

## I. Purpose and Intent

This comprehensive policy applies to complaints or reports of alleged sex and/or gender-based misconduct. Northwestern College (“NC”) expressly prohibits sex and/or gender-based misconduct which includes sexual harassment, sexual assault, rape, domestic violence, dating violence, stalking, sexual exploitation, and gender-based harassment. Any acts that meet this policy’s definitions of sex and/or gender-based misconduct are a violation of NC’s policy, and potentially applicable state and federal law. NC is committed to fostering an environment where any alleged violation of this policy is promptly reported and complaints are resolved in a fair and timely manner.

NC is committed to providing a learning, living and working environment that is free from all forms of discrimination and harassment, including sexual and gender-based harassment, sexual misconduct, intimate partner violence, and stalking (referred to collectively in this guide as Prohibited Conduct). NC provides ongoing education and prevention programming and training in an effort to promote an environment free of sexual and other unlawful harassment and discrimination. NC also strives to make reporting concerns and incidents of Prohibited Conduct a responsibility of the community so that affected individuals can be offered support and a range of resources that NC has developed, and appropriate steps can be taken to assess the reported conduct, and as appropriate, eliminate the Prohibited Conduct, prevent its recurrence, and address its effects.

This document, referred to interchangeably as a policy or guide, contains NC’s policies and procedures for preventing, reporting and responding to sexual misconduct and other forms of interpersonal violence. The guide also contains information about options, resources, and remedies for all students, employees and third parties who have experienced or been affected by Prohibited Conduct.

NC is prepared to take all appropriate steps to prevent and correct Prohibited Conduct, including providing interim remedial and protective measures and support, conducting a Title IX review of the conduct, pursuing informal resolution, or taking formal conduct (corrective) action. Recognizing that each report has a unique context, NC will respond promptly and equitably while tailoring the solution to best fit the facts and circumstances.

This guide is intended to:

- Provide the NC community with a clear set of behavioral standards and Prohibited Conduct;
- Identify the Title IX Coordinator and outline NC’s response to Prohibited Conduct under Title IX of the Education Amendments of 1972 (Title IX) and the Violence Against Women Reauthorization Act of 2013 (VAWA);
- Outline where a NC community member can obtain support and/or access resources confidentially, both on campus and in the local community;
- Explain how a NC community member can make a report to NC and/or to law enforcement;
- Outline the reporting responsibilities of NC employees so that NC community members understand how and where their Information will be shared;

- Identify the range of interim measures and other supportive resources available following a report of Prohibited Conduct to NC; and,
- Provide information about the options for resolving a report of Prohibited Conduct, including how a report against a student, employee or third party will be investigated, evaluated, and adjudicated by NC.

This guide uses the term Complainant to refer to the individual(s) who is alleged to be a victim of Prohibited Conduct. The term Respondent refers to the individual(s) who has been reported to be the perpetrator of Prohibited Conduct.

Creating a safe environment is the responsibility of all members of the community. Regardless of the definitions provided below, anyone who believes they are a victim of sex and/or gender-based misconduct should report the incident as soon as possible to the Title IX Coordinator (See "Coordinator" under "Definitions" below for contact information) in addition to seeking immediate medical and/or safety assistance.

## II. Scope

This policy applies to all members of the NC community, and includes, but is not exclusive to faculty, staff, students, NC visitors, volunteers, vendors, and persons related to, receiving or seeking to receive services, or otherwise pursuing studies with the organization. It also applies, as appropriate, to any alleged act of sex and/or gender-based misconduct that adversely impacts the NC community, whether those acts occur on or off campus.

NC has jurisdiction over Prohibited Conduct occurring on campus or in the context of any College program or activity, regardless of where it occurs. NC also has jurisdiction over Prohibited Conduct occurring off campus, during semester breaks, or between semesters, if the Complainant(s) and/or Respondent(s) are NC students and the off-campus conduct is likely to have continuing adverse effects on campus life and activities, or if the conduct poses a threat or danger to any member of the NC community.

## III. Definitions

**Actual knowledge** notice of sexual harassment or allegations of sexual harassment to a school's Title IX Coordinator or any official of the school who has authority to institute corrective measures on behalf of the institution.

**Advisor** means an individual who may be, but is not required to be an attorney, chosen by the complainant and respondent who may accompany them during any meeting or grievance proceeding.

**Awareness programming** means institutional action designed to communicate the prevalence of sexual violence, including without limitation training, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars, or panel discussions.

**Bystander intervention** includes without limitation the act of challenging the social norms that support, condone, or permit sexual violence.

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Comprehensive policy** means a policy created and implemented by a higher education institution to address student allegations of sexual violence, domestic violence, dating violence, and stalking.

**Confidential advisor** means a person who is employed or contracted by a higher education institution to provide emergency and ongoing support to student survivors of sexual violence with the training, duties, and responsibilities described in Section 20 of this Act.

**Clery Act** refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46. The Clery Act requires that institutions annually disclose certain crimes which have occurred within a geography that includes campus buildings and adjacent locations. Annual disclosures are released on or by the 1st day of October each year.

**Consent** is a voluntary, conscious, affirmative agreement to engage in a specific sexual act or activity. Consent can only exist free from force, threat of force or coercion. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but voluntary, conscious, affirmative consent to any sexual activity is equivalent to "no" for purposes of this policy. While the legal definition of consent varies by jurisdiction (See "Related Information" for link to consent statutes by state), the following general rules apply when assessing whether consent has been/was given.

- Consent can never be assumed. Consent cannot be implied from either the lack of explicit consent or the lack of explicit dissent.
- Where there is use of threat or force by the accused, the lack of verbal or physical resistance or the submission by the victim does not constitute consent.
- The manner of dress of the victim does not constitute consent.
- Past consent to sexual contact and/or a shared sexual history does not imply consent to future sexual contact.
- A person who initially consents to sexual contact including penetration may withdraw continued consent at any time during the course of that interaction.
- Consent to some form of sexual activity cannot automatically be taken as consent to any other form of sexual activity.
- A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.
- Intoxication due to use of alcohol or drugs may impair an individual's capacity to consent freely and may render an individual incapable of giving consent.
- A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:
  - the person is incapacitated due to the use or influence of alcohol or drugs;
  - the person is asleep or unconscious;
  - the person is under the age of legal consent in the relevant jurisdiction; or

- the person is incapacitated due to a mental disability.
- A power differential between people engaged in a sexual act presumes the inability to consent for the less powerful person (e.g. the student in a student- employee interaction; the supervisee in a direct report-supervisor interaction).
- When evaluating consent, NC will consider the objectively apparent indicia of consent (or lack of consent) from a reasonableness perspective.

**Coordinator** refers to the Title IX Coordinator and/or Deputy Coordinator. The Title IX Coordinator is responsible for overseeing compliance with all aspects of this policy and designated to receive and monitor resolution for all Title IX reports. The Title IX Coordinator is responsible for conducting an investigation when a complaint of sex and/or gender-based misconduct is filed, and is authorized to administer disciplinary proceedings for respondents who may have violated the code of conduct.

**Dating violence** means sex or gender-based violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a dating relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a dating partner.

**Domestic violence** refers to sex or gender-based violence committed by either a current or former spouse of the victim; a person with whom the victim shares a child in common; a person who is or has cohabitated with the victim as a spouse; a person similarly situated to a spouse of the victim under the jurisdictional domestic or family violence laws; or any other person against a victim who is protected from that person's acts under the jurisdictional domestic or family violence laws. Based on jurisdictional definitions, domestic violence may constitute a felony or misdemeanor crime. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a domestic relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a domestic partner.

**Employee** means a person employed by Northwestern College ("NC").

**FERPA** means the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99. FERPA sets certain limits on the disclosure of student records. This policy is designed to work in tandem with FERPA, and nothing in this policy is intended to require or encourage non-compliance with FERPA.

**Gender-based misconduct** refers to unwelcome conduct, including harassment, of an unacceptable nature based on actual or perceived biological sex including behaviors based on gender identity, expression and nonconformity with gender stereotypes.

**Higher education institution** means a public university, a public community college, or an independent, not-for-profit or for-profit higher education institution located in this State.

**Judicial Committee** means any person or persons authorized by the conduct administrator to determine whether a respondent has violated the Code of Conduct applicable to students and to determine appropriate sanctions.

**Member of the NC Community** includes students, faculty members or staff, and any other individuals associated with NC. The Title IX Coordinator or Deputy Coordinator shall determine a person's status in a particular situation.

**NC** includes any campus of Northwestern College, online students and central administrative offices.

**Notice** refers to any information regardless of whether it is direct, indirect, partial or complete received by an employee that indicates possible sex or gender-based misconduct. When notice is received, employees are required to inform the Title IX Coordinator or their supervisor who in turn must make a report to the Title IX Coordinator.

**Policy** is defined as a general administrative or operational direction with broad application throughout NC and/or one or more of its institutions.

**Preventing Sexual Violence in Higher Education Act** refers to the Act 110 ILCS 155/1, a statute enacted by Illinois legislators to require higher education institutions to adopt a policy concerning sexual violence on campus.

**Primary prevention programming** means institutional action and strategies intended to prevent sexual violence before it occurs by means of changing social norms and other approaches, including without limitation training, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars, or panel discussions.

**Rape** is any 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 and/or by force. Rape may involve strangers or people who know one another (e.g. friend, classmate, relative, spouse or co-worker). In these instances, rape is often referred to as "acquaintance rape." Rape is a crime regardless of a relationship or lack thereof between individuals.

**Respondent** means a student involved in the complaint resolution procedure who has been accused of violating a higher education institution's comprehensive policy.

**Sexual assault** is non-consensual sexual contact defined as physical contact of a sexual nature against the victim's will or without the victim's consent. It includes any intentional sexual touching, however slight, by direct physical contact or by use of any object, by a person upon another person, without consent and/or by force. Rape is a severe form of sexual assault.

**Sexual contact** means the deliberate touching of a person's intimate body parts (including lips, genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause self-touching by another person of intimate body parts.

**Sexual exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for the advantage or benefit of themselves or any other person that is not the person being exploited by the behaviors. Examples include but are not limited to: invasion of sexual privacy; prostitution; non-consensual recording of nudity or sexual activity; voyeurism; knowingly exposing someone to an STI, STD or HIV; intentional exposure of genitals in non-consensual circumstances; and sex-based stalking or bullying.

**Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following: (1) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that is effectively denies a person equal access to the school's education program or activity; (2) an employee of the school conditioning the provision of an aid, benefit, or service of the school on an individual's participation in unwelcome sexual conduct; or (3) sexual assault, dating violence, domestic violence, or stalking as those terms are defined in VAWA.

**Sex and gender-based misconduct** is a broad term used to refer to all conduct prohibited by this policy. This encompasses sexual harassment, gender-based harassment, dating violence, domestic violence, rape, sexual assault, sexual exploitation and stalking. Sex and gender-based misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sex and gender-based misconduct can be committed by any person regardless of sex, gender or sexual orientation of the victim or perpetrator.

**Sexual violence** means physical sexual acts attempted or perpetrated against a person's will or when a person is incapable of giving consent, including without limitation rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

**Stalking** is a course of behavior directed at a specific person that would cause a reasonable person to feel fear for personal safety, or repetitive, menacing pursuit, following, harassing and/or interfering with the peace and/or safety of another.

**Student Code of Conduct** refers to the Student Conduct Code published in the NC College Catalog which is applicable to all NC students at all NC campuses and outlines student's rights and responsibilities.

**Student Code of Conduct** applicable to students" refers to the policy titled "Student Conduct Code" which is accessible in the college catalog. It outlines students' rights and responsibilities, as well as the process by which action may be taken against a student for Code violations.

**Student complaint procedure** is the vehicle by which students can bring to NC's attention any complaint relating to their experience with NC or a member of the NC community. It is the mechanism for investigating and attempting to resolve complaints raised by students. The student complaint procedure can be found in the college catalog.

**Student Conduct Officer** conducts an investigation when there are allegations of Conduct Code violations.

**Survivor** means a student who has experienced sexual violence, domestic violence, dating violence, or stalking while enrolled at a higher education institution.

**Survivor-centered** means a systematic focus on the needs and concerns of a survivor of sexual violence, domestic violence, dating violence, or stalking that (i) ensures the compassionate and sensitive delivery of services in a nonjudgmental manner; (ii) ensures an understanding of how trauma affects survivor behavior; (iii) maintains survivor safety, privacy, and, if possible, confidentiality; and (iv) recognizes that a survivor is not responsible for the sexual violence, domestic violence, dating violence, or stalking.

**Title IX** is a federal law which prohibits sex and gender discrimination in U.S. education. Under Title IX, sex and gender-based misconduct are forms of discrimination that require investigation and appropriate

remediation when students or other members of the educational institution's community are impacted. Title IX is enforced by the U.S. Department of Education.

**Trauma-informed response** means a response involving an understanding of the complexities of sexual violence, domestic violence, dating violence, or stalking through training centered on the neurobiological impact of trauma, the influence of societal myths and stereotypes surrounding sexual violence, domestic violence, dating violence, or stalking, and understanding the behavior of perpetrators.

**VAWA** refers to the Violence Against Women Act, 34 CFR Part 668. VAWA supports community resources for victims of rape, sexual assault, stalking, dating violence and domestic violence and articulates expectations regarding the management of related concerns when a report is made to representatives of U.S. colleges and universities.

## IV. Title IX

### A. Notice of Non-Discrimination under Title IX

NC does not discriminate on the basis of sex in its educational, extra- co-curricular, athletic, or other programs, or in the context of employment. Sex discrimination, which includes sexual and gender-based harassment and violence, is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

*No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.*

Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964, Illinois Human Rights Act 775 ILCS 5, and other applicable statutes. In addition, the College's response to sexual assault, dating violence, domestic violence and stalking is governed by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by relevant provisions of the Violence Against Women Reauthorization Act of 2013 (VAWA).

NC, as an educational community, will promptly and equitably respond to reports of Prohibited Conduct in order to eliminate the conduct, prevent its recurrence, and address its effects on any individual or the community.

Title IX provides educational processes, remedies, and outcomes. Conduct that violates Title IX may also constitute criminal conduct under local, state, or federal laws. While NC will act using the educational lens of Title IX, Complainants always have the option to report Prohibited Conduct to the appropriate law enforcement agencies, and will be fully supported by NC in doing so.

### B. Role of the Title IX Coordinator

The Title IX Coordinator oversees NC's centralized review, investigation, and resolution of reports of Prohibited Conduct. The Title IX Coordinator also coordinates NC's compliance with Title IX. The Title IX Coordinator at NC is:

Lidia Stanina, Human Resources Manager

Email: [Istanina@nc.edu](mailto:Istanina@nc.edu)

Phone: 708-237-5050 ext. 2134

The Title IX Coordinator is:

- Responsible for oversight of the investigation and resolution of all reports of Prohibited Conduct;
- Knowledgeable and trained in relevant state and federal laws and NC policy and procedure;
- Available to advise any individual, including a Complainant or Respondent, about the courses of action available at NC, both informally and formally;
- Available to provide assistance to any NC member regarding how to respond appropriately to reports of Prohibited Conduct;
- Responsible for monitoring full compliance with all requirements and timelines specified in the complaint procedures; and
- Responsible for compiling Annual Reports.

## V. Policy Statement

### Prevention and Awareness

Acts that are deemed to fall within the scope of this policy are violations of the Codes of Conduct, as well as the expectations of members of the NC community. These acts may also be crimes. In an effort to increase the likelihood of intervention and reduce the risk of sex and/or gender-based misconduct from occurring among its students, NC is committed to providing primary and ongoing awareness and prevention programming.

Primary and ongoing awareness and prevention programs will cover the continuum of issues contemplated by this policy. Themes will include situational awareness and prevention strategies such as bystander intervention and other forms of risk reduction. While bystander intervention specifically refers to the safe and effective ways in which third parties can intervene to thwart sex and/or gender-based misconduct, risk reduction also encompasses various strategies to eliminate or reduce risk of harm by avoiding or removing oneself from situations that are dangerous or uncomfortable.

Awareness programs are events that occur online or in person that request active engagement of community members. It is the expectation and responsibility of each member of the NC community to participate in programming which will assist with ongoing prevention efforts, as well as effective and efficient identification and response when sex and/or gender-based misconduct does occur.

Ongoing prevention and awareness campaigns are public service announcements and campaigns, as well as messages and activities integrated into the day-to-day fabric of the academic community. These initiatives are intended to reinforce increased awareness regarding sex and/or gender-based misconduct and prevention strategies throughout the year. NC will continually seek formal and informal ways to incorporate additional awareness and prevention strategies, e.g., active and passive educational campaigns such as social norms poster campaigns, newsletter articles, presentations and volunteerism with local community resource agencies.



## Reporting

In the event of an emergency call 911 for assistance. The security guard on campus can be reached as follows:

Bridgeview Campus security guard: Phone extension 2628

The College strives to make reporting concerns and incidents of any prohibited conduct a responsibility of the community so that affected individuals can be offered support and a range of resources. There are a number of different options to report for those who have experienced sex discrimination, sexual harassment, sexual assault, domestic violence, or other conduct that violates the Title IX policy.

### File a Report with the Title IX Coordinator at NC

The Title IX Coordinator is responsible for investigating and responding to allegations of sexual misconduct. Anyone who has been a victim of sexual misconduct or anyone who has knowledge about a sexual assault or other sex or gender-based misconduct is encouraged to report it immediately to the Title IX Coordinator. At NC, the Title IX Coordinator is:

Lidia Stanina, Human Resources Manager

Email: [Istanina@nc.edu](mailto:Istanina@nc.edu)

Phone: 708-237-5050 ext. 2134

Reports may be made by submitting the Sexual Misconduct Reporting Form. The form is available online through the NC public website, the NC Student Hub, and the NC Employee Hub. Reports submitted electronically will go directly to the Title IX Coordinator.

### Report to Faculty or Staff

All faculty and staff are considered “responsible employees” and are required to report information to the Title IX Coordinator. Any information of sexual misconduct made to faculty or staff will be directed to the Title IX Coordinator who will investigate and respond accordingly.

### Responding to Formal Complaints

When the Title IX Coordinator has received a formal complaint they must respond promptly in a manner that is not deliberately indifferent. Following will be an investigation and live hearing with both parties present for cross-examination.

- Both the claimant and respondent will be treated equitably by: (1) Providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent; and (2) Following a formal complaint process that complies with 106.45 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.
- NC will provide supportive measures as such:
  - Counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, [and] increased security and monitoring of certain areas of the campus.

- Both the claimant and respondent will be provided a written explanation of the allegations with sufficient details known at the time and will be permitted sufficient time to prepare a response before any initial interview.
- The Investigator will collect and summarize all evidence prior to any hearing. Both parties will have at least 10 days before the completion of the investigation and hearings to review.
- The hearing will then be held at one location with both parties, at one location with parties separated or virtually.
  - The hearing must be recorded or transcribed, with the recording or transcript available to both parties for inspection and review.
- Cross examination of the witnesses must be allowed during the live hearing.
  - Cross examination must be done by an Advisor (who may be an attorney), but cannot be the parties themselves.
  - If either party does not have an advisor, Northwestern College will provide one free of charge.
- After the hearing, the decision-maker(s) will issue a written determination regarding responsibility.

### Appeals

Both parties have the chance to appeal from: (1) A determination regarding responsibility; (2) The College's dismissal of a formal complaint or any allegations therein. Appeals may be granted on the following:

- A procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time the determination or dismissal was made and could affect the outcome; and
- The Title IX Coordinator, investigator, or adjudicator had a conflict of interest or bias that affected the outcome of the matter.

Both parties will be notified if an appeal is filed and given the opportunity to submit a written statement in support of, or challenging the outcome. The appeal officer will issue a written decision describing the result and will issue it to both parties simultaneously.

### Talk With a Confidential Resource

Some individuals who have experienced harassment, discrimination, sexual misconduct or other violations of this policy may not be ready or willing to report through a channel that could result in the College conducting an investigation. For such individuals, the following confidential resource is available:

Resilience

Phone: 773-907-1062

*NC has contracted with Resilience to provide a Confidential Advisor who provides emergency and ongoing support to student survivors. A Resilience Confidential Advisor is available 7 days a week, 24 hours a day.*

### File a Criminal Complaint with the Police

NC community members impacted by sexual violence are not required to report an incident to law enforcement authorities; however, they are encouraged to do so and will be assisted by campus authorities in making a report. Calling 911 will connect you to the nearest local police department.

A student may make a report regarding any information pertaining to violations of this policy. All members of the NC community (faculty, staff and administrators) are required to immediately provide any information received about any actual or suspected sex and/or gender-based misconduct impacting the NC community to appropriate officials with some very narrow exceptions discussed elsewhere in this policy (see "Confidentiality"). Regardless of how notice is received, reports may prompt a need for NC to investigate.

General hotline and other resource information can be found at the end of this policy and focused support services can be obtained through consultation with Student Services or the Title IX Coordinator. Individuals experiencing misconduct in violation of this policy may also notify the U.S. Department of Education:

Chicago Office - Office for Civil Rights  
U.S. Department of Education  
Citigroup Center  
500 West Madison Street, Suite 1475  
Chicago, IL 60661-4544  
Telephone: 312-730-1560  
Fax: 312-730-1576; TDD: 800-877-8339  
Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)

### Support and Resources

NC has contracted with Resilience to provide victims with various services.

- 1) All services to survivors provided by Resilience will be within the guidelines of the Preventing Sexual Violence in Higher Education Act 110 ILCS 155/20 and within the bounds of the Confidentiality of Statements Made to Rape Crisis Personnel 735 ILCS 5/8-802.1. This includes providing 24 hour emergency support, as well as facilitating ongoing support related to the Institution's administrative processes on handling sexual violence, dating violence or stalking, providing information and support on reporting to the law enforcement agency with jurisdiction over the matter, seeking emergency medical treatment, campus support services or community support services outside of Resilience (when necessary) and information on protective orders. Resilience will provide this service in a manner that protects student's privacy and rights under the law.
- 2) A Resilience advocate/crisis counselor (hereinafter referred to as Advocate) who has attended a minimum of 40 hours of training on sexual violence will be on-call to provide telephone crisis counseling and advocacy for any survivor 7 days a week 24 hours a day. Victims may call the 24 hour Resilience Message Center, run by Swedish Covenant Hospital of Chicago. Upon receiving a request for Resilience support, the Swedish Covenant Hospital will page the Resilience Advocate on call. Upon being paged the Resilience Advocate will respond to the request for support over the phone within 15 minutes.

- 3) The services provided by the advocate may include any of the following: crisis counseling, providing the survivor with information on campus administrative processes, interim protective measures, accommodations and complaint resolution procedures, local hospital and police information, information on victims' rights as it pertains to seeking assistance from medical and criminal justice personnel, campus and local law enforcement reporting options, helping to arrange for appropriate shelter, referrals to services for on campus support and other outside community organizations, and appropriate follow-up services including a phone call to the survivor upon request within 24-48 hours.
- 4) If the student is in Resilience's geographical service areas (the City of Chicago) Resilience can assist with accompaniment to a police station, administrative hearings, Cook County Circuit Court or to a Resilience partner hospital for emergency treatment related to a sexual assault. The advocate will provide appropriate referrals to Resilience staff to provide timely follow-up services based upon joint assessment of the survivor's needs and mutual agreement of the survivor and the advocate.

Additionally, the NC official who receives notification of alleged sexual and/or gender-based misconduct will offer appropriate support or refer the victim directly to immediate assistance. Assistance may initially require NC to provide supported access to local medical, mental health, legal or law enforcement resources and could include academic accommodations, changes in housing for the victim or a respondent student, changes in working situations and other arrangements as may be appropriate and available (such as limiting orders, campus escorts, transportation assistance, or targeted interventions). No victim is required to take advantage of these services and resources, but NC provides them in the hope of offering help and supporting minimal disruption to access to academic programming or the workplace. If circumstances related to an incident change over time, these and other supportive accommodation options may be revisited. NC may also provide referrals to counseling services, at the victim's option, including but not limited to the student support services outlined above (See "Reporting"). Local resource lists and a brief list of national and international referral sites can be found at the end of this policy.

### Disciplinary Review and Action

Acts of sex and/or gender-based misconduct are subject to disciplinary action. Disciplinary action is not intended to determine criminal responsibility. Rather it is intended to identify and respond to violations of NC policy and community standards.

When the victim chooses, or NC believes it is necessary, a prompt, fair and impartial investigation will be initiated. If allegations appear to be substantiated based on the totality of the circumstances, a respondent student may be subject to the Code of Conduct process, which will determine any violation of this policy based upon a preponderance of evidence (what is more likely true than not). The student complaint procedure which details the investigation and resolution processes, and the Code of Conduct applicable to students, which details the student disciplinary hearing process, can be found in the college catalog.

If allegations of employee misconduct are substantiated to the preponderance of evidence standard through the investigation, employee discipline may be imposed. The employee complaint procedure, which details the investigation and resolution processes and prohibited employee conduct, can be found in the NC Employee Handbook.

The Title IX Coordinator will monitor the investigation and resolution of reports of sex and/or gender-based misconduct and facilitate compliance with this policy. Furthermore, the Title IX Coordinator will work with campus administration to identify and initiate strategies intended to remedy the effects on the victim and the NC community to the extent practicable and reasonable to prevent the recurrence of similar misconduct.

NC is committed to assist and interview the survivor and assist in locating and identifying witnesses. As part of the investigation, NC representatives will contact and interview the respondent. To the extent it is warranted, NC will cooperate with law enforcement in the event of criminal charges.

Privacy of the records specific to sex and/or gender-based misconduct investigations is maintained in accordance with applicable law, including FERPA. Any public release of information to comply with the timely warning provisions of the Clery Act will not include the names of victims or information that could easily lead to a victim's identification. In appropriate instances, pertinent interim actions and the results of disciplinary hearings regarding the alleged perpetrator of misconduct will be disclosed to the alleged victim and/or complainant. Confidentiality will be maintained whenever possible, however NC reserves the right to exercise discretion and disclose details of an incident or allegation to assure community safety or the safety of an individual.

It is NC's policy to hold perpetrators of sex and/or gender-based misconduct accountable for their actions through appropriate student conduct or personnel procedures, and by working with community agencies and law enforcement as appropriate. Internal mediation between the alleged victim and respondent will not be used to resolve an allegation of sexual misconduct.

In any complaint of sex or gender-based misconduct, the person bringing the accusation and the responding party are both entitled to the same opportunities for a support person or advisor of their choice throughout the process, consistent with any guidelines set forth applicable to students or employees. Once complete, the parties will be informed, in writing, of the outcome. Notice to both parties will include the findings, as well as the sanctions/discipline (if any) to the degree possible and always when the sanction/discipline is directly relevant to that individual. Delivery of this outcome will not be unduly delayed to either party, and should occur in the same form and format and as near to simultaneously as possible.

### Sanctions for Student Misconduct

Appropriate disciplinary sanctions for substantiated violations of this policy by students, up to and including expulsion, will be imposed in accordance with the Code of Conduct applicable to students found in the college catalog. The full list of available sanctions is provided in the Student Code of Conduct. This policy statement is not intended to replace or substitute for the

Code of Conduct applicable to students. This policy is a supplement to the community standards that the Code of Conduct applicable to students sets forth. Alleged violations of this policy will be referred to the applicable complaint administrator and/or conduct administrator for appropriate review. All parties in a student conduct proceeding will be informed at the same time and in the same manner of any final determinations, as well as NC's appeal process, and their rights to request an appeal. Should any change in outcome occur prior to finalization (e.g., a re-hearing ordered upon appeal), all parties will be informed at the same time and in the same manner, and will be notified when the results of the conduct process is finalized. In addition, violations of this policy may trigger application of sanctions to a student imposed under local, state, or federal law.

### Sanctions for Employee Misconduct

Alleged violations of this policy by employees will be referred to the Director of Human Resources for appropriate review. Disciplinary sanctions for a violation of this policy may include written reprimand, warning, probation, suspension, change in job assignment, office relocation, or termination of employment or contract, and will be imposed in accordance with applicable NC policies and procedures. NC reserves the right to impose further and/or different sanctions appropriate to an individual situation. In addition, violations of this policy may trigger application of sanctions imposed under local, state, or federal law.

When there is no supervisory relationship between students, or between members of the faculty, or between staff members, or between faculty and staff members, any recommendations by NC concerning consensual sexual relations would constitute an unacceptable invasion of privacy.

Even when there are supervisory relationships, no institutional mission exists which would pre-empt individual rights to privacy. However, faculty, staff, and others (including volunteers) who educate, supervise, evaluate, employ, counsel, coach, and/or otherwise guide students should understand the power differential in the relationship they have with students and/or subordinates. In cases involving a student who meets the legal age of consent in his or her state, there will still be a strong presumption that sexual activity between an adult school employee and a student is unwelcome and nonconsensual. Intimate or sexual relationships where there is a differential in power or authority produce risks for every member of the community, and they undermine the professionalism of faculty and staff.

Unlike relationships where no basic institutional interests are at stake, such as those between members of the faculty or between members of the faculty and the staff, relationships between faculty/staff members and students should be informed by the goals of NC as an institution of higher education. Both faculty and staff members are expected to maintain professional, non-sexual relations with students.

When a member of the faculty or the staff is in a position to educate, supervise, evaluate, employ, counsel, coach, and/or otherwise guide a student, sexual relations are unconditionally unacceptable. When such a supervisory relationship is present, sexual relations are clearly detrimental to the educational process and to an environment free of favoritism and the appearance of favoritism.

Even when no supervisory relationship is present, sexual intimacy between a student and a member of the faculty or staff can be detrimental to the ideal of a professional educational environment. Although the initiator of a sexual relationship may be a student, it is the institutional responsibility of the faculty or staff member to address such a situation, at its inception, in a professional manner. Moreover, a member of the faculty or staff against whom a student makes a complaint of sexual harassment may find it difficult, because of the difference of status between the two persons, to prove that the relationship at issue was a fully consensual one.

Any individual may file a complaint alleging harassment and/or discrimination, including an aggrieved party outside the relationship affected by the perceived harassment or discrimination. Retaliation against any person(s) who report concerns about potentially non-consensual relationships is prohibited and constitutes a violation of this policy.

### Reporting to External Authorities

Nothing in this policy prohibits a student or employee from reporting a crime directly to local authorities.

Disciplinary procedures are independent of any and all procedures and proceedings under local, state, or federal criminal or civil law. In all cases, NC reserves the right to refer cases for parallel criminal prosecution or to pursue sanctions regardless of criminal prosecution. Violations of this policy by a visitor, volunteer, vendor, agents, or other third parties affiliated with NC may also result in the termination of pre-existing or future relationships.

### Option for Electronic Reporting

Victims or witnesses who have been subjected to or have witnessed misconduct may utilize the Sexual Misconduct Reporting Form. The form is available online through the NC public website, the NC Student Hub, and the NC Employee Hub. Reports submitted electronically will go directly to the Title IX Coordinator. Forms may also be obtained on campus from the Student Services Department.

### Victim Rights

NC will take interim steps to protect victims of sex and gender-based misconduct and maintain a positive learning and working environment by minimizing or eliminating contact between a complainant and a respondent and providing reasonable academic, employment, and administrative accommodations in accordance with the Clery Act and Title IX. Students who are victims of sex and/or gender-based misconduct may request a change in their academic arrangements by contacting student services, the Title IX Coordinator, or campus administration. Employees who are victims of sex and/or gender-based misconduct may request a change in their employment arrangements by contacting their manager, the Title IX Coordinator, or the Human Resources Department.

Victim's rights include:

- 1) Upon notifying NC of alleged incidents of sex or gender-based misconduct, victims will be informed of available options including the necessary steps and potential consequences of each option.
- 2) Where applicable, victims will be informed of the institution's role regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a civil, criminal, or tribal court.
- 3) Victims have the right to be free from undue coercion from NC to pursue or not pursue any course of action.
- 4) Victims have the right to be advised of their option to notify appropriate law enforcement authorities, and be informed about how to receive assistance from NC in notifying these authorities, if requested.
- 5) Victims who have not yet reported to an employee required to notify the Title IX Coordinator may request and receive information on how to make a confidential report for the purposes of tracking campus crime without otherwise divulging details that would require or permit NC to investigate and respond.
- 6) Victims have the right to be fully informed of any applicable disciplinary conduct process and procedures.
- 7) Victims have the same right as the accused to attend and have a support person of their choice and/or witnesses present at student conduct hearings.

- 8) Victims have the right to be informed of the outcome of any student or employee conduct process involving alleged sex or gender-based misconduct. In the case of student conduct proceedings, victims have the right to appeal the outcome.
- 9) Victims will be informed about campus and/or community resources for counseling, advocacy, and/or other services for survivors of sexual assault, relationship violence and other forms of sexual misconduct.

### Amnesty for Victims and Witnesses

NC encourages the reporting of sex and gender-based misconduct by victims and witnesses who are sometimes hesitant to report to NC officials or participate in the resolution processes because of concern that they may be accused of policy violations, such as underage drinking or drug use at the time of the incident. It is in the best interest of the community that victims and witnesses come forward to share what they know regarding violations of this policy. To encourage reporting, victims and witnesses may be provided with educational options, rather than punitive sanctions, for minor policy violations.

Similarly, NC encourages direct assistance to those in need as a result of sex or gender-based misconduct. In instances where minor policy violations are revealed as a result of a person providing assistance to a victim, policy violations should not be overlooked, however NC may provide educational options, rather than punitive sanctions, to those who offer their assistance.

### Retaliation

NC prohibits retaliation against anyone who reports an incident of sex and gender-based misconduct or any person who assists or participates in a proceeding, investigation or hearing relating to such allegations. Any allegation of retaliation related to the investigation or resolution of a sex or gender-based misconduct allegation will be treated as an independent Title IX complaint requiring consideration of appropriate reparative interim action, as well as investigation and resolution as described in this policy.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. All complaints of retaliation should be reported in accordance with NC's complaint procedures. If NC's procedures would result in students or employees being required to submit a complaint to the person whom they believe is retaliating, students or employees may submit the retaliation complaint directly to the Title IX Coordinator or the Director of Human Resources.

Submission of a good-faith complaint or report of sexual or gender-based misconduct will not adversely affect the complainant's future academic or work environment. NC will discipline or take other appropriate action against anyone who retaliates against any person who reports an incident of alleged sexual or gender-based misconduct or who retaliates against any person who assists or participates in a proceeding, investigation or hearing related to such allegations.

### Privacy and Confidentiality

NC wishes to create an environment in which individuals feel free to discuss concerns and make complaints. NC understands that complainants, witnesses, and others involved in the investigation process may be concerned about the confidentiality of the information they are sharing. In some cases, however, NC may be obligated to take action when it becomes aware of information relating to a complaint.



## A. The Distinction Between Privacy and Confidentiality

**Privacy:** Privacy means that information related to a report under this policy will only be shared with those NC employees who "need to know" in order to assist in the review, investigation, or resolution of the report. Moreover, all NC employees who are involved in the NC's Title IX response, including outside adjudicators, receive specific training and guidance about safeguarding private information. The privacy of student education records will be protected in accordance with the NC's policy for compliance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual's medical and related records generally are protected in the United States by the Health Insurance Portability and Accountability Act (HIPAA), excepting health records protected by FERPA. Access to personnel records is restricted in accordance with NC policy.

**Confidentiality:** Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other person without express permission of the individual, or as otherwise permitted or required by law. Community members wishing to seek confidential assistance may do so by speaking with professionals who have a statutorily-protected or designated confidentiality. The NC designated confidential advisors are provided through the Rape Victim Advocates (312) 443-9603. These individuals are prohibited from breaking confidentiality unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order.

## B. Release of Information

NC complies with the Clery Act, which requires NC to inform community members about certain crimes that occur on or near campus and are reported to designated employees of NC. Consistent with the Clery Act, if a report of Prohibited Conduct discloses a serious or continuing threat to NC campus community, NC may issue a timely warning to protect the health or safety of its members. The timely warning will not include any identifying information about the Complainant. NC may also share non-identifying information about reports received in NC's daily crime log, the Annual Security Report or in aggregate form, including data about educational outcomes (sanctions) in NC publications. In addition, NC will provide annual crime statistics to the U.S. Department of Education.

All NC proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, Illinois law, and NC policy. No information shall be released from such proceedings except as required or permitted by law and NC policy.

Confidentiality in cases of sex and/or gender-based misconduct will be maintained to the extent permissible by law and consistent with NC's obligations in investigating complaints. Once an individual discloses identifying information to NC through the processes described above and in the applicable complaint procedures, that person will be considered to have filed a complaint with NC. While the confidentiality of information received, the privacy of individuals involved, and compliance with the wishes of the complainant or witnesses cannot be guaranteed, they will be respected to the extent possible and appropriate.

If students or employees wish to speak with someone who can assure confidentiality, they are encouraged to access counseling services available by referral through NC's third party provider, Rape Victim Advocates at 773-907-1062.

## VI. Prohibited Conduct

NC prohibits all forms of sexual and gender-based harassment, sexual misconduct, intimate partner violence and other forms of interpersonal violence. These are umbrella terms which encompass a broad range of behavior. NC community members are fully supported in using the words that they feel express and/or represent their experience - including words like rape, abuse, attack, or fondling - even when NC policy uses these other, more overarching terms when adjudicating and classifying allegations. Within these broad categories, NC specifically prohibits sexual or gender-based harassment, sexual assault, sexual exploitation, intimate partner violence/relationship abuse, stalking, and retaliation.

An individual who is uncertain about whether their experience meets one of the definitions below should consult with the Title IX Coordinator. In all instances, NC encourages reporting of conduct that is unwelcome or harassing, regardless of whether it appears to meet one of the stated definitions below. The Title IX Coordinator can assist an individual in identifying available courses of action based on the conduct at issue.

### A. Harassment on the Basis of Sex or Gender

#### 1. Sexual Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted verbal or physical conduct of a sexual nature when one of the following conditions is present:

- Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic work, or participation in social, co- or extra-curricular activities (quid pro quo); or
- Submission to or rejection of such conduct is used as the basis for decisions affecting that individual (quid pro quo); or
- Such conduct is sufficiently severe, persistent or pervasive that it unreasonably interferes with an individual's work or academic performance by creating an intimidating, hostile, or offensive working, academic, or social environment under both an objective and subjective standard (hostile environment).

#### 2. Gender-Based Harassment

Gender-based harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature when one of the following conditions is present:

- Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic work, or participation in social, co- or extra-curricular activities (quid pro quo); or
- Submission to or rejection of such conduct is used as the basis for decisions affecting that individual (quid pro quo); or
- Such conduct is sufficiently severe, persistent or pervasive that it unreasonably interferes with an individual's work or academic performance by creating an intimidating, hostile, or offensive working, academic, or social environment under both an objective and subjective standard (hostile environment).

### 3. Evaluating a Hostile Environment

- In evaluating whether a hostile environment exists under either sexual or gender-based harassment, NC will consider the totality of known circumstances, including, but not limited to:
  - The frequency, nature and severity of the conduct;
  - Whether the conduct was physically threatening;
  - The effect of the conduct on the Complainant's mental or emotional state;
  - Whether the conduct was directed at more than one person;
  - Whether the conduct arose in the context of other discriminatory conduct;
  - Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or College programs or activities; and
  - Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

### 4. Additional Guidance about Sexual or Gender-Based Harassment

Sexual or gender-based harassment:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- Does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.
- May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due

to differences in age, social, educational, or employment relationships, harassment can occur in any context.

- May be committed by a stranger, an acquaintance, or someone with whom the Complainant has an intimate or sexual relationship.
- May be committed by or against an individual or group.
- May occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May be a one-time event or can be part of a pattern of behavior.
- May be committed in the presence of others or when the parties are alone.
- May affect the Complainant and third parties who witness or observe harassment and are affected by it.

## B. Sexual Assault

Sexual assault means having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual assault includes the following acts:

**Related to Non-consensual Sexual Intercourse:** Having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

**Related to Non-consensual Sexual Contact:** Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, causing the other to touch their own intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, groin, genitals, buttocks, mouth or any other part of the body that is touched in a sexual manner. Non-consensual Sexual Contact can occur whether individuals are clothed or unclothed.

## C. Sexual Exploitation

Sexual exploitation is knowingly committing non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. Examples include, but are not limited to:

- Observing, recording or photographing another individual's nudity or sexual activity or allowing another to observe, record or photograph consensual sexual activity without the knowledge and consent of all parties involved in a place where the individual would have a reasonable expectation of privacy;
- Streaming or distribution of private images, photography, video or audio recording of sexual activity or nudity without the knowledge and consent of all parties involved;

- Prostituting another individual;
- Exposing one's genitals in non-consensual circumstances;
- Exposing another individual to a sexually transmitted infection or virus without his/her/hir knowledge; and
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

#### D. Intimate Partner Violence/Relationship Abuse/Dating Violence/Domestic Violence

Intimate partner violence is also referred to as dating violence, domestic violence, and relationship abuse or violence. Intimate partner violence includes any act of violence or threatened act of violence against a person who is or has been involved in a sexual, dating, domestic, or other intimate relationship by the other person in the relationship. It may involve one act or an ongoing pattern of behavior. Intimate partner violence, may take the form of threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner, and/or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities and expressions, sexual orientation, and racial, ethnic, social, and economic backgrounds. Intimate partner violence can encompass a broad range of behavior, including, but not limited to:

- Physical violence
- Sexual violence
- Emotional violence
- Economic abuse
- Threats
- Assault
- Property damage
- Violence or threat of violence to one's self, one's sexual or romantic partner, and/or to the family members or friends of the sexual or romantic partner.

NC will not tolerate intimate partner violence of any form. For the purposes of this policy, NC does not define intimate partner violence as a distinct form of misconduct. Rather, NC recognizes that sexual and gender-based harassment, sexual assault, sexual exploitation, stalking, and retaliation may all be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating, or other social relationship of a romantic or intimate nature with the Complainant.

#### E. Stalking

Stalking is a course (more than once) of unwelcome conduct directed toward another person that could be reasonably regarded as likely to alarm, harass, and/or cause reasonable fear of harm or injury to that person, or to a third party, such as a roommate or friend. The feared harm or injury may be physical, emotional, or psychological, to the personal safety, property, education, or employment of that individual. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

Stalking can look like:

- Unwelcome and repeated visual or physical proximity to a person;
- Repeated oral or written threats;
- Extortion of money or valuables;
- Implicitly threatening physical conduct or any combination of these behaviors directed toward an individual person;
- Unwelcome/unsolicited emails, instant messages, and messages on on-line bulletin boards;
- Unwelcome/unsolicited communications about a person, their family, friends, or co-workers; and/or
- Sending/posting unwelcome/unsolicited messages with another username.

## F. Retaliation

Retaliation means any adverse action taken against a person for making a good faith report of Prohibited Conduct or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of "no responsibility" on the allegations of Prohibited Conduct. Retaliation can be committed by any individual or group of individuals, not just by a Respondent or Complainant. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

## VII. Resources & Tools - Risk Reduction Tips

Responsibility for sexual misconduct rests with those who commit such acts. Risk reduction tips are not intended to blame the victim. There are precautions we all can take which may limit our exposure to situations which may result in non-consensual sexual acts.

- Communicate limits/ boundaries and respect the limits/ boundaries of others. Clearly and firmly say "No" to a sexual aggressor.
- If possible, leave the physical presence of a sexual aggressor or otherwise violently aggressive person.
- If someone is nearby, ask for help.
- Take responsibility for your alcohol/drug use. Acknowledge that alcohol/ drugs lower sexual inhibitions and may make you vulnerable to someone who sees an impaired person as a sexual opportunity.
- Do not take advantage of someone's intoxication or altered state even if alcohol or drugs were consumed willingly.
- If you choose to share intimate images, pictures, videos or content with others, even those you trust, be clear about your expectations regarding how the information may be used, shared or disseminated. If such information is shared with you, do not share it with others.

- Take care of friends and ask that they take care of you.
- As a sexual initiator, clearly communicate your intentions and give your sexual partner the opportunity to clearly communicate the same.
- Do not make assumptions about consent, sexual availability, sexual attraction, how far an interaction can go, or about physical and/or mental ability to consent.
- Remember that consent should be affirmative and continuous. If there is any question or ambiguity, you should proceed as if you do not have consent.
- Consider mixed messages from a partner to be an indication that sexual conduct should stop so that better communication can occur.
- Recognize the potential for a sexual partner to feel intimidated or coerced by you as a result of a power advantage, your gender, your demeanor or your physical presence. Do not use or abuse that power.

### Bystander Intervention Strategies

Intervention by classmates, students and others within proximity to the precursors or signs of possible sexual assault, sexual exploitation, dating violence, domestic violence or stalking can significantly impact the course of an interaction between a latent perpetrator and victim. Bystanders may also encourage friends, classmates and students who are already experiencing victimization to seek assistance sooner than they may have without encouragement, support, or acknowledgement. Community members are encouraged to recognize warning signs and to consider possible methods of interference in various scenarios before opportunities to intervene arise. By planning ahead, we all maximize the likelihood of being empowered to take safe actions to either prevent sexual misconduct or offer paths to eliminate ongoing victimization.

When a member of the NC community observes threatening, coercive, forceful, aggressive or harassing behavior, it is important to assess the situation to determine the best possible course of action for all concerned. Some forms of intervention are direct, while others will be less apparent to the perpetrator or others within range of the interaction. Examples include but are not limited to:

- Making up an excuse to get someone out of a dangerous situation.
- Stepping in to change the course of an interaction.
- Warning potential or perceived perpetrators that their actions may lead to severe consequences.
- Refusing to leave the company of a potential victim despite efforts by an aggressor or pursuer to get the potential victim alone.
- Remaining on the scene of observed misconduct and offering to make a statement or act as a witness subsequent to intervention by security, administration or the police.
- Taking steps to reduce alcohol or drug consumption within a potentially dangerous social situation.
- Calling and cooperating with security, administration, the police or others to assist with intervention and accountability.

- Expressing concern or offering resources when you notice someone with unexplained or frequent injuries.
- Refusing to consider sex and/or gender-based misconduct a personal or private matter between the victim and the perpetrator.

### Procedures to Follow After a Sexual Misconduct Incident

Victims of any sexual misconduct that might constitute a crime, including domestic violence, dating violence, sexual assault, stalking, and rape (including acquaintance rape) that impacts the NC community have the option and are encouraged to contact local law enforcement authorities.

Whenever possible, victims should report a violation of this policy as soon as possible and preserve evidence as may be necessary to prove that domestic violence, dating violence, sexual assault, or stalking occurred, or to obtain a protection order. Victims of sexual assault or rape are strongly encouraged to report the incident as described in this policy to deter future assaults and to ensure that victims receive the services they need. Steps should be taken to help deal with physical and emotional trauma associated with the violation.

Recommended steps include:

1. Go to a safe place; go somewhere to get emotional support.
2. Consider reporting the incident to the police. If requested, NC or RESILIENCE will assist with notification.
3. Report the misconduct by completing an NC Sexual Misconduct Reporting Form which is accessible online through the NC public website, the NC Student Hub, the NC Employee Hub, or on campus from the Student Services Department.
4. For your safety and well-being, immediate medical attention is encouraged. Being examined as soon as possible, ideally within 120 hours, is important especially in the case of rape and other forms of sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that, if at all possible, you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before that exam. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care. Additionally, you are encouraged to gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. Secure them in a clean paper bag or clean sheet.
5. Preserve evidence of electronic communications, such as text messages, pictures, and/or social networking pages, by saving them and/or taking screen shots.
6. If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or police as soon as possible so they can collect evidence (e.g. from the drink through urine or blood sample).
7. Even after the immediate crisis has passed, consider seeking professional counseling and the support of local and specialized support agencies such as sexual assault recovery centers and domestic violence safe houses. This can help to recover from psychological effects and provide a safe environment for recovery.



8. Contact the campus director, Human Resources Director or Title IX coordinator, if you need assistance with NC related concerns, such as implementing no-contact orders or other protective measures. NC may also liaise with local authorities to assist an individual who wishes to obtain protective or restraining orders.
9. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
10. Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.
11. Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have the time and ability to do so.
12. If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify the local police department if off- campus or if on-campus, the Title IX Coordinator, campus director or Human Resources Department so that those orders called a no contact order can be observed on campus.

Victims are not required to report an incident to law enforcement authorities, but campus authorities will assist victims who wish to do so. Anyone with knowledge about a sexual assault or other sex or gender-based misconduct is encouraged to report it immediately to the Title IX Coordinator in order to permit a coordinated report to the applicable law enforcement authorities when appropriate. Nothing in this policy prohibits a student or employee from reporting a crime directly to local authorities.

The nearest hospital to the Bridgeview Campus is:

Advocate Christ Hospital and Medical Center  
4440 W. 95th Street, Oak Lawn, IL 60453  
708-684-8000

## VIII. Related Information Resources for Victims

The following resources exist to provide information and links to local assistance:

### **Resilience in Chicago, IL**

773-907-1062

[www.ourresilience.org](http://www.ourresilience.org)

Note: The College has contracted with Resilience to provide victims with various services including 24 hour emergency support and a Confidential Advisor to provide emergency and ongoing support to survivors of sexual violence. All communications between a confidential advisor and a survivor pertaining to a sexual violence are confidential.

### **Chicago Metro Rape Crisis Hotline (YWCA)**

888-293-2080

### **Chicago Domestic Violence Line**

877-863-6338

**Pillars (in Hickory Hills, IL)**

708-745-5277 (Main Line)

708-485-5254 (24-hour, confidential domestic violence hotline)

708-482-9600 (24-hour confidential sexual assault hotline)

**National Sexual Assault Hotline**

800-656-HOPE (4673)

[rainn.org](http://rainn.org)

**SASHAA: Sexual Assault Help and Support for Americans Abroad**

[sashaa.org](http://sashaa.org)

**National Domestic Violence Hotline**

800-799-7233

(TTY) 800-787-3224

[thehotline.org](http://thehotline.org)

**National Network to End Domestic Violence**

<http://nnedv.org>

<http://womenslaw.org/> [Legal information and resources]

**National Stalking Resource Center**

[victimsofcrime.org](http://victimsofcrime.org)

**National Teen Dating Abuse Helpline**

866-331-9474

866-331-8453 (TTY)

[loveisrespect.org](http://loveisrespect.org)

**National Suicide Prevention Hotline**

800-273-TALK (8255)

[suicidepreventionlifeline.org](http://suicidepreventionlifeline.org)

**The White House Task Force to Protect Students from Sexual Assault**

[NotAlone.Gov](http://NotAlone.Gov)

**Americans Overseas Domestic Violence Crisis Center**

866-USWOMEN (International Toll-Free)

[crisis@866uswomen.org](mailto:crisis@866uswomen.org)

**U.S. Embassy**

[USEmbassy.gov](http://USEmbassy.gov)