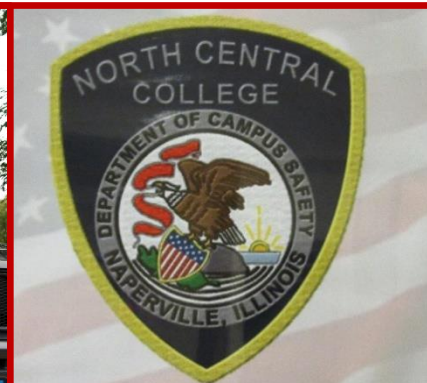


2023



NORTH CENTRAL
COLLEGE 1861

Annual Security and Fire Safety Report



About this Report

North Central College Department of Campus Safety prepares this annual report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the Naperville Police Department and with local law enforcement agencies surrounding our non-Naperville owned, leased or rented properties. Campus Safety also seeks collaboration with the Office of the Registrar, Office of Residence Life, Center for Global Education, the Office of Student Affairs, Dyson Wellness Center and the Title IX Coordinator when compiling data for this report. This report includes information for the calendar years 2022, 2021 and 2020.

Campus crime, arrest, and referral statistics include those reported to Campus Safety, to designated campus officials (including deans, directors, coaches, human resources and advisors to student organizations), and local law enforcement agencies. Campus crime statistics also include aggregate data provided by the Director of the Dyson Wellness Center and the College's Health Education Coordinator and Campus Advocate. The person in this role serves as a confidential resource and campus advocate for victims of sexual misconduct, including sexual assault, sexual harassment, dating/domestic violence, and stalking. As such, the Director of the Dyson Wellness Center and the College's Health Education Coordinator and Campus Advocate reports aggregate data to the College's Title IX Coordinator who shares this data with Campus Safety to ensure it is included in annual crime statistics.

Each year, email notification is made to all North Central College faculty, staff, and enrolled students providing a web based link to this report. Physical copies of this report may be obtained by request at the Department of Campus Safety.

Campus Safety Procedures

About the Department of Campus Safety

The Department of Campus Safety is the primary department responsible for safety, security and emergency response at North Central College. The Department of Campus Safety is located on the lower level of New Hall at 451 S. Brainard Street. Campus Safety Officers are available 24 hours a day, 7 days a week, year-round.

The Department of Campus Safety includes Officers who are trained professional security personnel and student Officers. Campus Safety Officers have the authority to ask any person on College property for identification, determine whether individuals have lawful business at the College, to enforce College policy and to issue parking citations. Campus Safety officers do not have arrest authority and are not armed.

The Department of Campus Safety has a collaborative working relationship with both the Naperville Police and Fire Departments where assistance and support can be obtained immediately. Campus Safety Officers may assist the Naperville Police Department in the enforcement of applicable state and local laws. For all reported crimes, the reporting party is encouraged and assisted by the Department of Campus Safety to also report the crime to the Naperville Police Department. North Central College and the Naperville Police Department have an established memorandum of understanding to formalize the commitment to work together to provide the effort and support required to aid the overall response to sexual misconduct at North Central College.

Contacting Campus Safety

Campus Safety officers can be reached by dialing extension 5911 from any campus phone or by dialing 630-637-5911 from an off-campus telephone or cellular phone. Campus phones are located in the lobbies or public areas of many buildings across campus. In addition, 9 emergency call boxes/phones are located throughout the campus. These emergency call boxes can be used to report a crime, a fire, or any other type of emergency.

Confidential Reporting

If you are the victim of a crime and do not want to pursue action with the College's disciplinary system, you may still want to consider making a confidential report. The best way to make a confidential report is through the Dyson Wellness Center (630-637-5550) or through the Campus Conduct Hotline service (866-943-5787).

Reports made confidentially may be difficult for the College to follow up on, however information provided in confidential reports will be included in the College's annual crime statistics where applicable, including aggregate data provided by the Director of the Dyson Wellness Center. The tracking of confidential reports may assist Campus Safety in taking the proper steps to ensure the safety of others. Individuals reporting a crime to the Dyson Wellness Center will also be made aware of the option to file a non-confidential report with the Naperville Police, North Central College Department of Campus Safety, and/or the Title IX Coordinator (where applicable).

While the Department of Campus Safety will always work diligently to protect a reporting party's privacy, not all information reported to the Department of Campus Safety can remain confidential. For example, in situations where there is an ongoing threat to the campus community, Campus Safety may need to take immediate action. Additionally, voluntary statements submitted during the North Central College student disciplinary and investigative processes are not confidential and may be used by the College during the student conduct process or to address on-going concerns.

Anonymous Reporting

The Campus Conduct Hotline can be used for any type of reporting and the caller may remain completely anonymous. This hotline can be used for reporting Title IX violations, sexual harassment, student/staff behavior, financial irregularities, complaints, etc. Any member of the North Central community may report a serious complaint or concern to the Campus Conduct Hotline at **866-943-5787**. Online reporting options are available at <https://www.northcentralcollege.edu/transparency/reporting-tools>

When a report is made anonymously it may be difficult for the College to follow up. However, information provided in anonymous reports will be included in the College's annual crime statistics where applicable.

Crime Reporting

North Central College community members are strongly encouraged to immediately report criminal activity, suspicious circumstances and suspicious person(s) in an accurate and timely manner to the North Central College Department of Campus Safety at 630-637-5911 and the Naperville Police at 630-420-6666 (non-emergency) or 9-1-1 (emergency). Online reporting options are available at <https://www.northcentralcollege.edu/transparency/reporting-tools>

In addition to reporting a crime to Campus Safety, the following individuals may also be contacted to report a crime:

Vice President for Student Affairs and Athletics, 630-637-5151

Dean of Students, 630-637-5993

Director, Campus Safety 630-637-5912

Director, Dyson Wellness Center 630-637-5161

Director, Residence Life, 630-637-5861

Area Hall Director On Call, 630-816-5298

The Office of Student Affairs in collaboration with the Department of Campus Safety reviews incident reports submitted to the College. The College has also established the Behavioral Intervention Team (BIT) which consists of representatives from multiple areas on of campus that are committed to identifying, intervening and responding to someone who may be a danger to self or others and establishing a response that will have the most likelihood of ensuring a positive and safe collegiate environment for all.

Campus Security Authorities

To further encourage the timely reporting of crimes on campus, the Jeanne Clery Disclosure of Campus Security and Campus Crime Act identifies and defines Campus Security Authorities (CSAs) as College faculty and staff members with “significant responsibility for student or campus activities.” Some examples of CSAs include staff members of the Department of Campus Safety, academic deans, athletic coaches, student organization advisors, area hall directors, Student Affairs staff, Title IX coordinator and Title IX deputy coordinators. All crimes reported to CSAs must be reported to Campus Safety in a timely manner. Staff at the Dyson Wellness Center will report aggregate data to the Title IX Coordinator multiple times throughout the year. Reports made to Campus Security Authorities may be used as the basis for the issuance of Timely Warning safety alerts or other emergency notifications.

Emergency Response and Evacuations

North Central College practices emergency response procedures on a regular basis. Fire drills are performed semi-annually in residence halls and annually in academic buildings. Tornado drills are performed annually. The College’s Crisis Task Force also periodically conducts table top exercises. Fire evacuation and severe weather shelter information is posted in all buildings. You can view the College’s emergency procedures at <https://hub.northcentralcollege.edu/sites/crisis-management>.

Security of and Access to Campus Facilities and Residence Halls

Most campus buildings and facilities are accessible to members of the campus community and invited guests during business hours, 8 AM – 4:30 PM Monday–Friday. Select buildings may be open during limited hours on Saturday and Sunday. Building hours are posted online and updated each academic year. The doors leading to student residence halls or residence areas remain locked 24 hours a day. Unlimited access is available to students residing in a particular building via a card access system. Guests must be escorted by their host at all times when visiting a residence hall. All student rooms are equipped with locking doors and windows. Students are advised to keep their doors locked at all times. Campus Safety conducts regular perimeter security checks of buildings. Any

issues or reported concerns are immediately documented and addressed by Campus Safety and/or Business Operations Department to ensure the security of the facility and the safety of campus community members. The College has staff who are responsible for the maintenance of keys, locks and access controls. Additionally, the Department of Campus Safety employs a full-time Assistant Director for Access and Transportation, who maintains and reviews card access and assigns card privileges to students, faculty, staff, and select visitors.

Maintenance and Security of Campus Facilities

The College views campus safety and security as a key priority. Exterior lighting is an important part of this commitment. Surveys of exterior lighting on campus are conducted by Campus Safety in collaboration with campus facilities on an on-going basis. Members of the campus community are encouraged to report any exterior lighting deficiencies to the Department of Campus Safety at 630-637-5826 or by email at campussafety@noctrl.edu. Maintenance regularly inspects campus facilities, promptly makes repairs affecting safety and security, and responds to reports of potential safety and security hazards, such as broken windows and defective locks. Exterior doors on campus buildings are locked and secured each evening. Maintenance concerns related to safety and security should be reported to Campus Safety or Residence Life staff immediately.

The College continues its efforts to improve safety and has installed cameras covering the entrances of all residence halls. Additional cameras may be placed in strategic locations on campus to detect and deter crime, to safeguard against potential threats to the community, to manage emergency response situations during natural and man-made disasters and to assist College personnel in providing services to the community.

Residence Hall 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 their assigned area, and can be reached by contacting the Office of Residence Life or their individual offices. Staff members serve as a resource for each resident student and can assist in managing/addressing a wide range of questions, issues, and concerns related to a student's continued success at the College. Staff members coordinate and implement educational and social programs, and organize large scale programs with the intent of promoting an environment that encourages a student's academic and personal growth. Professional staff members may have additional advising responsibilities for student organizations. AHDs work to create an engaging and irresistible living community for all residents.
- B. **Resident Assistants:** A Resident Assistant (RA) is a current student serving as a paraprofessional assigned to a residence hall community. These student leaders have taken on the responsibility of acting as a 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 irresistible living community for all residents.

- C. **On-Call Residence Life Staff:** In emergency situations, residents should not hesitate to call either 911 for police, fire, ambulance, or 630-637-5911 for Campus Safety assistance. In non-emergency situations during the daytime hours, residents should first attempt to contact their Resident Assistant (RA), then any other RA in the hall or area, and then their 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 call the duty cell phone number posted throughout the respective residence halls. For questions or assistance when an RA is not available, residents can contact their Area Hall Director or the Area Hall Director on duty. The Area Hall Director on duty can be reached at 630-816-5298.

Please note: North Central College does not have any off-campus student organizations with non-campus housing facilities (i.e. fraternities, sororities).

Law Enforcement Authority and Interagency Relationships

All Campus Safety Officers are required to complete a criminal background check and to complete a 40+ hour comprehensive training course that covers topics ranging from report writing and defensive tactics to managing mental health emergencies. Campus Safety officers are not sworn law enforcement officers, nor do they have arrest powers. When appropriate, Officers detain individuals for the Naperville Police Department. North Central College Campus Safety frequently collaborates with the Naperville Police Department in sharing information related to safety and security and in training efforts when possible/appropriate. When the Naperville Police Department responds to an incident on campus, the police department may take any of a series of actions, which may or may not include documenting the incident in a report, conducting preliminary and additional investigations, issuing criminal summonses or citations, making arrests, and conducting criminal investigations related to the incident.

Information on Registered Sex Offenders

The Victims of Trafficking and Violence Protection Act of 2000 requires colleges and universities to inform students and employees how to learn the identity of registered sex offenders living on or near campus. This law contains the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974.

All sex offenders are required to register in the State of Illinois and to provide notice of each institution of higher education at which the person is employed, carries a vocation or is a student. The State of Illinois will notify the appropriate law enforcement jurisdiction of the information. This information is also logged into the state's Sex Offender Registry. To learn the identity of registered sex offenders on or near campus, or anywhere in Illinois, visit the state's Sex Offender Registry at <http://www.isp.state.il.us/sor/> and search by city, county, or zip code. North Central College is in DuPage County, and the zip code is 60540.

The DuPage Sheriff Office's also maintains a searchable sex offender registry which can be located at: <http://www.icrimewatch.net/index.php?AgencyID=54038>.

Campus Crime Prevention Program

Safety Escort Program — Safety escorts are provided by the Department of Campus Safety, 24/7/365 to students, staff, and faculty for security purposes. These escorts are for campus locations including the remote parking lot located on Aurora Avenue. Additionally, students, staff, and faculty may request an escort between the 5th Avenue train station and campus. Campus Safety also provides medical escorts for non-emergency situations on campus to and from Edward Hospital and urgent care facilities within three miles of campus.

Printed Crime Prevention Materials — Printed crime prevention materials, including the *Campus Safety Services* brochure, and posters related to motor vehicle security, bicycle security, residence hall security, and the safety escort program are distributed at crime prevention presentations and at the Department of Campus Safety office.

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 it 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.

Campus Safety Facebook Page — Safety tips, programming, and other select information pertaining to the campus and surrounding Naperville community can be found on Department of Campus Safety social media. The North Central College Department of Campus Safety's Facebook page is available at www.facebook.com/ncccampusafety.

Safety Awareness Programs

We encourage students and employees to be responsible for their own security and the security of others.

Violent Intruder Education — In the event of an active shooter incident or other act of violence on campus, individuals must decide what action can be taken based on real-time information. The College follows recommendations of the Department of Homeland Security's Run, Hide and Fight model. Sessions are offered to the campus community (faculty/staff/students) multiple times a year and by request.

Question, Persuade, Refer (QPR) – The QPR mission is to reduce suicidal behaviors and save lives by providing innovative, practical and proven suicide prevention training. Sessions are offered to the campus community (faculty/staff/students) multiple times a year and by request.

Orientation - Incoming students receive written information about campus safety in materials they receive during summer orientation and registration. Students receive a presentation hosted by Student Involvement on substance abuse and alcohol consumption prior to the start of the academic year.

Drug Free Schools and Communities Act - As required by the Drug Free Schools and Communities Act, North Central College publishes an in-depth biennial review of drug and alcohol programming from the previous two years. The most recent published report from December 2022 is available to the campus community (faculty/staff/students) at the following web link: <https://www.northcentralcollege.edu/transparency/health-safety-reports-policies>

Primary Prevention Programs

Bystander Intervention – Bystander intervention training is offered on an annual basis to all incoming students online, during welcome week and as part of their first-year seminar. Athletes receive an additional bystander intervention training on an annual basis as part of their required training on sexual violence prevention.

Sexual Violence Prevention – The Title IX Coordinator provides sexual violence prevention and evidence-based bystander intervention training for all athletes in person on an annual basis.

Online Education - The Dyson Wellness Center oversees the implementation of an interactive online program designed to prevent sexual assault, dating and domestic violence and stalking. All new students are provided this educational program which must be completed once during their academic career at North Central College. Additionally, under the requirements of the federal Drug-Free Schools and Campuses Act, incoming students complete an online program designed for alcohol and marijuana awareness and prevention.

Online Education – All incoming students are required to complete the “Personal Skills for a Diverse Campus” Interactive online program. This online program is designed to assist students with developing their personal skills for engaging with diversity and creating an inclusive culture. In addition to the online program, The Office of Multicultural Affairs facilitates discussions with First-year students during Welcome Week and presents to students during their First Year Seminar courses.

Academics - The College’s Office of Academic Affairs and Office of Student Involvement coordinate a course for first year students and transfer students that will have an emphasis on the college transition as well as connecting to the campus and local communities through elements of mental health, wellness, safety, and diversity.

Online Education – The Human Resources department oversees the faculty, staff and student workers’ annual requirements to complete online training modules on awareness, prevention, and reporting requirements

related to sexual misconduct and a drug-free workplace. Training topics include, “Sexual Harassment: Staff to Staff,” “Title IX and Sexual Harassment Prevention for Employees” and “Drug-Free Workplace.”

Electronic Security and Telephone Systems

Emergency Call Boxes — Six exterior emergency call boxes are linked to the Department of Campus Safety and are located throughout the campus.

Campus Telephones Boxes — Three campus telephone boxes are available to quickly contact the Department of Campus Safety and are located at various locations around campus.

Electronic Alarm Systems — An electronic monitoring system is located in various buildings throughout campus. This includes a network of intrusion detection, fire alarms, and duress alarm systems. The Naperville Fire Department monitors the system and communicates directly with Campus Safety in the event of a concern.

North Central College Photo Identification Card — Every North Central College faculty, staff, and student is issued a North Central College photo identification card, commonly referred to as a “Cardinal Card.” This card is needed to gain access to the residence halls and certain academic buildings, to purchase food on campus, to attend College functions, and for identification purposes when requested by College officials. Identification cards can be obtained from the Department of Campus Safety during regular business hours, located in New Hall at 451 S. Brainard Street.

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/SitePageModern/8543/emergency-response-plan>

Emergency Notification

North Central College will, without delay and taking into account the safety of the community, determine the content of an emergency notification and initiate the notification system. North Central College will issue emergency notifications unless in the professional judgement of responsible authorities, issuing said notification may compromise efforts to contain, appropriately respond to, or otherwise mitigate the emergency.

The Emergency Response Group has primary responsibility during any campus emergency to provide oversight, management of immediate responses and notifications to the campus community. This includes the confirmation of a significant emergency or dangerous situation, determining the appropriate segments of the population to notify, and initiate the notification system. The following are members of the group:

- Vice President for Business Operations
- Vice President for Student Affairs and Athletics
- Vice President for Communication and Strategic Initiatives
- Director of Campus Safety
- Provost and Vice President for Academic Affairs
- Assistant Vice President of Human Resources
- Vice President for Information and Technology, CIO Director of Technology
- Vice President for Finance

The first report of an emergency may occur between anyone who observes or learns of an active emergency and reports it to Campus Safety personnel on duty. Additional assistance for fire, police and ambulance requests may also be made by anyone via direct 911 reports to the City of Naperville. A first responder should immediately report to the Director of Campus Safety or another member of the Emergency Response Group when he or she determines that an emergency incident or threat will significantly impact normal operations of the College's campus.

During a disaster or emergency, designated building leaders are trained to provide direction to occupants of a particular facility. The following instructions are included for evacuations:

- Evacuate when the building's alarm system sounds or when instructed to do so by Campus Safety or other designated College personnel.
- Aid those needing assistance in your immediate evacuation path (individuals with disabilities should be directed to a specific area of refuge).
- In case of fire, do not use elevators.
- Use the nearest exit. Once outside, proceed to the preliminary designated assembly area. Stay in the designated area until names are collected by your building drill leader, supervisor, faculty member, residence hall area coordinator or other designee.
- If staff, faculty, students and visitors must be evacuated to an area other than the preliminary designated area, appropriate personnel will announce the move to a new area. Stay in the new designated area until all personnel, students and visitors are accounted for.
- Do not return to an evacuated building unless told to do so by Campus Safety or a designee.

The Department of Campus Safety will provide emergency notices to the campus community. North Central College uses the following channels to communicate information in an emergency or dangerous situation. Please note some or all of these methods of communication may be activated in an emergency or dangerous situation:

1. [RAVE Alert System](#) – The RAVE Alert System is the primary means for communicating information and instructions in the event of an emergency. Students, faculty and staff are highly encouraged to stay informed of

the emergency information, as it relates to campus occurrences, by signing up for text alerts through RAVE online at <https://www.getrave.com/login/northcentralcollege>. Students can enter up to 3 separate phone numbers to receive emergency notification alerts directly to their phone. All registered North Central College students and all faculty and staff automatically have their school email address added to the system, to receive e-mail notifications. RAVE alerts facilitate immediate notice of incidents, including school closings, severe weather, or other campus-related emergencies. The RAVE system may be utilized to send information through any one of the several communication channels, including email, text message, social media or website updates.

2. *The College's website* is a communication method for information and instructions in the event of an emergency. During severe incidents, the website home page will display information about the situation. In the event of a prolonged incident, updated information will be posted on the website as warranted. In the event the College's website is incapacitated, the secondary backup Internet communications channel will be the College's Facebook page, located by visiting www.facebook.com/NorthCentralCollege.

3. *A broadcast e-mail* may be sent to College administrative staff, faculty, support staff, and students with information about the situation.

4. *The Outdoor Alert System*, an outdoor communication/mass notification system, may be activated to issue warnings or to communicate information and instructions. North Central College's Outdoor Alert System includes two loudspeakers located on the roofs of Carnegie Hall and Benedetti-Wehrli Stadium. The system is intended to notify people outdoors at the time of an emergency. It is not intended to notify people inside of buildings.

5. *Fire alarms* in campus buildings may be activated and operated by the on-duty Campus Safety Officer or designee to evacuate a building.

6. *A broadcast voicemail* may be delivered to users who have a voicemail account, including faculty, staff, students and main office phones.

7. *A recorded voicemail* message may be prepared for those who call the main campus number, 630-637-5100, and include information about the situation.

8. *Residence Life staff* may work to personally contact students through a variety of means including in-person verbal communication, postings and social media.

9. *A visual message* may be broadcast via the College's networked computer system.

10. *Campus Safety Officers* may communicate notifications from their vehicles via bullhorns.

11. The faculty general manager of the *College's radio station*, 89.1 FM WONC, may be notified of information to broadcast to the community.

12. *Bulletins* may be posted by Campus Safety Officers at the entrances to each building on campus.

13. Warnings and information may be posted to the official North Central College Facebook (<https://www.facebook.com/NorthCentralCollege>) or X (formerly known as Twitter) (<https://twitter.com/northcentralcol>) pages.

Timely Warnings-Safety Alerts

The Department of Campus Safety will provide timely warning notices to inform members of the College community about serious crimes that occur on or adjacent to our campus, where prior knowledge of that serious crime would aid others in not becoming the victim of a similar case or where an on-going threat to safety may exist. These warnings will be posted if the incident is reported to the Department of Campus Safety. Campus Safety may issue/post crime alerts for incidents of sexual assault, murder, aggravated assault, robbery involving force or violence, major incidents of arson, and other crimes as determined by the Director of Campus Safety, or their designee. Alerts may be posted at the entrances of buildings on campus and emailed to North Central College email accounts. Safety alerts are not generally posted for the above listed crimes if:

1. The offender is apprehended and the threat of imminent danger for members of the community has been mitigated by the apprehension.
2. If a report was not filed with the Department of Campus Safety, or if the office was not notified in a manner that would allow for the office to post a “timely” warning for the community.

The content of the timely warning will include a general description of the safety concern or incident, description of suspect(s) if applicable, known and pertinent, and who to contact with additional information and safety tips. When possible and without causing delay, members of the Emergency Response Group, Office of Institutional Communications, Office of Student Affairs and Campus Safety may be used to gather information, determine the content of the timely warning and disseminate the information to the College community via any or all of the emergency notification systems listed above.

The Director of Campus Safety is responsible for ensuring that a timely warning is issued to the College community. In the absence of the Director, an Assistant Director is responsible for ensuring the warning is issued. A copy of the warning is kept on file in Campus Safety.

Annual Assessments

The Emergency Response Group in coordination with the Operations Manager conduct annual drills and exercises that may be announced or unannounced for the campus community.

1. Fire drills are conducted in the residence halls twice per year. The fire alarms are activated by the Naperville Fire Department and evacuation procedures are implemented.
2. An annual shelter in place drill is conducted once per year. The RAVE Alert system is activated by a member of the Emergency Response Group.
3. Tabletop exercises are conducted annually. A table top exercise is a facilitated analysis of an emergency situation in an informal, stress-free environment involving the coordination of efforts from the College and local first responders.

4. The Outdoor Alert System is tested on a monthly basis in conjunction with the City of Naperville tornado siren testing.

Additional Campus Policies

Note: All policies are subject to change at any time. For up-to-date College policies for students please visit: www.noctrl.edu/handbook. For up-to-date College policies for faculty and staff please visit: <https://hub.northcentralcollege.edu/sites/human-resources/>

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 medical emergencies, depending on the severity of the situation and the wishes of the student involved.
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

Policy Statement Regarding Alcohol Use

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

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

members that are over and above prescribed Federal, State, and Local laws. North Central College alcohol policies include:

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

Note - Tailgating: 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 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 by individuals under the age of 21.
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, he/she 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 their 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, focus 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.

Policy Statement Regarding Drug Use

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 prohibit 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 State 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 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, community service, campus engagement, reprimand, restitution, residence hall removal, suspension, probation, or dismissal.

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 all 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, Assistant Dean of Students at sgweaver@noctrl.edu, 630-637-5993, or Sharon Merrill, Assistant Vice President for Human Resources at semerrill@noctrl.edu, 630-637-5718.

ON-CAMPUS RESOURCES/INFORMATION

Dyson Wellness Center (confidential medical, counseling and advocacy services)	630-637-5550, http://www.northcentralcollege.edu/dyson
Employee Assistance Program, MHN, A Health Net Company	1-800-511-3920, http://www.members.mhn.com
Jessica Brown, Vice President for Student Affairs and Athletics	630-637-5151
Steve Weaver, Assistant 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 Financial Expectations: http://www.rosecrance.org/substanceabuse/financialexpectations/

Resurrection Behavioral Health, Addiction Services 2001 Butterfield Road, Suite 320 Downers Grove, IL 60515	847-493-3600
Central DuPage Hospital Behavioral Health 27W350 Highlake Road Winfield, IL 60190	630-933-4000
Serenity House 89155 Rohlwing Road 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

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.

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.

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 their 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 their 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 Title IX and Sexual Misconduct 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 Title IX and Sexual Misconduct policy.

The institution will disclose the results of a disciplinary proceeding for a violent crime or non-forcible sex offense (incest or statutory rape) to the victim of such crime or offense or the next of kin, if the victim is deceased.

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 they 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 their 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 Assistant Vice President for Student Affairs and Dean of Students.
- I. **Alcohol Education:** The student is required to complete an online alcohol assessment and education program. Once the student has completed the program, they are required to submit a Certificate 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 are they allowed on any property owned or leased by North Central College. Should a student need to be on campus to conduct official College business, they must receive approval from the Office of Student Affairs in advance. 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, they must receive approval from the Office of Student Affairs in advance. If a student violates this order the College may contact the Naperville Police Department in order to pursue a charge of criminal trespassing.
- 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, they are typically prohibited from entering any residence hall for any reason. Should a student need to enter a residence hall to conduct official College business, they must receive approval from the Office of Student Affairs in advance. If a student violates this order the College may contact the Naperville Police Department in order to pursue a charge of criminal trespassing.
- 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 they have assigned classes. A student may not enter residence halls or any other campus buildings. Should a student need to be on campus to conduct official College business, they must receive approval from the Office of Student Affairs in advance.
- 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 himself/herself 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, a 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, or may be removed immediately from the residence halls and/or the College (interim suspension). 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.

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 the "Conduct Unbecoming" policy, and/or other college policies 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 they 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.

Statement on Title IX and Sexual Misconduct Policy (for the full policy and updates, please visit: <https://www.northcentralcollege.edu/transparency/title-ix-sexual-misconduct>)

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).

1. 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.

2. 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.

3. 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

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. Confidentiality/Privacy

Every effort is made by the College to preserve the confidentiality of reports.¹ 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)² or its implementing regulations,³ 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.

¹ 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 Clergy Act. Other information may be shared as required by law.

² 20 U.S.C. 1232g

³ 34 C.F.R. § 99

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.

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

10. Jurisdiction

This Policy applies to the College's education program and activities,⁴ 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.

⁴ Which includes the College's employees' work environment.

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.

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.

11. 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.

12. 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.

13. 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.⁵

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.

⁵ 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.

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,⁶ 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. conditions⁷ the provision of an aid, benefit, or service of the College,
- c. on an individual's participation in unwelcome sexual conduct.

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.⁸

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

⁶ Including gender identity, gender expression, sexual orientation, and sex stereotypes.

⁷ Implicitly or explicitly.

⁸ 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 act⁹ directed against a Complainant,¹⁰
 - without their consent, or
 - instances in which the Complainant is incapable of giving consent.¹¹
- b. **Incest:**
 - Non-forcible sexual intercourse,
 - between persons who are related to each other,
 - within the degrees wherein marriage is prohibited by Illinois law.
- c. **Statutory Rape:**

⁹ 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.

¹⁰ This would include having another person touch you sexually, forcibly, and/or without their consent.

¹¹ 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."

- 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**,¹² 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.

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.

¹² 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.

- 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 Incapacitation¹³

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.

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

¹³ 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.

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 BDSM¹⁴ 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 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).

¹⁴ Bondage, discipline/dominance, submission/sadism, and masochism.

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., doxxing)
- 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>

14. Retaliation¹⁵

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 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.

¹⁵ 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.

15. 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 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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,¹⁶ 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.

21. 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 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,

¹⁶ VAWA is the Violence Against Women Act, enacted in 1994 and codified in part at 42 U.S.C. sections 13701 through 14040.

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 Resolution¹⁷, 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

¹⁷ Per the 2020 Title IX regulations, Colleges are prohibited from Informal Resolution of a complaint by a student against an employee.

- 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.

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)¹⁸

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 College¹⁹.

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.

¹⁸ These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR §106.45.

¹⁹ 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 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.

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.²⁰

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.

²⁰ "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 advisee²¹ 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 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

²¹ Subject to the state law provisions or College policy above.

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 Advisor²²

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.

- 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](#)).

²² This is being provided for informational purposes and does not constitute the College's endorsement of any of the external individuals/organizations listed.

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.²³

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 administrators²⁴ (“the Pool”) to carry out the process.

²³ 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.

²⁴ External, trained third-party neutral professionals may also be used to serve in Pool roles

A. Pool Member Roles

Members of the Pool are trained annually, and can serve 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,²⁵ 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 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

²⁵ This does not preclude the College from having all members of the Pool go through an application and/or interview/selection process

- 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,²⁶ 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.
- 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.²⁷
- 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

²⁶ Unless an expedited hearing is agreed to by all parties.

²⁷ The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

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.

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.²⁸

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

²⁸ 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."

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.

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:²⁹

- *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.

²⁹ College policies on transcript notation will apply to these proceedings.

- *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 (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.

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.³⁰

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 Coordinator³¹ 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.

³⁰ 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.

³¹ All references herein to a Title IX Coordinator also include a designee of the Title IX Coordinator.

1. Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of the College's nondiscrimination policy, the Title IX Coordinator³² 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 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

³² 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.

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.

Crime Statistics

Campus crime, arrest, and referral statistics include those reported to North Central College Campus Safety, designated campus officials, and local law enforcement agencies. The College believes that an informed public is a safety-conscious public. The following reported statistics, provided in compliance with the *Crime Awareness and Campus Security Act of 1990*, and covering the period January 1–December 31 for each year, are for your information. Please note that reported crimes may involve individuals not associated with the College.

Each year, the link to this report is e-mailed to all faculty, staff, and students and posted on the College's website. Copies of the report may also be obtained in person at the Department of Campus Safety.

**Please note the following information regarding Clery statistical data:*

- *Data reported in the category of "On Campus Student Housing Facility" must also be reported under the "On Campus Property" classification since a Clery reportable crime within a campus residence hall is also considered to be "On Campus Property".*
- *Data reported in the classification of disciplinary referrals reflects persons being referred for disciplinary action due to a violation of law and does not include disciplinary action due to a violation of our institution's policies. Illinois Compiled Statutes 301/55-15 states: No county, municipality or political subdivision shall adopt or enforce any law that includes being intoxicated as the sole basis of the offense.*
- *The Cannabis Regulation and Tax Act (410/705) was effective January 1, 2020 for the state of Illinois.*

Clery Act Crimes	2020					2021					2022				
	On Campus Property	On Campus Student Housing Facilities	Non-Campus Property	Public Property	Reports Designated Unfounded by Police *	On Campus Property	On Campus Student Housing Facilities	Non-Campus Property	Public Property	Reports Designated Unfounded by Police *	On Campus Property	On Campus Student Housing Facilities	Non-Campus Property	Public Property	Reports Designated Unfounded by Police *
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense Rape	2	1	0	0	0	8	8	0	0	0	7	7	0	0	0
Sex Offense Fondling	3	3	0	0	0	0	0	0	0	0	1	1	0	0	0
Sex Offense Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault/Battery	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0
Burglary	3	1	0	0	0	1	0	0	0	0	1	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests															
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	1	0	0	0	0	0	0	2	2	0	0	0
Liquor Law Violations	1	1	0	2	0	0	0	0	0	0	1	1	0	1	0
Disciplinary Action															
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0
Drug Abuse Violations	10	10	0	0	0	5	5	0	0	0	12	12	0	0	0
Liquor Law Violations	38	38	0	0	0	59	59	0	0	0	50	48	0	0	0

Violence Against Women Re-Authorization Act Amendments to Clery	2020					2021					2022				
	On Campus Property	On Campus Student Housing Facilities	Public Property	Non-Campus Property	Reports Designated Unfounded by Police*	On Campus Property	On Campus Student Housing Facilities	Public Property	Non-Campus Property	Reports Designated Unfounded by Police*	On Campus Property	On Campus Student Housing Facilities	Public Property	Non-Campus Property	Reports Designated Unfounded by Police*
Domestic Violence	0	0	0	0	0	1	1	0	0	0	0	0	1	0	0
Dating Violence	1	1	0	0	0	1	1	0	0	0	2	1	0	0	0
Stalking	1	0	0	0	0	5	3	0	0	0	2	0	0	0	0

Hate Crimes	2020					2021					2022				
	On Campus Property	On Campus Student Housing Facilities	Public Property	Non-Campus Property	Reports Designated Unfounded by Police*	On Campus Property	On Campus Student Housing Facilities	Public Property	Non-Campus Property	Reports Designated Unfounded by Police*	On Campus Property	On Campus Student Housing Facilities	Public Property	Non-Campus Property	Reports Designated Unfounded by Police*
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault / Battery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Behind the Statistics

Definition of Crimes

Each of the crimes for which we report statistics are defined below. The definitions are taken from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting handbook as required by Clery Act regulations.

Aggravated Assault — An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Arson — Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property of another, etc.

Burglary — The unlawful entry of a structure to commit a felony or a theft.

Criminal Homicide-Murder and Non-Negligent Manslaughter — The willful (non-negligent) killing of one human being by another.

Criminal Homicide-Negligent Manslaughter — The killing of another person through gross negligence.

Dating Violence — Any violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party'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.

Domestic Violence — Any felony or misdemeanor crime of violence committed by:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Motor Vehicle Theft — The theft or attempted theft of a motor vehicle.

Robbery — Taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Stalking — Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

Weapon Law Violations — The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Drug Abuse Violations — The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations — The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Sex Offenses

For sex offenses only, definitions from the FBI's National Incident-Based Reporting System (NIBRS) Edition of the Uniform Crime Reporting (UCR) are used.

Sexual Assault

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Sex Offenses-Forcible

A. Rape — The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Under the rape definition, the FBI UCR Program will aggregate three sex offenses in the NIBRS into Rape in Summary for publication in *Crime in the United States*. The definitions of the offenses are:

- **Rape (except for Statutory Rape)** — The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Sodomy** — Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object** — To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

B. Fondling — The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Non-forcible

A. Incest — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape — Sexual intercourse with a person who is under the statutory age of consent.

Note: The age of consent in Illinois is 17 years of age.

Hate Crimes

For hate crimes, definitions from the FBI's UCR Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection are used. A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. A bias is a preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, ethnicity, national origin, gender, or gender identity.

Larceny – *The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.*

Simple Assault – *An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.*

Intimidation – *To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.*

Destruction/Damage/Vandalism of Property – *To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.*

Note: Even if the offender was mistaken in his/her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated by bias against the group. It is the perception of the offender, not the perception of the victim that determines whether a crime is classified as a Hate Crime. There must be evidence that the offender was motivated by that prejudice to commit the crime.

Required Reporting Locations

North Central College's required crime statistics reporting areas are defined as the following:

- **On Campus Property** includes violations of law that occurred on campus property both within and outside of the residence halls.
- **On Campus Student Housing Facilities** includes violations of law that occurred in the residence halls within the same reasonably contiguous geographic area of the main campus.
Note: Statistical data reported in this category is a subset to "On Campus Property" classification (i.e. – a Clery reportable crime that occurs within a campus residence hall, will be counted once in "On Campus Property" and again in "On Campus Student Housing Facility").
- **Public Property** includes violations of law that occurred on public property that is within the campus, or immediately adjacent to and accessible from College property (i.e. sidewalks and streets)
- **Non-Campus Property** includes violations of law that occurred at college owned, leased or controlled locations that are not within the same reasonably contiguous geographic area of main campus.

Please note: Statistics for otherwise reportable crimes that do not occur within Clery Act-specified geography are not included in these statistics even if North Central College students or employees are involved.

Reference Map

This map provides a basic overview of North Central College's main campus. All items highlighted in blue are considered "On Campus Property." Items in green are considered "Campus Public Property." In most cases these locations consist of public parking facilities and the sidewalk/street/sidewalk adjacent to and accessible from "On Campus Property."



Fire Safety Report

Definitions that apply to this section:

- **Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
- **E-Cigarette Use or Vaping:** The use of electronic smoking devices and/or electronic nicotine delivery systems.
- **Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
- **Fire drill:** A supervised practice of a mandatory evacuation of a building for a fire.
- **Fire-related injury:** Any instance in which a person is injured as a result of a fire (including an injury sustained from a natural or accidental cause), while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.
- **Fire-related death:** Any instance in which a person
 - Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
 - Dies within one year of injuries sustained as a result of the fire.
- **Fire safety system:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
- **Smoking:** The use of smoke-producing tobacco 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.
- **Tobacco Use:** 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 are prohibited.
- **Value of property damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

In Case of a Fire on Campus

Should you discover a fire, remember RACE:

Remove anyone from immediate danger.

Activate the fire alarm system by pulling the nearest fire alarm pull station, then call 911.

Contain fire by closing doors.

Evacuate the building.

All buildings are equipped with fire alarm systems which activate at certain temperature levels or smoke conditions.

Should you be in a building when an alarm is activated:

- Evacuate immediately in a calm, orderly manner; close all office and classroom doors.
- Assist people with disabilities in exiting the building or going to an area of refuge; ensure, to the extent possible, that other occupants know to evacuate.
- After evacuation, proceed to the preliminary designated assembly area for that particular building.
- Supervisors and faculty in classes and residence hall area coordinators will gather the names of people in the evacuation area and notify Campus Safety of anyone who may be missing.
- Be prepared to move to another location if the area is deemed to be too close to the building.
- Help keep roads, fire lanes, hydrants and walkways clear for emergency vehicles and crews. If you become trapped in a building during a fire, stay near the floor where the air will be less toxic. Shout for help at regular intervals to alert emergency rescue crews of your location. Remain calm and do not panic.

Whenever a fire alarm is sounded, all persons must evacuate the building in a safe and orderly manner through the nearest fire exit to an open area away from the building. The Residence Life staff in conjunction, with Campus Safety, will oversee the evacuation of the residence hall areas. Please do not panic. Never disregard a fire alarm. Obstruction and/or disregarding the instructions of firefighting personnel, Campus Safety, police or Residence Life staff may result in disciplinary action and possibly arrest. Campus Safety along with the Naperville Fire Department, will determine when it is safe to re-enter the building. If a false alarm is witnessed, this should be reported to Campus Safety.

In Case of a Fire Inside of Your Residence Hall Room:

If you cannot easily extinguish the fire, GET OUT, take your room key, close the door and safely evacuate the area.

- Activate fire alarms and alert others.
- Walk - do not run to the nearest stairwell exit.
- Do not use an elevator. If you are caught in the elevator push the emergency phone button. The emergency phones in elevators on campus typically ring to Campus Safety personnel.
- If the room or hallway is smoky, get on your hands and knees (or stomach) and crawl to the nearest exit.
- Go to a designated assembly area and CALL 911. Be prepared to tell the dispatcher your exact location and what is on fire.

In Case of a Fire Outside of Your Room

- Feel the door and doorknob. If it is hot, DO NOT open the door.
 - CALL 911. Be prepared to tell the dispatcher your exact location, and what is on fire, if known.
 - If possible, wedge WET cloth materials along the bottom of the door to help keep out smoke.
 - Check to see if there is smoke outside the window. If there is no smoke, open the window and hang light colored material outside and SCREAM, "FIRE!"
 - If the room becomes smoky, tie a folded cloth (wet if possible) over your nose and mouth and stay low.
 - Try to make yourself visible to rescue personnel through the window or balcony.
 - Do not jump from upper story windows.
- If the door is not hot, stay behind the door and open it cautiously. Be ready to close the door quickly if fire is close by.
 - If it is safe to proceed into the hallway, walk; do not run, to the nearest stairwell. Take your room key with you. Activate the fire alarms and alert others.

- Do not use an elevator. If you are caught in the elevator push the emergency phone button. The emergency phones in elevators on campus typically ring to Campus Safety personnel.
- If smoke is present in the hallway, keep low.

Fire Reporting

North Central College community members are strongly encouraged to immediately report any fire, evidence of a fire that has been extinguished, or suspicious circumstances in an accurate and timely manner to the North Central College Department of Campus Safety at 630-637-5911 and the Naperville Police at 630-420-6666 (non-emergency) or 9-1-1 (emergency). In addition to reporting a fire to Campus Safety, the following individuals may also be contacted:

Vice President for Operations, 630-637-5657

Vice President for Student Affairs and Athletics, 630-637-5151

Dean of Students, 630-637-5993

Director, Campus Safety 630-637-5912

Director, Residence Life, 630-637-5861

Area Hall Director On Call, 630-816-5298

Emergency Drills, Testing & Evacuation Procedures

The College's Operations Manager, in conjunction with the Department of Campus Safety, organizes, plans and executes announced and unannounced emergency drills, alarm testing, and evacuation plans several times throughout the year. Among the types of emergency exercises on campus are fire and tornado drills. Fire drills will be conducted regularly during the academic year. Residence halls have an unannounced fire drill twice per year, and academic buildings are done annually. Emergency response charts and cards are published and posted in office suites and available online. All emergency response and evacuation procedures are publicized through the College's email system, and monitored during testing by the Operations Manager, Campus Safety and numerous building captains who oversee the documentation (sign-in sheets of participants), monitor the effectiveness of the drills, and provide feedback for improvement through organized meetings on each drill. When applicable, the Naperville Fire Department is involved with the testing of alarms and fire drills to ensure the equipment is functioning properly and the evacuations proceed in an effective and safe manner. The Operations Manager monitors emergency drills, maintains institutional records, oversees compliance and evaluation efforts as they relate to emergency management, and coordinates the maintenance of emergency equipment. Please note: Persons who tamper with firefighting equipment, sound false alarms, fail to evacuate during a fire alarm, remove batteries from smoke detectors, damage emergency exit signs and/or inhibit the work of firefighters in any way are subject to disciplinary action and may result in criminal prosecution and costly fines.

Fires, Fire Alarms and Fire Equipment

A person's first action should be to evacuate the building. If a fire is small and appears controllable, use a nearby fire extinguisher to combat the fire. Remember **PASS**:

Pull the pin from the fire extinguisher.

Aim the fire extinguisher at the base of the fire.

Squeeze the handles together.

Sweep the spray from side to side across the base of the flames.

If the fire is not put out by the first fire extinguisher used, evacuate the building. Do not attempt to use a second fire extinguisher.

Fire Safety Systems

The College reviews campus buildings annually for any potential improvements to fire safety systems. At the time of this report's publication, there are no planned fire safety system improvements. To comply with fire codes, no interior hallway doors may be propped open. 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.

Fire Safety Education

Residence Life and Campus Safety personnel receive annual training on the proper use of a fire extinguisher in a controlled environment and in coordination with the Naperville Fire Department.

Residence Life and Housing Policies

Smoking and Tobacco

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 owned and leased buildings and grounds (collectively "College Areas") are smoke and tobacco-free areas.

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

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, 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.

Grills

Only small personal grills may be used by students. Grills must be at least 15 feet away from residence halls and attended at all times. Grilling is not permitted on the balconies of any apartments owned or operated by the College. Appropriate clean up and safe disposal of charcoal and other materials must be done as soon as possible after cooking. Disposing of charcoal on College lawns is strictly prohibited. For appropriate means to dispose of charcoal and store grills and other cooking equipment, see the Office of Residence Life. Flammable liquids, such as lighter fluid, may not be stored in residence halls.

Annual Fire Statistics

Data reported in the annual fire statistics reflects unintentional fires, undetermined fires and intentional fires for all residence halls on campus.

2022									
Location	Date Reported	Date of Incident	Time of Incident	Incident Number	Type of Incident	Reason for Activation	Fire Report Number	Number of Injuries or Deaths	Property Loss Value
*No unintentional fires, no undetermined fires or intentional fires reported									

2021									
Location	Date Reported	Date of Incident	Time of Incident	Incident Number	Type of Incident	Reason for Activation	Fire Report Number	Number of Injuries or Deaths	Property Loss Value
Kaufman Dining Hall	8/6/2021	8/6/2021	4:00 PM	2020495201	Unintentional	Ice machine	No Response	0	\$2,500.00

2020									
Location	Date Reported	Date of Incident	Time of Incident	Incident Number	Type of Incident	Reason for Activation	Fire Report Number	Number of Injuries or Deaths	Property Loss Value
New Hall	11/7/20	11/7/20	4:00 PM	2020238502	Fire Alarm	Washing machine motor	20-12032	0	\$200.00

Fire Safety Systems

Facility	Fire Alarm Monitoring Done Off-Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Heat Sensors	Fire Extinguisher Devices	Fire Doors	Evacuation Plans & Placards	# of Evacuation Drills Per Year
Geiger Hall 221 E. Chicago Ave.	YES	NO	YES	YES	YES	YES	YES	YES	2
Kaufman Dining Hall 221 S. Brainard St.	YES	NO	YES	YES	YES	YES	YES	YES	1
Kimmel Hall 224 N. Loomis St.	YES	NO	YES	YES	YES	YES	YES	YES	2
New Hall 451 S. Brainard St.	YES	NO	YES	YES	YES	YES	YES	YES	2
Patterson Hall 180 E. Chicago Ave.	YES	NO	YES	YES	YES	YES	YES	YES	2
Rall Hall 211 S. Brainard St.	YES	NO	YES	YES	YES	YES	NO	YES	2
Res/Rec Center 440 S. Brainard St.	YES	NO	YES	YES	YES	YES	YES	YES	2
Seager Hall 311 E. Chicago Ave.	YES	NO	YES	YES	YES	YES	YES	YES	2
Schneller Hall 147 S. Loomis St.	YES	NO	YES	YES	YES	YES	YES	YES	2
Ward Hall 192 E. Chicago Ave.	YES	NO	YES	YES	YES	YES	YES	YES	2