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all involved.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the education program or activity, the College has developed policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of sex or gender-based discrimination or harassment, and for allegations of retaliation.

1. Applicable Scope

North Central College does not discriminate in its employment practices or in its educational programs or activities on the basis of sex/gender. The College also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internally or externally. Reports of misconduct, questions regarding Title IX, and concerns about noncompliance should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please contact the Title IX Coordinator or the Assistant Secretary of Education within the Office for Civil Rights (OCR).

2. Title IX Coordinator

The Title IX Coordinator oversees implementation of North Central College's Title IX and Sexual Misconduct Policy, hereafter "Policy".

The Title IX Coordinator has the primary responsibility for coordinating the College's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination, harassment, and retaliation prohibited under this Policy.

The Title IX Coordinator is not acting as legal counsel but as a Higher Education Administrator. Title IX Coordinator may utilize internal or external counsel for legal guidance and advice as necessary.

All parties will be provided with a comprehensive electronic brochure detailing options and resources, which the Title IX Coordinator may also review with the parties in person.

3. Independence and Conflict of Interest

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

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Title IX Coordinator, contact the College President or the Vice President of Student Affairs and Athletics. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

4. Administrative Contact Information

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this Policy and procedures, may be made internally to:

Title IX Coordinator
Student Affairs, Old Main Office 524
30 N. Brainard St., Naperville, IL 60540
(630) 637-5156
TitleIX@noctrl.edu

North Central College has also classified most employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. The section below on [Mandated Reporting](#) details which employees have this responsibility and their duties, accordingly.

Inquiries may be made externally to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Fax: (202) 453-6012
TDD#: (877) 521-2172

Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

U.S. Department of Education (Chicago Office)

John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: (312) 730-1560
Fax: (312) 730-1576
Email: OCR.Chicago@ed.gov

For complaints involving employee-on-employee conduct:
[Equal Employment Opportunity Commission](#) (EEOC).

EEOC Chicago Office
JCK Federal Building
230 S Dearborn Street, Suite 1866
Chicago, IL 60604
Phone: (312) 872-9777
Fax: (312) 588-1260
TTY: (800) 669-6820
ASL Video Phone: (844) 234-5122

5. Notice/Complaints of Discrimination, Harassment, and/or Retaliation

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- 1) File a report or Formal Complaint with, or give verbal notice to, the Title IX Coordinator. Such a report or Formal Complaint may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail, to the office listed for the Title IX Coordinator or any other official listed.

Title IX Coordinator
Student Affairs, Old Main Office 524
30 N. Brainard St., Naperville, IL 60540
(630) 637-5156
TitleIX@noctrl.edu

- 2) Report online, using the reporting form posted at titleixreport.northcentralcollege.edu

Anonymous reports are accepted but can give rise to a need to investigate to determine if the parties can be identified. If not, no further formal action is taken, though measures intended to protect the community may be enacted. The College tries to provide supportive measures to all Complainants, which may be impossible with an anonymous report that does not identify the Complainant.

Because reporting carries no obligation to initiate a formal response, and because the College respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of confidentiality by making a report that allows the College to discuss and/or provide supportive measures.

3) Report using the Campus Conduct Hotline at (866) 943-5787.

As used in this Policy, the term “Formal Complaint” means a document or electronic submission (such as by electronic mail or through an online portal provided by the College for this purpose) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that the College investigate the allegations. If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

6. Rights of the Parties

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation 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 by the College regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by the College 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 policy and these 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 harassment, discrimination, and/or retaliation 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 the College in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.
- 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 supportive measures, such as counseling; advocacy; health care; student financial aid, visa, and immigration assistance; and/or other services, both on campus and in the community.

- The right to a College-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- 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 institutional 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 assistance
 - Visa/immigration assistance
 - Arranging to dissolve a housing contract and provide 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 confidential, provided confidentiality does not impair the College's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any College meeting or interview involving another party, when possible.
- The right to identify and have the Investigator(s), Advisors, and/or Decision-Maker(s) question relevant available 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)/Decision-Maker(s), may be asked of any party or witness.
- The right to have inadmissible sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-Maker(s).
- 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 all relevant and directly related evidence obtained during the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10) business day period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.

- 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, Title IX Coordinators, and Decision-Maker(s) who have received at least eight hours of relevant annual training.
- The right to preservation of confidentiality/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 the use of the appropriate standard of evidence, preponderance of the evidence, to make a Finding and Final Determination 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 hearing.
- The right to have an impact and/or mitigation 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 of the finding(s) and sanction(s) (if any) of the Resolution Process and a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written Notice of Outcome letter 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 Final Determination or sanction(s) that occur post Notification of Outcome.
- 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.

7. 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 and as reasonably available. They are offered, 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 and/or the College's educational environment and/or to deter harassment, discrimination, and/or retaliation.

After receiving notice of a complaint, the Title IX Coordinator will perform an initial screening for jurisdiction, and will promptly make supportive measures available to the parties as appropriate. If the report does not meet this Policy's requirements, the Title IX Coordinator will make a good faith effort to connect the reporting party to the correct College office for further assistance. At the time that supportive measures are offered, the College 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 Title IX Coordinator works with the Complainant to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

The College will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the College's ability to provide those supportive measures. The College will act to ensure as minimal an academic impact on the parties as possible and 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 counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional 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 assistance
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- [Timely warnings](#)
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement, be heard by the Title IX Coordinator, or added as collateral misconduct allegations to an ongoing complaint under this Policy.

8. Emergency Removal

The College can act to remove a student Respondent from its education program or activities—partially or entirely—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 Title IX Coordinator in conjunction with the Behavioral Intervention Team using its standard objective violence risk assessment procedures.

When an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon as reasonably possible thereafter, 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 in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it 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 Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this Policy to implement or modify an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct processes, 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 Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student or employee's access to, or use of, facilities or equipment, allowing a student to withdraw or take incomplete grades without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural/club athletics.

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

When the Respondent is an employee, or a student employee, accused of misconduct in the course of their employment, existing provisions for interim action are applicable instead of the above emergency removal process.

9. Promptness

Once North Central College has received notice or a Formal Complaint, all allegations are promptly acted upon. Complaints typically take 60-90 business days to resolve. 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 for the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

10. Confidentiality/Privacy

Every effort is made by the College to preserve the confidentiality of reports.³ The College will not share the identity of any individual who has made a report or Formal Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of harassment, discrimination, or retaliation; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA)⁴ or its implementing regulations,⁵ or as required by law; or to carry out the purposes of 34 C.F.R. Part 106, including any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The College reserves the right to determine which College officials have a legitimate educational interest in being informed about incidents that fall under this Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint. Information will be shared as necessary with Investigators, 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 of students 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.

³ 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 College employees who "need to know" in order to assist in the assessment, investigation, and resolution of the complaint. 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 Student Records Policy. The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws (including Title IX) 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 [29](#). 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: (1) the individual gives written consent for its disclosure; (2) there is a concern that the individual will likely cause serious physical harm to self or others; or (3) 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.

⁴ 20 U.S.C. 1232g

⁵ 34 C.F.R. § 99

Confidentiality and mandated reporting are addressed more specifically [below](#).

11. Jurisdiction

This Policy applies to the College's education program and activities,⁶ to conduct that takes place on property owned or controlled by the College, at College-sponsored events, and in buildings owned or controlled by the College's recognized student organizations. The Respondent must be a member of College's community in order for this Policy to apply.

This Policy can also be applicable to the effects of off-campus misconduct that effectively deprives a person of access to College's education program or activities. The College may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial College interest.

Regardless of where the conduct occurred, the College will address notice/complaints to determine whether the conduct occurred in the context of its employment or education program or activity and/or has continuing effects on campus (including virtual learning and employment environments) or in an off campus sponsored program or activity. A substantial College 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 is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or other individual.
- 3) Any situation that significantly impinges upon the rights, property, or achievements of others, significantly breaches the peace, and/or causes social disorder.
- 4) Any situation that substantially interferes with the educational interests or mission of the College.

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

Further, even when the Respondent is not a member of the College's community, supportive measures, remedies, and resources may be provided to the Complainant by contacting the Title IX Coordinator.

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

All vendors serving the College through third-party contracts are subject to the policies and procedures of their employers and/or to these Policies and procedures to which their employer has agreed to be bound by their contracts.

⁶ Which includes the College's employees' work environment.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to pursue action under that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to the College where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse.

12. Time Limits on Reporting

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or 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 Title IX Coordinator, 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 at the time of notice/complaint. Typically, this Policy is only applied to alleged incidents that occurred after August 8, 2023. For alleged incidents that occurred prior to August 9, 2023, previous versions of this Policy will apply. Those versions are available from the Title IX Coordinator.

13. Online Harassment and Misconduct

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

Although the College may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to the 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 social media; unwelcome sexual or sex-based messaging; distributing, or threatening to distribute, nude or semi-nude photos or recordings; 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.

14. Discriminatory Harassment Policy

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. This 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. All offense definitions encompass actual and/or attempted offenses.

A. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Illinois regard sexual harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.⁷

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.

The College has adopted the following definitions of sexual harassment in order to address the unique environment of an academic community. Two definitions are required by federal law. While they overlap, they are not identical, and they each apply as noted.

Title VII Sexual Harassment applies to situations where an employee is subjected to workplace sexual harassment.

- a. Unwelcome verbal, written, graphic, and/or physical conduct;
- b. that is severe or pervasive and objectively offensive;
- c. on the basis of sex/gender, that
- d. Unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.

Title IX Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. This definition applies to all formal complaints that fall within Title IX jurisdiction as determined by the Title IX Coordinator. Sexual harassment includes:

Conduct on the basis of sex,⁸ or that is sexual in nature that satisfies one or more of the following:

1) Quid Pro Quo:

- a. an employee of the College,
- b. conditions⁹ the provision of an aid, benefit, or service of the College,
- c. on an individual's participation in unwelcome sexual conduct.

⁷ If the sexual harassment occurs in a College-owned residence with a residential Complainant, then the HUD/FHA definition of sexual harassment--which tracks the Title VII definition--may also apply.

⁸ Including gender identity, gender expression, sexual orientation, and sex stereotypes.

⁹ Implicitly or explicitly.

2) **Sexual Harassment (Hostile Environment):**

- 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 Complainant equal access to the College's education program or activity.¹⁰

3) **Sexual Assault**, defined as:

¹⁰ Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than 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. This definition is broad enough to potentially encompass forms of sex-based disparate treatment, even if not harassing in nature.

- a. Any sexual act¹¹ directed against a Complainant,¹²
 - without their consent, or
 - instances in which the Complainant is incapable of giving consent.¹³
- b. **Incest:**
 - Non-forcible sexual intercourse,
 - between persons who are related to each other,

¹¹ A 'sexual act' is specifically defined by federal regulations to include one or more of the following:

Rape:

- The carnal knowledge of a Complainant OR Penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person,
- without their consent,
- including instances where they are incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity."

Sodomy:

- Oral or anal sexual intercourse with a Complainant,
- forcibly, and/or
- against their will (non-consensually), or
- not forcibly or against their 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.

Sexual Assault with an Object:

- The use of an object or instrument to penetrate,
- however slightly,
- the genital or anal opening of the body of the Complainant,
- forcibly, and/or
- against their will (non-consensually), or
- not forcibly or against their 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.

Fondling:

- The touching of the private body parts of the Complainant (buttocks, groin, breasts),
- for the purpose of sexual gratification,
- forcibly, and/or
- against their will (non-consensually), or
- not forcibly or against their 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.

¹² This would include having another person touch you sexually, forcibly, and/or without their consent.

¹³ This definition set is not taken from NIBRS verbatim. ATIXA has substituted Complainant for "victim," has removed references to his/her throughout, has defined "private body parts," has removed the confusing and unnecessary term "unlawfully," and has inserted language clarifying that the College interprets "against the person's will" to mean "non-consensually." These are liberties ATIXA thinks are important to take with respect to the federal definitions, but users should consult legal counsel before adopting them.

- within the degrees wherein marriage is prohibited by Illinois law.
- c. **Statutory Rape:**
 - Non-forcible sexual intercourse,
 - with a person who is under the IL statutory age of consent of 17.
- 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—
 - a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b) Dating violence does not include acts covered under the definition of domestic violence.
- 5) **Domestic Violence**,¹⁴ 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 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.
- 6) **Stalking**, defined as:
 - a. engaging in a course of conduct,
 - b. on the basis of sex,
 - c. directed at the Complainant, 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.

¹⁴ To categorize an incident as Domestic Violence under this Policy, 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.

For the purposes of this definition—

- 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.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- 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. The most serious offenses are likely to result in suspension, expulsion, or termination.

B. Force, Coercion, Consent, and Incapacitation¹⁵

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," which elicits the response, "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.

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, 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.

¹⁵ The state definition of consent in 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 for Clery/VAWA Sec. 304 compliance purposes.

Individuals may perceive and experience the same interaction in different ways. Therefore, 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 consent. 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 reasonably immediate 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. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected.

Proof of consent or non-consent is not a burden placed on either party involved in a complaint. 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 misconduct occurred and any similar and previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM¹⁶ 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, thus 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 are disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drug consumption. As stated above, a Respondent violates this Policy if they engage in sexual activity with someone who is incapable of giving consent.

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

¹⁶ Bondage, discipline/dominance, submission/sadism, and masochism.

an objective, reasonable person standard that 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, and 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 substances.

C. Sexual Exploitation

In addition to the forms of sexual harassment described above, which are covered by Title IX, the College additionally prohibits sexual exploitation as a form of discrimination that may be within or outside of Title IX when the act is based upon the Complainant’s actual or perceived protected characteristic.

1) Sexual Exploitation, defined as:

- a. an individual taking non-consensual or abusive sexual advantage of another
- b. for their own benefit or for the benefit of anyone other than the person being exploited, and
- c. that conduct does not otherwise constitute Sexual Harassment under this Policy.

Examples of Sexual Exploitation include, but are not limited to:

- 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)
- Invasion of sexual privacy (e.g., doxing)
- Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual's sexual orientation, gender identity, or gender expression
- 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 non-consensual pornography
- Prostituting another person
- 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 virus, disease, or infection
- 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

- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- 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
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Creating, possessing, or disseminating child pornography

Sanctions for Sexual Exploitation range from warning through expulsion/termination.

In addition, matters initially filed as Title IX Sexual Harassment but dismissed for Title IX jurisdictional reasons may be pursued under this Policy's Process B provision.

D. Consensual Relationships

North Central College's Consensual Relationships Policy can be found within the Human Resources Department, accessible using this link:

<https://www.northcentralcollege.edu/sites/default/files/documents/2020-03/20-3-18-consensual-relationships-policy.pdf>

15. Retaliation¹⁷

Protected activity under this Policy includes reporting alleged misconduct that may implicate this Policy, participating in the resolution process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The College will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

The College and any member of the College's community are prohibited from taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy and procedure.

Filing a complaint under Process B could be considered retaliatory if those allegations could be subject to Process A, when the Process B allegations are made for the purpose of interfering with or circumventing any right or privilege provided afforded within Process A that is not provided by Process

¹⁷ Retaliation allegations can be routed exclusively through Process B if a College so elects, but where retaliation and sexual harassment allegations are both alleged, it will likely make more sense to use Process A to resolve all together.

B. Therefore, the College carefully vets all complaints to ensure this does not happen, and to ensure that complaints are routed to the appropriate process.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Pursuing a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy and procedure does not constitute retaliation, provided that the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

16. Mandated Reporting

Most North Central College employees (faculty, staff, administrators) are expected to report actual or suspected Title IX discrimination, harassment, and/or retaliation to the Title IX Coordinator immediately, although there are some limited exceptions.

To make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting institutional resources. Within the institution, some resources may maintain confidentiality and are not required to report actual or suspected Title IX harassment, discrimination, or retaliation in a way that identifies the parties. They may offer options and resources without any obligation to inform an outside agency or institution official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report alleged crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant or required by law), who will act when an incident is reported to them.

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

A. Confidential Resources

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- On-campus licensed professional counselors in the Dyson Wellness Center
- On-campus health service providers and staff in the Dyson Wellness Center
- On-campus Victim Advocate in the Dyson Wellness Center
- On-campus members of the clergy/chaplains working within the scope of their licensure or ordination
- Community-based (non-employees):
 - Licensed professional counselors and other medical providers
 - Local rape crisis counselors
 - Domestic violence resources
 - Local or state assistance agencies
 - Clergy/Chaplains
 - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, professional credentials, or official designation, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

For students, institutional counselors in the Dyson Wellness Center are available to help free of charge and may be consulted on an emergency basis during normal business hours. For employees, the Employee Assistance Program can be utilized. Both students and employees are able to utilize the Campus Advocate. 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.

Employees who have confidentiality as described above, and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

B. Mandated Reporters and Formal Notice/Complaints

All College employees (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must promptly share all details of behaviors under this Policy they observe or have knowledge of, even if not reported to them by a Complainant or third party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Title IX Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from the College.

Supportive measures may be offered as the result of such disclosures without formal College action.

Failure of a Mandated Reporter to report an incident of harassment, discrimination, or retaliation of which they become aware is a violation of College Policy and can be subject to disciplinary action for failure to comply/failure to report.

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 simply because a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this Policy is not required to report their own experience, though they are encouraged to do so.

17. 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, and/or does not want a Formal Complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the institution and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether the College proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a Formal Complaint to initiate a grievance process, usually upon completion of an appropriate violence risk assessment.

The Title IX Coordinator'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. Colleges may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

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

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

When the College proceeds, the Complainant (and/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, though this does not extend to the provision of evidence or testimony.

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 may offer [Informal Resolution](#) options, 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. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

18. Federal Clery Timely Warning Obligations

Per the Clery Act, North Central College must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

The College will ensure that a Complainant's 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.

19. False Allegations and Evidence

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

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation, hearing, or informal resolution can be subject to discipline under appropriate College policies.

20. Amnesty

The College encourages individuals, including third parties, to report misconduct and crimes. Sometimes, individuals are hesitant to report to College officials or participate in resolution 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.

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 the Complainant amnesty from minor policy violations—such as underage consumption of alcohol or the use of illicit drugs—related to the incident. At the discretion of the Title IX Coordinator, witnesses may be granted this amnesty as well.

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 Respondent with respect to a Complainant.

Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been might hesitate to help take an individual who has experienced sexual assault to Public Safety or the hospital).

The College maintains a policy of amnesty for students who offer help to others in need. Although policy violations often cannot be overlooked, the College may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

21. Federal Statistical Reporting Obligations

Certain institutional officials—those deemed Campus Security Authorities—have a duty to report the following for federal statistical reporting purposes (Clery Act):

- 1) All “primary crimes,” which include criminal homicide, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson
- 2) 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
- 3) VAWA-based crimes,¹⁸ which include sexual assault, domestic violence, dating violence, and stalking
- 4) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug law violations

All personally identifiable information is kept private, but statistical information must be shared with Campus Public Safety regarding the type of incident and its general location (on or off campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log. Campus Security Authorities include: student affairs/student conduct staff, campus public safety, 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.

22. Preservation of Evidence

The preservation of evidence in incidents of sexual assault and stalking is critical to potential criminal prosecution and to obtaining restraining/protective orders and is particularly time sensitive. The College will inform the Complainant of the importance of preserving evidence by taking actions such as the following:

A. 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

¹⁸ VAWA is the Violence Against Women Act, enacted in 1994 and codified in part at 42 U.S.C. sections 13701 through 14040.

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 for a minimum of 7 days 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 sweatpants or you can have someone bring clothes. Otherwise, bring the clothes you were wearing during the assault with you to the Emergency Room in a clean paper bag or bedsheet, not wrapped in plastic.

B. General Evidence Collection

- In cases such as battery, property damage, and 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 trusted friend or family member to be the repository of the information or the confidential Campus Advocate (for sexual misconduct). The Title IX Coordinator can also maintain copies.
- 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.

Process A: Resolution Process for Alleged Violations of Title IX Requirements

1. Overview

The procedures below apply only to qualifying allegations of Title IX Sexual Harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined in the Policy) involving students, staff, administrators, or faculty members.

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the Title IX Coordinator.

The procedures below may be used to address alleged collateral misconduct by the Respondent arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another), when alleged violations of the Policy are being addressed at the same time. In such cases, the Title IX Coordinator may consult with the institution officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs, etc.) to provide input as needed. All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the student, program, faculty, and staff handbooks.

2. Notice/Complaint

Upon receipt of a Formal Complaint or notice of an alleged policy violation by the Title IX Coordinator, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps the College needs to take. The Title IX Coordinator will contact the Complainant to offer supportive measures and determine whether the Complainant wishes to file a Formal Complaint.

The Title IX Coordinator will then initiate at least one of three responses:

- 1) Offering supportive measures because the Complainant does not want to file a Formal Complaint
- 2) An Informal Resolution (upon submission of a Formal Complaint)
- 3) A Formal Grievance Process including an investigation and a hearing (upon submission of a Formal Complaint)

The College uses a Formal Grievance Process as described below to determine whether 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, and/or their effects.

3. Initial Assessment

Upon notice, the Title IX Coordinator will perform an initial assessment of the report or Formal Complaint to ensure the report appears to meet Policy requirements and jurisdiction. If this threshold is met, the Title IX Coordinator will provide supportive outreach to the Complainant (if identity is known) via their school e-mail or in person within 12 hours of receipt of notice. Notice can present in a variety of forms, including, but not limited to, reports submitted through the College's online form, in-person or

over the phone, via e-mail, via mail, and any other method deemed sufficient by the Title IX Coordinator. Once the Title IX Coordinator receives such a report or a Formal Complaint of an alleged violation of this Policy, the Title IX Coordinator will complete an initial assessment, which can include:

- The Title IX Coordinator seeks to determine if the person impacted wishes to make a Formal Complaint, and will assist them to do so, if desired.
 - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint themselves.
- If a Formal Complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an Informal Resolution option, or a formal investigation and grievance process.
 - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their needs, determine appropriate supports, and implements accordingly. 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 Title IX Coordinator assesses whether the complaint is suitable for Informal Resolution¹⁹, 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 by the Complainant, the Title IX Coordinator determines if the alleged misconduct falls within the scope of the 2020 Title IX regulations:
 - If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address, based on the nature of the complaint:
 - an incident, and/or
 - a pattern of alleged misconduct, and/or
 - a culture/climate issue
 - If alleged misconduct does not fall within the scope of the Title IX regulations, the Title IX Coordinator determines that the regulations do not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, which Resolution Process is applicable, and will refer the matter accordingly, including referring the matter for resolution under Process B, if applicable. Please note that dismissing a complaint under the 2020 Title IX regulations is solely a procedural requirement under Title IX, which does not limit the College’s authority to address a complaint with an appropriate process and remedies.

¹⁹ Per the 2020 Title IX regulations, Colleges are prohibited from Informal Resolution of a complaint by a student against an employee.

A. Violence Risk Assessment

In some cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the BIT or TAT as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- 1) Emergency removal of a Respondent on the basis of immediate threat to an individual or the community's physical health/safety
- 2) Whether the Title IX Coordinator should pursue/sign a Formal Complaint absent a willing/able Complainant
- 3) Whether the scope of the investigation should include an incident, and/or pattern of misconduct, and/or climate of hostility/harassment
- 4) To help identify potential predatory conduct
- 5) To help assess/identify grooming behaviors
- 6) Whether it is reasonable to try to resolve a complaint through Informal Resolution, and if so, what approach may be most successful
- 7) Whether to permit a voluntary withdrawal by the Respondent
- 8) Whether to impose transcript notation or communicate with a transfer College about a Respondent
- 9) Assessment of appropriate sanctions/remedies (to be applied post-hearing)
- 10) 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)/CARE team members. A VRA authorized by the Title IX Coordinator should occur in collaboration with the BIT or threat assessment team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A 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.

B. Dismissal (Mandatory and Discretionary)²⁰

²⁰ These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR §106.45.

The College must dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment as defined above, even if proved;
- 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;
- 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 College's education program or activity, and based on the available information, the Title IX Coordinator has determined that they do not need to sign a Formal Complaint on behalf of the College²¹.

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 Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- 2) The Respondent is no longer enrolled in or employed by the College; and/or
- 3) Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein

A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

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

This dismissal decision is appealable by any party under the procedures for appeal (See [Section 36](#)). The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate.

4. Counterclaims

North Central College is obligated to ensure that the grievance process is not abused for retaliatory purposes, thus counterclaims made with retaliatory intent will not be permitted. 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 determined to have been reported in good faith will be processed using the Resolution Process below. Investigation of such claims may take place after resolution of the underlying initial complaint, in which case a delay may occur.

²¹ Such a Complainant is still entitled to supportive measures, but the formal grievance process is not applicable unless the Title IX Coordinator signs the complaint in the event the Complainant cannot/will not do so.

Counterclaims may also be resolved through the same investigation as the underlying complaint, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

5. Right to an Advisor

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the Resolution Process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.²²

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

A. Who Can Serve as an Advisor

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

The Title IX Coordinator will also offer to assign a trained Advisor to any party if the party so chooses. If the parties choose an Advisor from the pool available from the College, the Advisor will have been 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.

B. Advisor's Role in Meetings and Interviews

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

²² "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 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.

C. Advisors in Hearings/College-Appointed Advisor

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

D. Pre-Interview Meetings

Advisors and their advisees may request to meet with the Investigator(s) 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.

E. Advisor Violations of College Policy

All Advisors are subject to the same College policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by the College. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address College officials or Investigators in a meeting or interview unless invited to do so (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee²³ 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 questioning.

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, or who refuses to comply with the College's established rules of decorum for the hearing, will be warned. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing may be ended, or other appropriate measures implemented, including the College requiring the party to use a different Advisor or providing a different

²³ Subject to the state law provisions or College policy above.

College-appointed Advisor. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

F. 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. The College provides a consent form that authorizes the College to share such information directly with a party's Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before the College is able to share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, the College will comply with that request at the discretion of the Title IX Coordinator.

Advisors appointed by the institution will not be asked to disclose details of their interactions with their advisees to institutional officials or Decision-Makers.

G. 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 College. Advisors may be asked to sign Non-Disclosure Agreements (NDAs). College may 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.

H. Expectation of an Advisor

The College generally expects an Advisor to adjust their schedule to allow them to attend College meetings/interviews/hearings when planned, but the College may change scheduled meetings/interviews/hearings 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 be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies as may be convenient and available.

I. 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 Title IX Coordinator 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 should be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

J. Assistance in Securing an Advisor²⁴

The Title IX Coordinator can assign an Advisor from the College's Title IX Grievance Pool, if a party so chooses. Parties are also able to secure their own Advisor as discussed above.

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

- Families Advocating for Campus Equality (<http://www.facecampusequality.org>)
- Stop Abusive and Violent Environments (<http://www.saveservices.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/>)

6. Resolution Processes

Resolution proceedings are private. All persons present at any time during the Resolution Process are expected to maintain the privacy of the proceedings in accordance with College Policy.

Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, except for information the parties agree not to disclose as part of an Informal Resolution. The College encourages parties to discuss any sharing of information with their Advisors before doing so.

The Formal Grievance Process is the College's primary resolution approach unless Informal Resolution is elected by all parties and the College.

A. Informal Resolution

Three options for Informal Resolution are detailed in this section.

²⁴ This is being provided for informational purposes and does not constitute the College's endorsement of any of the external individuals/organizations listed.

- 1) **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- 2) **Alternative Resolution.** When the parties agree to resolve the matter through an alternative resolution mechanism including mediation, restorative practices, facilitated dialogue, etc., as described below, often before a formal investigation takes place (See [Section B](#)).
- 3) **Accepted Responsibility.** When the Respondent accepts responsibility for violating policy, and desires to accept the recommended sanction(s) and end the Resolution Process (See [Section C](#)).

To initiate Informal Resolution, a Complainant must submit a Formal Complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the Title IX Coordinator. The parties may agree, as a condition of engaging in Informal Resolution, that statements made, or evidence shared, during the Informal Resolution process will not be considered in the Formal Grievance Process unless all parties' consent.

It is not necessary to pursue Informal Resolution 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. The parties may not enter into an agreement that requires the College to impose specific sanctions, though the parties can agree to certain restrictions or other courses of action. For example, the parties cannot require a student be suspended, but the parties can agree that the Respondent will temporarily or permanently withdraw. The only Informal Resolution Process that can result in sanctions levied by the institution is "Accepted Responsibility." The Title IX Coordinator has discretion to determine if an investigation will be paused during Informal Resolution, or if it will be limited, or will continue during the Informal Resolution process.

Prior to implementing Informal Resolution, the College will provide the parties with written notice of the reported misconduct and any sanctions (only in the case of Accepted Responsibility) 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 Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

B. Alternative Resolution Approaches

Alternative Resolution is an informal approach including mediation, restorative practices, facilitated dialogue, etc. by which the parties reach a mutually agreed upon resolution of a complaint. All parties must consent to the use of an Alternative Resolution approach.

The Title IX Coordinator may consider the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the parties:

- The parties' amenability to Alternative Resolution
- Likelihood of potential resolution, considering any power dynamics between the parties
- The nature and severity of the alleged misconduct
- The parties' motivation to participate
- Civility of the parties
- Results of a violence risk assessment/ongoing risk analysis
- Disciplinary history of the Respondent
- Whether an emergency removal is needed
- Skill of the Alternative Resolution facilitator with this type of complaint
- Complaint complexity
- Emotional investment/capability of the parties
- Rationality of the parties
- Goals of the parties
- Adequate resources to invest in Alternative Resolution (time, staff, etc.)

The ultimate determination of whether Alternative Resolution is available or successful is made by the Title IX Coordinator. The Title IX Coordinator is authorized to facilitate a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties, usually through their Advisors, including terms of confidentiality, release, and non-disparagement.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., referral for formal resolution, referral to the conduct process for failure to comply). Results of complaints resolved by Alternative Resolution are not appealable.

C. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the College are able to agree on responsibility, restrictions and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of College policy and implements agreed-upon restrictions and remedies and determines the appropriate sanction(s) in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon resolution terms. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.²⁵

When a resolution is accomplished, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

7. Formal Grievance Process Pool

The Formal Grievance Process relies on a pool of administrators²⁶ (“the Pool”) to carry out the process.

A. Pool Member Roles

Members of the Pool are trained annually, and can serve in in the following roles at the discretion of the Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To serve in a facilitation role in Informal Resolution or Alternative Resolution if appropriately trained in appropriate resolution approaches (e.g., mediation, restorative practices, facilitated dialogue)
- To perform or assist with initial assessment as needed
- To investigate complaints
- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a Decision-Maker regarding the complaint
- To serve as an Appeal Decision-Maker

B. Pool Member Appointment

The Title IX Coordinator appoints the Pool,²⁷ which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different complaints, the College can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater

²⁵ The parties may not want discussions that take place within Informal Resolution to be admissible in a later Formal Grievance Process, but essential facts must and do transfer from the informal process to the formal.

²⁶ External, trained third-party neutral professionals may also be used to serve in Pool roles

²⁷ This does not preclude the College from having all members of the Pool go through an application and/or interview/selection process

depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

C. Pool Member Training

Pool members receive annual training based on their respective roles. This training includes, but is not limited to:

- The scope of the College's Title IX and Sexual Misconduct Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment
- 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, timely, and impartial manner
- How to conduct a sexual harassment investigation
- Trauma-informed practices pertaining to investigations and resolution processes
- 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 against Respondents and/or for Complainants
- 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
- Recordkeeping

The materials used to train all members of the Pool are publicly posted on the Title IX website. Additionally, any Pool role can be contracted at the Title IX Coordinator's discretion to qualified external, trained third-party neutral professionals.

8. Formal Grievance Process: Notice of Investigation and Allegations

The Title IX Coordinator 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 will be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all 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 during the review and comment period to inspect and review all directly related and/or relevant evidence obtained
- A statement about the College’s policy on retaliation
- Information about the confidentiality 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 Resolution Process
- The name(s) of the Investigator(s), along with a process to identify to the Title IX Coordinator, in advance of the interview process, any conflict of interest that the Investigator(s) may have
- 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 allegations.

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.

9. 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 if any, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

10. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints 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.

11. Ensuring Impartiality

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

The Title IX Coordinator will vet the assigned Investigator(s) for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the President of North Central College and/or the Vice President of Student Affairs and Athletics.

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

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.

12. Investigation Timeline

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take many weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, law enforcement 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.

13. Investigation Process Delays and Interactions with Law Enforcement

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

The College will communicate the anticipated duration of the delay and reason to the parties in writing 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) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

14. Investigation Process Steps

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all available 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.

At the discretion of the Title IX Coordinator, investigations can be combined when complaints implicate a pattern, collusion, and/or other shared or similar actions.

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
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Assist the Title IX Coordinator, if needed, 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 the parties and witnesses
- Meet with the Complainant to finalize their interview/statement, if necessary
- Work with the Title IX Coordinator, as necessary, to prepare the initial Notice of Investigation and Allegations (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 each party of any meeting or interview involving another 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 another party and/or 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 (10) days.
- 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
- 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.
- Share the report with the Title IX Coordinator and/or legal counsel for their review and feedback
- Incorporate any relevant feedback and share the final report with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties and Advisors are also provided with a file of any directly related evidence that was not included in the report.

15. Witness Role and Participation in the Investigation

Witnesses (as distinguished from the parties) who are employees of the College are strongly encouraged to cooperate with and participate in the College's investigation and Resolution Process. Student witnesses and witnesses from outside the College community are encouraged to cooperate with College investigations and to share what they know about a complaint.

Although 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, Microsoft Teams, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness, efficiency, or other reasons dictate a need for remote interviewing. The College will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

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.

16. Interview Recording

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

17. Evidentiary Considerations

Neither the investigation nor the hearing will consider: (1) incidents not relevant or not directly related to the possible violation(s), unless they evidence a pattern; or (2) questions and evidence about the Complainant's sexual predisposition; or (3) questions and evidence about the Complainant's 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.

Within the boundaries stated above, the investigation and the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

18. Referral for Hearing

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

The hearing cannot be held 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(s)—unless all parties and the Decision-Maker(s) agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision-Maker or Decision-Makers from the Pool and provide a copy of the investigation report and the file of directly related evidence. Allegations involving student-employees in the context of their employment will be directed to the appropriate Decision-Maker(s) depending on the context and nature of the alleged misconduct.

19. Hearing Decision-Maker Composition

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

The Decision-Maker(s) will not have had any previous involvement with the complaint. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing 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 Title IX Coordinator 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 the facilitator role. The hearing will convene at a time and venue determined by the Title IX Coordinator or designee.

20. Additional Evidentiary Considerations in the Hearing

Previous disciplinary action of any kind involving the Respondent may not be used unless there is an allegation of a pattern of misconduct. Such information may also 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 and is not shared until then.

The parties may each submit a written impact and/or mitigation 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 Decision-Maker(s) render(s) a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

21. Hearing Notice

No less than ten (10) business days prior to the hearing,²⁸ the Title IX Coordinator 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 hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Description of any technology that will be used to facilitate the hearing.

²⁸ Unless an expedited hearing is agreed to by all parties.

- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-Maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator as soon as possible, preferably 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(s) based on demonstrated bias or conflict of interest. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and how the parties can access the recording 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. 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 Title IX Coordinator if they wish to conduct cross-examination and do not have an Advisor, and the College will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
- A copy of all the materials provided to the Decision-Maker(s) about the complaint unless they have already been provided.²⁹
- An invitation to each party to submit to the Chair an impact and/or mitigation statement pre-hearing that the Decision-Maker(s) will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Whether parties can/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. Employees who do not have 12-month contracts are still expected to participate in Resolution Proceedings that occur during months between contracts.

22. 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 Title IX Coordinator as soon as possible, preferably at least five (5) business days prior to the hearing.

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

²⁹ The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

23. Pre-Hearing Preparation

After any necessary consultation with the parties, the Chair will provide the names of persons who have been asked to participate 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 relevant evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and/or instruct that the investigation needs to be re-opened to consider that evidence.³⁰

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 Title IX Coordinator as soon as possible and no later than two (2) business days prior to the hearing. Decision-Makers will only be removed if the Title IX Coordinator concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the complaint.

The Title IX Coordinator 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 Title IX Coordinator 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 a pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

24. Pre-Hearing Meetings

The Chair may convene a pre-hearing meeting(s) with the parties and/or their Advisors and 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 to provide recommendations for more appropriate phrasing.

However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration on a pre-hearing ruling by the Chair based on any new information or testimony offered at the hearing. The Chair must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

³⁰ 34 C.F.R. § 668.46(k) (3) (B) (3) requires "timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings."

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/or 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 Title IX Coordinator or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded. The pre-hearing meetings may be conducted as separate meetings with each party/Advisor, with all parties/Advisors present at the same time, remotely, or as a written-only exchange. The Chair will work with the parties to establish the format.

25. Hearing Procedures

At the hearing, the Decision-Maker(s) have 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 occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the Policy.

Participants at the hearing will include the Chair, any additional panelists, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties, Advisors to the parties, any called witnesses, the Title IX Coordinator (who may be acting as the hearing facilitator), and anyone providing authorized accommodations, interpretation, and/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 to respond to specific questions from the Decision-Maker(s) and the parties, and the witnesses will then be excused. The Investigator(s) may remain present for the duration of the hearing.

26. Joint Hearings

In hearings involving more than one Respondent and/or involving more than one Complainant who has accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent or complaint 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 and/or for each complaint with respect to each alleged policy violation.

27. 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) based on bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review the challenge and decide.

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.

28. Investigator Presentation of Final Investigation Report

The Investigator(s) will 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) may 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 Advisors and parties will refrain from discussion of or questions for Investigators about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

29. Testimony and Questioning

Once the Investigator(s) present(s) the report and respond(s) to questions, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The hearing will facilitate questioning of parties and witnesses by the Decision-Maker(s) and then by the parties through their Advisors.

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

The Chair may invite explanations or persuasive statements regarding relevance 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. 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 Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

30. Refusal to Submit to Questioning; Inferences

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The Decision-Maker(s) can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-Maker(s) may not draw any inference solely from a party or witness' absence from the hearing or refusal to submit to cross-examination or answer other questions.

31. Hearing Recordings

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 review the recording or review a transcript of the recording, upon request to the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

32. Deliberation, Decision-Making, and Standard of Proof

The Decision-Maker(s) will deliberate in closed session to determine whether the Respondent is 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 and/or mitigation statement(s) in determining appropriate sanction(s). The Chair will ensure that each of the parties has an opportunity to review any submitted impact and/or mitigation statement(s) once they are submitted. The Decision-Maker(s) will also review any pertinent conduct history provided by the Dean of Students and will recommend the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Chair will then prepare a written statement detailing all findings and final determinations, the rationale(s) explaining the decision(s), the evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any recommendations of sanction(s) and rationales explaining the sanction(s) and will deliver the statement to the Title IX Coordinator.

This statement is typically three to five (3-5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

33. Notice of Outcome

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome letter. The Notice of Outcome may be reviewed by legal counsel at the Title IX Coordinator's discretion. The Title IX Coordinator will then share the letter, which includes the final determination, rationale, and any applicable sanction(s), with the parties and their Advisors within 5 business days of receiving the deliberation statement.

The Notice of Outcome will 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 articulate the specific alleged policy violation(s), including the relevant policy section(s), 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 for 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 sanction(s) issued which the College is permitted to share according to state or federal law; and whether remedies will be provided to the Complainant to ensure access to the College's educational or employment program or activity.

The Notice of Outcome will also include information on when the results are considered final by the College, will note any changes to the outcome and/or sanction(s) that occur prior to finalization, and the relevant procedures and bases for appeal.

34. 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
- 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.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and/or referring that information to another process for resolution.

A. Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:³¹

- *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.
- *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.
- *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.
- *Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend College-sponsored events.
- *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 violating policy.
- *Revocation of Degree:* The College reserves the right to revoke a degree previously awarded from the College for fraud, misrepresentation, and/or other violation of College policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Other Actions:* In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

³¹ College policies on transcript notation will apply to these proceedings.

B. Student Organization Sanctions

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

- *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.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the 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 and event privileges, denial of College funds, ineligibility for honors and awards, restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student organization recognition for a definite period of time not to exceed two years and/or until specific criteria are met. During the suspension period, a student organization may not conduct any formal or informal business or participate in College-related activities, whether they occur on or off campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from the College.
- *Expulsion:* Permanent termination of student organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason.
- *Loss of Privileges:* Restricted from accessing specific College privileges for a specified period of time.
- *Other Actions:* In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

C. Employee Sanctions/Responsive/Corrective Actions

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

- *Verbal or Written Warning*
- *Performance Improvement Plan/Management Process*
- *Enhanced Supervision, Observation, or Review*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Reassignment*

- *Delay of (or referral for delay of) Tenure Track Progress*
- *Assignment to New Supervisor*
- *Restriction of Stipends, Research, and/or Professional Development Resources*
- *Suspension/Administrative Leave with Pay*
- *Suspension/Administrative Leave without Pay*
- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

35. Withdrawal or Resignation Before Complaint Resolution

A. Students

Should a Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the College, the Resolution Process typically ends with a dismissal, as the College has lost primary disciplinary jurisdiction over the withdrawn student. However, the College may continue the Resolution Process when, at the discretion of the Title IX Coordinator, doing so may be necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the complaint is dismissed or pursued to completion of the Resolution Process, 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.

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, if found in violation, that student is not permitted to return to College unless and until all sanctions, if any, have been satisfied.

B. Employees

Should an employee Respondent resign with unresolved allegations pending, the Resolution Process typically ends with dismissal, as the College has lost primary disciplinary jurisdiction over the resigned employee. However, the College may continue the Resolution Process when, at the discretion of the Title IX Coordinator, doing so may be necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the matter is dismissed or pursued to completion of the Resolution Process, 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, discrimination, and/or retaliation.

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

36. Appeals

Any party may submit a written request for appeal (“Request for Appeal”) to the Title IX Coordinator within 5 business days of the delivery of the Notice of Outcome.

A single Appeal Decision-Maker will Chair the appeal. No Appeal Decision-Maker will have been previously involved in the Resolution Process for the complaint, including in any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to the Appeal Chair or designee for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

A. Grounds for Appeal

Appeals are limited to the following grounds:

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

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

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Chair will notify all parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-Maker(s).

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

The non-appealing party (if any) may also choose to appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeal Chair and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Title IX Coordinator, and the Investigator(s) and/or original Decision-Maker(s), as necessary, who will submit their responses, if any, within 5 business days. Any such responses will be circulated for review and comment by all parties. If not approved, the parties will be notified accordingly, in writing.

Neither party may submit any new requests for appeal after this time period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds for appeal, and the subsequent responses will be shared with the Appeal Chair and the Chair will render a decision within no more than 5 business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard of evidence.

A Notice of Appeal Outcome will be sent to all parties simultaneously. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanction(s) that may result which the College is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the College is permitted to share under state or federal law.

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

B. Sanctions Status During the Appeal

Any sanctions imposed as a result of the hearing are stayed (i.e.: not implemented) during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

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

If the original sanctions include separation in any form, the College may place a hold on official transcripts, diplomas, graduations, course registration, etc. pending the outcome of an appeal. The Respondent may request a stay of these holds from the Title IX Coordinator within two (2) business days of the notice of the sanctions. The request will be evaluated by the Title IX Coordinator or designee, whose determination is final.

C. Appeal Considerations

- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- Decisions on appeal are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- An appeal is not an opportunity for Appeal Decision-Makers to substitute their judgment for that of the original Decision-Maker(s) merely because they disagree with the finding and/or sanction(s).

- The Appeal Chair/Decision-Maker(s) may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-Maker(s) for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where an error cannot be cured by the original Investigator(s) and/or Decision-Maker(s) or the Title IX Coordinator (as in cases of bias), the Appeal Chair/Decision-Maker(s) may order a new investigation and/or a new hearing with new Pool members serving in the Investigator and Decision-Maker roles.
- The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases resulting in reinstatement to the College or resumption of privileges, all reasonable attempts to restore the Respondent to their prior status will be made, recognizing some opportunities lost may be irreparable in the short term.

37. Long-Term Remedies/Other Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the institutional community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies the College owes the Respondent to ensure no effective denial of educational access.

The College will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair the College's ability to provide these services.

38. Failure to Comply with Sanctions and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-Maker(s) (including the Appeal Chair).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the College. Supervisors are expected to enforce completion of sanctions/responsive actions for their employees.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

39. Recordkeeping

North Central College will maintain for a period of at least seven years following the conclusion of the Resolution Process, records of:

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

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

40. Disability Accommodations in the Resolution Process

North Central College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the College's Resolution Process.

Anyone needing such accommodations or support should contact the Director of Disability/Access Services or HR if employee, who will review the request and, in consultation with the person requesting

the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

41. Revision of this Policy and Procedures

This Policy and procedures supersede any previous policies addressing harassment, sexual misconduct, discrimination, and/or retaliation for incidents occurring on or after August 9, 2023, under Title IX and will be reviewed and updated annually by the Title IX Coordinator. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

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

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

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

This Policy and procedures are effective August 9, 2023.

Process B: Resolution of Alleged Sexual Misconduct Falling Outside Title IX

- Process B is applicable when the Title IX Coordinator determines Process A is inapplicable, or offenses subject to Process A have been dismissed.
- If Process A is applicable, Process A must be applied in lieu of Process B.³²

PROCESS B RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE TITLE IX AND SEXUAL MISCONDUCT POLICY

North Central College will act on any formal or informal allegation or notice of violation of the Title IX and Sexual Misconduct Policy that is received by the Title IX Coordinator³³ or a member of the administration, faculty, or other employee, with the exception of confidential resources, as articulated in the Policy above.

The procedures described below apply to all allegations of sex or gender-based harassment, discrimination, and/or retaliation involving students, staff, faculty members, or third parties that do not meet Process A requirements.

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing, discriminatory, or retaliatory conduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by this Policy will be addressed through the procedures elaborated in the respective student, program, faculty, and staff handbooks.

1. Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of the College's nondiscrimination policy, the Title IX Coordinator³⁴ engages in an initial assessment, which is typically one to five (1-5) business days in duration. The steps in an initial assessment can include:

- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they have an Advisor.
- The Title IX Coordinator works with the Complainant to determine which of three options to pursue: A Supportive Response, an Informal Resolution, or an Administrative Resolution.
 - If a Supportive Response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. An

³² Colleges can substitute any alternative process instead of Process B, if desired. VAWA Section 304 requirements apply to Process B or any alternative process for reports that fall under VAWA. Title IX requirements outside of Section 106.30 (based on the original 1975 regulations, etc.) may also be resolved using Process B.

³³ All references herein to a Title IX Coordinator also include a designee of the Title IX Coordinator.

³⁴ If circumstances require, the Vice President of Student Affairs and Athletics or Title IX Coordinator will designate another person to oversee the process below should an allegation be made about the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill their duties.

Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.

- If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for Informal Resolution, which informal mechanism may serve the situation best or is available, and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
- If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:
 - Incident
 - A potential pattern of misconduct
 - A culture/climate issue
- In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the BIT and/or TAT as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:
 - Interim suspension of a Respondent who is a threat to health/safety
 - Whether the Title IX Coordinator should pursue Administrative Resolution absent a willing/able Complainant
 - Whether to put the investigation on the footing of incident and/or pattern and/or climate
 - To help identify potentially predatory conduct
 - To help assess/identify grooming behaviors
 - Whether a Complaint is amenable to 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
 - Whether a Clery Act Timely Warning and/or Trespass order/Persona-non-grata is needed

Based on the initial assessment, the College will initiate one of these responses:

- **Supportive Response** – measures to help restore the Complainant’s education access, as described in the Policy.
- **Informal Resolution** – typically used for less serious offenses and only when all parties agree to Informal Resolution, or when the Respondent is willing to accept responsibility for violating policy.
- **Administrative Resolution** – investigation of alleged policy violation(s) and recommended finding, subject to a determination by the Title IX Coordinator or Decision-Maker(s) and the opportunity to appeal.

The investigation and the subsequent Administrative Resolution determine whether the Policy has been violated. If so, the College will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the Title IX Coordinator. If at any point during the initial assessment or formal investigation the Title IX Coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified.

The Complainant may request that the Title IX Coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

2. Resolution Process Pool

The Resolution Process relies on a pool of officials (“Pool”) for implementation. Members of the Pool are announced in an annual distribution of this Policy to all students, employees, prospective students, and prospective employees.

Members of the Pool are trained annually in all aspects of the Resolution Process and can serve in any of the following roles, at the direction of the Title IX Coordinator:

- To provide sensitive intake for and initial advice pertaining to the allegations
- To act as optional process Advisors to the parties
- To facilitate Informal Resolution
- To investigate allegations
- To serve as a Decision-Maker
- To serve as an Appeal Decision-Maker

The Title IX Coordinator carefully vets Pool members for potential conflicts of interest or disqualifying biases and appoints the Pool, which acts with independence and impartiality.

Pool members receive annual training organized by the Title IX Coordinator, including a review of College policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety, and promote accountability.

The Pool members receive annual training jointly. This training includes, but is not limited to:

- The scope of the College’s Title IX and Sexual Misconduct Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents and promote accountability
- Implicit bias
- Disparate treatment
- 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, timely, and impartial manner
- How to conduct a sexual harassment investigation
- Trauma-informed practices pertaining to investigations and Resolution Processes
- How to uphold fairness, equity, and due process

- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- Types of evidence
- Deliberation
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the institution 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 against Respondents and/or for Complainants
- Any technology to be used
- 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 and discrimination allegations

3. Counterclaims

Counterclaims by the Respondent may be made in good faith or may instead be motivated by a retaliatory intent. The College is obligated to ensure that any process is not abused for retaliatory purposes.

The College permits the filing of counterclaims, but uses the initial assessment, described above, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation. Counterclaims made with retaliatory intent will not be permitted.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

4. Advisors

A. Advisor Expectations

The College generally expects an Advisor to adjust their schedule to allow them to attend College meetings when planned, but College 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.

Parties whose Advisors are disruptive or who do not abide by College policies and procedures may face the loss of that Advisor and/or possible Policy violations.

Advisors are expected to consult with their advisees without disrupting College meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

B. Expectations of the Parties with Respect to Advisors

Each party may choose an Advisor³⁵ who is eligible and available³⁶ to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. 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 Investigators of the identity of their Advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change Advisors at any time.

Upon written request of a party, the College will copy the Advisor on all communications between the College and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

At the discretion of the Title IX Coordinator, more than one Advisor may be permitted to the parties, upon request. For equity purposes, if one party is allowed another Advisor, the other party must be allowed one to as well.

C. Assistance in Securing an Advisor³⁷

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

- Families Advocating for Campus Equality (<http://www.facecampusequality.org>)

³⁵ This could include an attorney, advocate, or support person. Witnesses are not entitled to Advisors within the process, though they can be advised externally. If the College allows more than one Advisor for one party, they should do so for all parties.

³⁶ “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 implement and monitor sanctions.

³⁷ This is being provided for informational purposes and does not constitute the College’s endorsement of any of the external individuals/organizations listed.

- Stop Abusive and Violent Environments (<http://www.saveservices.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/>)

5. *Resolution Options*

Proceedings are private. All persons present at any time during the Resolution Process are expected to maintain the privacy of the proceedings in accord with College Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose but are encouraged to discuss with their Advisors first before doing so.

A. *Informal Resolution*

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter through Alternative Resolution, when the Respondent accepts responsibility for violating Policy, or when the Title IX Coordinator can resolve the matter informally by providing remedies to resolve the situation. The Title IX Coordinator has discretion to determine if an investigation will be paused during Informal Resolution, or if it will be limited, or will continue during the Informal Resolution process.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the resolution is finalized, Administrative Resolution may be pursued.

i. *Alternative Resolution*

Alternative Resolution is an informal process, such as mediation or restorative practices, by which the parties mutually agree to resolve an allegation. It may be used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution process (described below) to resolve conflicts, as appropriate. The parties must consent to the use of Alternative Resolution.

The Title IX Coordinator determines if Alternative Resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to Alternative Resolution.

In an Alternative Resolution, a trained administrator or third party facilitates communication among with the parties to an effective resolution, if possible. Institutionally imposed sanctions are not possible as the result of an Alternative

Resolution process, though the parties may agree to accept sanctions and/or appropriate remedies.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution can result in appropriate enforcement actions.

Alternative Resolution is not typically the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though similarly structured conversations may be made available after the Administrative Resolution process is completed should the parties and the Title IX Coordinator believe it could be beneficial. The results of Alternative Resolution are not appealable.

ii. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent accepts responsibility, the Title IX Coordinator determines that the individual is in violation of College policy.

The Title IX Coordinator then determines appropriate sanction(s) or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the conduct, both on the Complainant and the community.

If the Respondent accepts responsibility for all of the alleged policy violations and the Title IX Coordinator or designee has determined appropriate sanction(s) or responsive actions, to which the Respondent agrees, and which are promptly implemented, the process is over. The Complainant may be consulted on and will be informed of this outcome.

If the Respondent accepts responsibility for some of the alleged policy violations and the Title IX Coordinator has determined appropriate sanction(s) or responsive actions, to which the Respondent agrees, and which are promptly implemented for those violations, then the remaining allegations will continue to be investigated and resolved through Administrative Resolution. The parties will be informed of this outcome. The parties are still able to seek Alternative Resolution on the remaining allegations, subject to the stipulations above.

B. Administrative Resolution via an Investigation and Hearing

Administrative Resolution can be pursued at any time during the process for any behavior for which the Respondent has not accepted responsibility that would constitute conduct covered by the Policy if proven. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

If Administrative Resolution is initiated, the Title IX Coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically,

notice is given at least 48 hours in advance of an interview. Advanced notice facilitates the parties' ability to identify and choose an Advisor, if any, to accompany them to the interview.

Notification will include a meaningful summary of the allegations, 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 or designated email account.

Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notification will include the policies allegedly violated, if known at the time. Alternatively, the policies allegedly violated can be provided at a later date, in writing, as the investigation progresses, and details become clearer.

The College aims to complete all investigations within a sixty (60) business-day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate. Investigations can take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Once the decision is made to commence an investigation, the Title IX Coordinator 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.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no conflicts of interest or disqualifying bias.

The parties may, at any time during the Resolution Process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the Title IX Coordinator, concerns should be raised with the Vice President of Student Affairs and Athletics.

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

The College may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges based on the same behaviors that invoke the College's Resolution Process are being investigated by law enforcement. The College will promptly resume its investigation and Resolution Process once notified by law enforcement that the initial evidence collection process is complete.

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.

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 to fully review and respond to all evidence on the record.

6. Investigation

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

- Determine the identity and contact information of the Complainant
- In coordination with institutional partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct
- Assist the Title IX Coordinator with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy
- If there is insufficient evidence to support reasonable cause, the process is closed with no further action
- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses
- Meet with the Complainant to finalize their statement, if necessary
- Prepare the initial Notice of Investigation and Allegations (NOIA) on the basis of the initial assessment. Notice may be one step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOIA accordingly and provide it to the parties.
- Notice should inform the parties of their right to have the assistance of a Pool member as a process Advisor appointed by the College or an Advisor of their choosing present for all meetings attended by the advisee
- When formal notice is given, it should provide the parties with a written 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
- Give an instruction to the parties to preserve any evidence that is directly related to the allegations
- Provide the parties and witnesses with an opportunity to review and verify the Investigator's summary notes from interviews and meetings with that specific party or witness
- Make good faith efforts to notify each party of any meeting or interview involving another party, in advance when possible
- Interview all relevant individuals and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest questions they wish for the Investigator(s) to ask the other party and witnesses
- 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, summarize for the parties the list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation and all evidence

- Provide the parties with a copy of the draft investigation report when it is completed, including all relevant evidence, analysis, credibility assessments, and recommended finding(s)
- Provide each party with a full and fair opportunity to respond to the report in writing within 5 business days and incorporate that response, if any, into the report
- Investigators may choose to respond in writing in the report to the responses of the parties, and/or to share the responses between the parties for their responses, while also ensuring that they do not create a never-ending feedback loop
- Share the report with the Title IX Coordinator or legal counsel for review and feedback
- Provide the final report to the Title IX Coordinator with one of two options:
 - In the report, include a recommended determination, based on a preponderance of the evidence, whether a policy violation is more likely than not to have occurred

7. Determination

Within two to three (2-3) business days of receiving the Investigator's recommendation, the Title IX Coordinator or a trained, designated Decision-Maker from the Pool³⁸ reviews the report and all responses, and then makes the final determination on the basis of the preponderance of the evidence.

If the record is incomplete, the Title IX Coordinator/Decision-Maker may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the parties or any witnesses, if needed.

The investigation recommendation, if any, should be strongly considered but is not binding on the Title IX Coordinator/Decision-Maker. The Title IX Coordinator or Decision-Maker may invite and consider impact and/or mitigation statements from the parties if and when determining appropriate sanction(s), if any.

8. Additional Details of the Investigation Process

A. Witness Responsibilities

Witnesses (as distinguished from the parties) who are College faculty or staff are expected to cooperate with and participate in the College's investigation and Resolution Process. Failure of a witness to cooperate with and/or participate in the investigation or Resolution Process constitutes a violation of Policy and may be subject to discipline.

B. Remote Processes

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) and/or Decision-Maker determine that timeliness, efficiency, or other causes dictate a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by

³⁸ When the Title IX Coordinator is the Investigator or has been heavily involved in the process prior to determination, a Decision-Maker should be designated from the Pool to ensure there is no conflict of interest.

the Investigator(s), though this approach is not ideal. When remote technologies are used, the College makes reasonable efforts to ensure privacy and ensures that any technology does not work to the detriment of any party or subject them to unfairness.

C. Recording

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

D. Evidence

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of misconduct, subject to the limitation in (E) below. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

E. Prior Sexual History/Patterns

Unless the Title IX Coordinator/Decision-Maker determines it is appropriate, the investigation and the finding do not consider: (1) incidents not directly related to the possible violation(s), unless they evidence a pattern; (2) the irrelevant sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); (3) irrelevant character evidence.

F. Previous Allegations/Violations

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the Title IX Coordinator/Decision-Maker with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

If the College uses a progressive discipline system, previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s).

Character witnesses or evidence may be offered. The investigation and hearing will determine if the character evidence is relevant. If so, it may be considered. If not, it will be excluded.

G. Notification of Outcome

If the Respondent admits to the violation(s), or is found in violation, the Title IX Coordinator, in consultation with other administrators as appropriate, determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The Title IX Coordinator informs the parties of the determination within two to three (2-3) business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notifications are 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 or designated email account. Once mailed, emailed, and/or received in-person, notice is presumptively delivered.

The Notification of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which the College is permitted to share pursuant to state or federal law, and the rationale supporting the findings to the extent the College is permitted to share under state or federal law.

The notice will detail when the determination is considered final (See [Section 11](#)) and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings. More information about the appeal procedures can be found in [Section 11](#).

9. Sanctions

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- An individual'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 Title IX Coordinator/Decision-Maker

The sanction(s) will be implemented as soon as is feasible. The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities.

A. Student Sanctions

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

- *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.
- *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.
- *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.
- *Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend College-sponsored events.
- *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.
- *Revocation of Degree:* The College reserves the right to revoke a degree previously awarded from the College for fraud, misrepresentation, and/or other violation of College policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Other Actions:* In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

B. Student Organization Sanctions

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

- *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.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the 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 and event privileges, denial of College funds, ineligibility for honors and awards, restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student organization recognition for a definite period of time not to exceed two years and/or until specific criteria are met. During the suspension period, a student organization may not conduct any formal or informal business or participate in College-related activities, whether they occur on or off-

campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from the College.

- *Expulsion*: Permanent termination of student organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason.
- *Loss of Privileges*: Restricted from accessing specific College privileges for a specified period of time.
- *Other Actions*: In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

C. Employee Sanctions/Responsive/Corrective Actions

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

- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Reassignment
- Delay of Tenure Track Progress
- Assignment to New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension with Pay
- Suspension without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

10. Withdrawal or Resignation while Charges are Pending

A. Students

The College has the discretion to permit a student to withdraw if that student has an allegation pending for violation of this Policy. The College may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the Resolution Process to be completed.

B. Employees

Should an employee resign with unresolved allegations pending, the records of the Title IX Coordinator will reflect that status, and any College responses to future inquiries regarding employment references for that individual will include the former employee's unresolved status and whether the employee is eligible for rehire.

11. Appeals

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within 5 business days of the delivery of the written finding of the Title IX Coordinator or Decision-Maker.

An Appeal Decision-Maker chosen from the Pool will be designated by the Title IX Coordinator from those who have not previously been involved in the process. This Appeal Decision-Maker will be designated the "Chair". Any party may appeal, but appeals are limited to the following grounds:

- 1) A procedural error or omission occurred that significantly impacted the outcome (e.g., substantiated bias, material deviation from established procedures, failure to correctly apply the evidentiary standard).
- 2) To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.

When any party requests an appeal, the Title IX Coordinator will share the appeal request with all other parties or other appropriate persons such as the Investigator(s), who may file a response within three (3) business days. Another party may also bring their own appeal on separate grounds.

If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within 5 business days. These responses or appeal requests will be shared with each party. The Appeal Chair will review the appeal request(s) within 5 business days of completing the pre-appeal exchange of materials. If grounds are not sufficient for an appeal, or the appeal is not timely, the Appeal Chair dismisses the appeal.

When the Appeal Chair finds that at least one of the grounds is met by at least one party, additional principles governing the review of appeals include the following:

- Decisions by the Appeal Chair are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is compelling justification to do so.
- Appeals are not intended to be full re-hearings (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the investigation and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for the Appeal Chair to substitute their judgment for that of the original Investigator(s) or Title IX Coordinator/Decision-Maker merely because they disagree with the finding and/or sanction(s).
- Appeals granted based on new evidence should normally be remanded to the Investigator(s) for reconsideration. Other appeals should be remanded at the discretion of the Appeal Chair.

- Sanctions imposed as the result of the Administrative Resolution are implemented immediately unless the Title IX Coordinator stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
 - For students: Graduation, study abroad, internships/externships, etc., do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal.
- All parties will be informed in writing within 5 business days of the outcome of the appeal without significant time delay between notifications, and in accordance with the standards for Notice of Outcome as defined above.
- Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand.
- In rare cases when a procedural error cannot be cured by the original Investigator(s) and/or Decision-Maker or the Title IX Coordinator (as in cases of bias), the Appeal Chair may recommend a new investigation and/or Administrative Resolution process, including a new Decision-maker.
- The results of a new Administrative Resolution process can be appealed once, on any of the three applicable grounds for appeals.
- In cases in which the appeal results in Respondent's reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable.

12. Long-Term Remedies/Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Provision of transportation assistance
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided to the Complainant even if no policy violation is found. When no policy violation is found, the Title IX Coordinator will address any remedial requirements owed by the College to the Respondent.

13. Failure to Complete Sanctions/Comply with Interim and Long-Term Remedies/Responsive Actions

All Respondents are expected to comply with conduct sanctions, responsive actions, and corrective actions within the timeframe specified by the Title IX Coordinator.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s) and responsive/corrective action(s), including suspension, expulsion, and/or termination from the College and may be noted on a student's official transcript. Supervisors are expected to enforce completion of sanctions/responsive actions for their employees.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

14. Recordkeeping

In implementing this Policy, records of all allegations, investigations, resolutions, and hearings will be kept by the Title IX Coordinator in the Title IX complaint database indefinitely, or as required by state or federal law or institutional policy.

15. Disability Accommodation in the Resolution Process

North Central College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the College's Resolution Process. Anyone needing such accommodations or support should contact the Director of Disability/Access Services, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

16. Revision

These policies and procedures will be reviewed and updated annually by the Title IX Coordinator. The College reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect.

The Title IX Coordinator may make minor modifications to these procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules.

The Title IX Coordinator may also vary procedures materially with notice (on the College website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and 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 will be construed to comply with the most recent government regulations.

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

This Policy and procedure was implemented on August 9, 2023.

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.

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 do 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 do 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.