

# TITLE IX HANDBOOK



**ILLINOIS STATE UNIVERSITY**

[TitleIX.IllinoisState.edu](http://TitleIX.IllinoisState.edu)



**ILLINOIS STATE  
UNIVERSITY**  
*Illinois' first public university*

## Illinois State University Title IX Handbook for Students and Employees

### About Title IX

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities in federally funded schools at all levels.

Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.

### University Policy

Illinois State University fosters a campus environment that recognizes individual and cultural differences and is strongly committed to the ethical and legal principle that each member of the University community enjoys the constitutional right to free speech. The right of free expression and the open exchange of ideas stimulates debate, promotes creativity, and is essential to a rich learning environment.

As members of the University community, students, faculty, administrators, and staff have a responsibility to respect others and show tolerance for opinions that differ from their own. The value of free expression, however, may be undermined by certain acts of harassment and discrimination that may result in the deterioration of a quality learning, work, or campus community environment and therefore will not be tolerated.

Any act of harassment and/or discrimination based on sex (including sexual harassment, sexual assault, domestic violence, dating violence, and stalking) is a violation of this policy and the law and will not be tolerated.

Retaliation against any person making an allegation of harassment, discrimination, or exercising his or her legal right to have the allegation investigated is also prohibited. Allegations of retaliation initiated by an individual participating in the complaint investigation process will be investigated as a separate and distinct violation of this policy.

### Title IX Administrator

The University's Title IX Coordinator is responsible for the University's Title IX compliance program, which includes oversight and implementation of the University's Title IX policies and grievance procedures. The Title IX Coordinator provides coordinates related education, training, and prevention program and monitors the campus climate.

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| <b>Title IX Coordinator</b><br>Anthony Walesby<br>Hovey Hall, Room 209<br>(309) 438-3383<br><a href="mailto:EqualOpportunity@IllinoisState.edu">EqualOpportunity@IllinoisState.edu</a> | <b>Deputy Title IX Coordinator</b><br>Jessica Galanos<br>308 Kingsley, Suite B<br>(309) 438-5411<br><a href="mailto:TitleIX@IllinoisState.edu">TitleIX@IllinoisState.edu</a> |
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### Getting Help

If you need immediate help, please call 911.

- Help is available and recovery is possible. Important information on 24-hour resources for individuals who have experienced sexual violence, dating/domestic violence, or stalking is below. This Guide includes information on how to get help, reporting information, support resources, and what to expect next. Individuals who have experienced sexual violence are encouraged to: Seek medical attention.
- Consider reporting to police and/or University.
- Access University and/or community resources.

## Medical Support

Take care of yourself. You are encouraged to seek medical and follow-up care even if you choose not to report the assault to law enforcement or the university. Seek medical attention from a hospital, Student Health Service, or another health care provider. Student Health Service cannot complete a rape evidence collection kit (rape kit). The rape evidence collection process can be completed, at no charge, by visiting any hospital emergency room.

Individuals can contact **Stepping Stones** (309-662-0461), a community provider of free, confidential sexual assault services to request support from a rape crisis advocate during the medical treatment and rape evidence collection process at the hospital. **Countering Domestic Violence** (309-827-7070) can offer medical support and advocacy in response to incidents of dating/domestic violence and/or stalking.

| LOCAL HOSPITALS AND EMERGENCY ROOMS  |  |
|--|--|
| Advocate BroMenn Medical Center<br>(309) 454-1400<br>1304 Franklin Ave, Normal, IL 61761<br>Available 24 Hours   | OSF St. Joseph Medical Center<br>(309) 662-3311<br>2200 E. Washington Street, Bloomington<br>Available 24 Hours  |
| CAMPUS HEALTHCARE AND MENTAL HEALTH RESOURCES  |  |
| Student Health Services<br>(309) 438-2778<br>Student Services Building<br><a href="http://www.HealthServices.IllinoisState.edu">www.HealthServices.IllinoisState.edu</a> | Student Counseling Services – Confidential Advisors<br>(309) 438-3655<br>Student Services Building, Room 320<br><a href="http://www.Counseling.IllinoisState.edu">www.Counseling.IllinoisState.edu</a> |
| EMPLOYEE ASSISTANCE PROGRAM  |  |
| Magellan Behavioral Health<br>Available 24 hours at: (866) 659-3848<br><a href="http://hr.illinoisstate.edu/benefits/eap/">http://hr.illinoisstate.edu/benefits/eap/</a> |  |

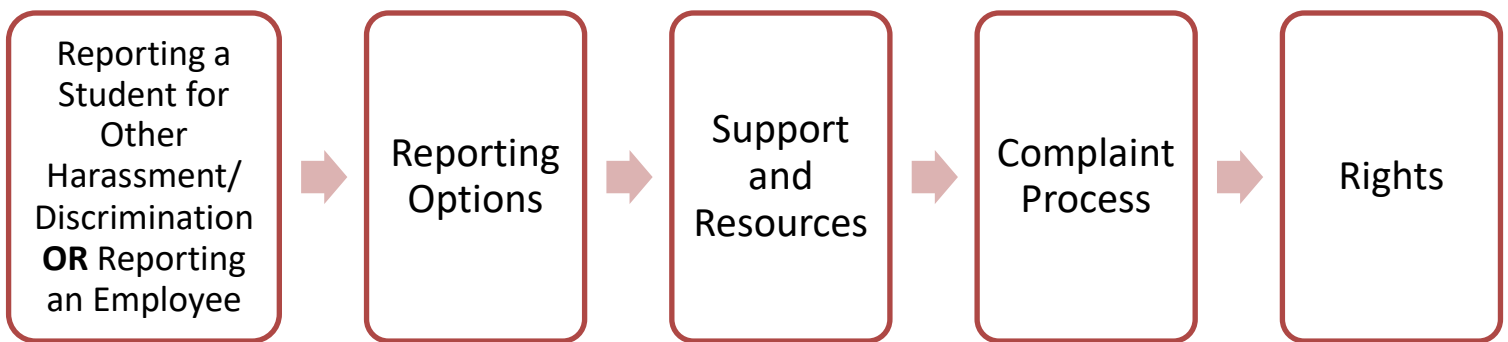
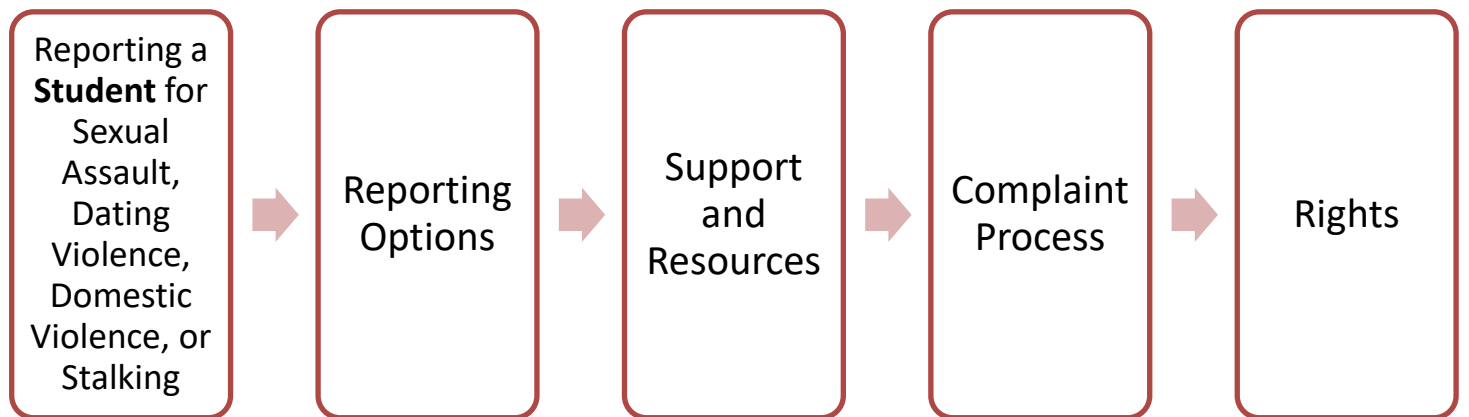
## Evidence Preservation

Even if you choose not to file a criminal report or report the incident to the university, you are encouraged to take steps to preserve evidence. This will ensure that evidence is available if you later decide to proceed with a criminal or university investigation.

- Avoid showering, bathing, douching, using the bathroom, changing clothing and/or brush your teeth or hair. Note that you have done any of these activities, you can still have an exam performed.
- If you changed clothes, save all the clothing you were wearing at the time of the assault in a **paper bag**.
- Seek treatment at a local hospital emergency room as soon as possible.
- Immediately notify medical staff if you believe drugs or alcohol were involved. Medical staff are specially trained to collect evidence and perform tests, including tests that can provide important evidence if drugs or alcohol were involved.
- Make every effort to save anything that might contain DNA. Do not clean up the crime scene or move anything the assailant may have touched.
- Write down as much as you can remember about the circumstances, including a description of the assailant. If you have a picture of the assailant, prepare to give it to the police.
- Save any electronic communications with the assailant (voicemail, email, text messages, or social media messages)

Whether an incident occurred recently or in the past, help is still available. The Finding Support section of this handbook contains many important resources for free and confidential support, medical treatment, and campus protective measures and support services. The Quick Reference Guides located in the Finding Support section include a list of campus and community resources. All of the resources are available even if an individual chooses not to report an incident to law enforcement or the university.

The Title IX Handbook describes the reporting options, processes, resources and support available. Below are outlines for the different types of reports and information about each process. The graphic is interactive and will take you to the section of the Handbook you need.



## Reporting Options

Consider reporting the incident. Reporting can aid your recovery. Individuals have the right to report incidents of sexual harassment, sexual assault/misconduct, dating/domestic violence, and stalking to law enforcement, to the university, and to confidential support resources.

### Law Enforcement Report

For emergency assistance, dial 911.

| CAMPUS LAW ENFORCEMENT   |  |
|--|--|
| Illinois State University Police Department<br>309-438-8631<br>Nelson Smith Building, Room 105<br><a href="http://www.Police.IllinoisState.edu">www.Police.IllinoisState.edu</a> |  |
| COMMUNITY LAW ENFORCEMENT  |  |
| Normal Police Department<br>309-454-9535<br>100 E. Phoenix Ave., Normal, IL 61761  | Bloomington Police Department<br>309-820-8888<br>305 S. East Street, Bloomington |

You are **not** required to speak to law enforcement or to file a criminal complaint. If you reported an incident to the University, you may be contacted by law enforcement authorities to determine if you wish to file a criminal complaint. If you are contacted by law enforcement authorities, it is not required, but is highly recommended that you speak to them so you can communicate your desired outcome, even if that is to request no involvement from law enforcement. The University can also assist you to notify law enforcement authorities at your request.

### University Report

- To the Title IX Deputy Coordinator: Call (309) 438-3383
- To Campus or Local law enforcement (911). For more information please go to <http://policy.illinoisstate.edu/health-safety/5-2-1.shtml>.
- Electronically: For more information please go to [https://ilstu-advocate.symplicity.com/public\\_report/](https://ilstu-advocate.symplicity.com/public_report/)
- Anonymously (309) 438-0268
- Confidentially to a Confidential Advisor 24 hours a day at (309)438-3655. Please note the Confidential Advisors are required to the extent provided by law to keep the report confidential.

For more information, please go to [titleix.illinoisstate.edu/report/](http://titleix.illinoisstate.edu/report/)

### Confidentiality of Information in Public Reports:

University Responsible Employees (with the exception of Confidential Advisors) are required to make appropriate University officials aware of information they receive regarding crimes. In addition, the Clery Act requires the University to include information about reported crimes in the Annual Security Report and the daily crime log. When an incident of alleged dating violence, domestic violence, sexual assault, or stalking is reported, personally identifying information will not be included in **these public records**. Personally identifying information includes information likely to disclose the identity or location of the victim of domestic violence, dating violence, sexual assault or stalking such as:

- First/Last Name.
- Home Physical Address & Contact information (e-mail, IP address, telephone, or other contact number.)
- Social Security Number, Driver's License Number, Passport Number, or University Identification Number.
- Any other information including date of birth, or other information that could serve to identify the individual (e.g. information regarding race, color, ancestry, national origin, religion, pregnancy, sexual orientation, order

of protection, gender identity and expression, age, marital status, disability, genetic information, unfavorable military discharge, status as a veteran, or sex).

## Accessing University and Community Support

If you have experienced an incident of sexual assault/misconduct, dating/domestic violence, or stalking, you are encouraged to get help regardless of when the incident occurred. The following support resources are available on-campus and within the Bloomington-Normal community. Most of the resources listed are available at no-cost and all resources are available even if an individual chooses not to file a criminal or university complaint. To view additional information including university publications providing support resources, please visit [www.TitleX.IllinoisState.edu](http://www.TitleX.IllinoisState.edu). When an incident is reported (regardless of where the incident occurred), the University will provide written notification to students and employees about the Campus Support Services and community resources described below.

### Campus Support Services and Protective Measures

Students are encouraged to contact the appropriate office to request any campus services, protective measures, or interim measures (described below) as needed.



For 24-Hour assistance, contact Illinois State University Police at (309) 438-8631.

Examples of University support services that may be available include but are not limited to:

- Discrete professor notification regarding absences
- Academic assistance such as:
  - Schedule changes
  - Course load reductions
  - Withdrawals
  - Coordinating extensions
- Alternative housing placement
- Protective Measures
  - University Contact Restriction
  - Removal of directory information
  - Campus escorts or removal of parties from campus
- Alternative work schedules/locations
- Transportation information
- Assistance and information regarding student financial aid
- Referrals to on- and off-campus services

University officials will review all requests and determine if the requested interim measures/requests can be provided. These support services are available regardless of whether an individual chooses to make a criminal or university report and regardless of whether or not an individual chooses to participate in a university or criminal investigation.

Regardless of whether an incident happened recently or in the past, if you are feeling unsafe or threatened, help is available.

In an emergency, always call 911. In addition to contacting police, individuals have the right to request an order of protection, no contact order, restraining order, or other similar lawful orders issued by a criminal, civil, or tribal court. The YWCA's Stepping Stones program (309-662-0461) or Illinois State University's Sexual Assault Prevention and Survivor Services (309-438-7948) can aid in any of these processes.

For assistance with University protective measures, contact the Office of Equal Opportunity and Access at (309) 438-3383, or for 24-Hour assistance, contact Illinois State University Police at (309) 438-8631. Examples of protective measures OEOA can assist with include, but are not limited to:

- University Contact Restriction
- Removal of directory information
- Campus escorts or removal of parties from campus

The University will maintain as confidential any University support services measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the services.

ISU's Redbird Safe Walk program is available at no-charge to escort students on campus. To request an escort call (309) 438-9255 or visit [www.Police.IllinoisState.edu/events/safe/](http://www.Police.IllinoisState.edu/events/safe/) for more information.

### **Other Important Resources**

In addition to the available university protective and support services, there are a number of support services available in the local community including information on legal assistance, assistance with obtaining orders or protection, visa and immigration assistance, financial assistance and other services. For a complete list, review the Student Quick Reference Guide or Employee Quick Reference Guide included in this handbook or download the documents at [www.TitleIX.IllinoisState.edu](http://www.TitleIX.IllinoisState.edu).

### **Legal Resources/Orders of Protection**

**Prairie State Legal Services** can provide legal services, referrals for legal services, and assist with the process of requesting an order of protection, civil no contact order, restraining order, or other similar lawful orders issued by a criminal, civil, or tribal court. For more information on their services, contact them directly at:

#### **Prairie State Legal Services**

(309) 827-5021

(800) 874-2536

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

Both the **YWCA's Stepping Stones** program and **Countering Domestic Violence** can provide referrals for legal services and assist with the process of requesting an order of protection, civil no contact order, restraining order, or other similar lawful orders issued by a criminal, civil, or tribal court. For more information, contact these resources at:

#### **YWCA Stepping Stones - Sexual Assault Services**

(309) 662-0461

<http://www.ywcamclean.org/>

*Available 24 Hours by calling PATH (Providing Access to Help) hotline at (309) 827-4005 and asking to page Stepping Stones*

#### **Countering Domestic Violence**

(309) 827-7070 (Available 24-Hours)

[http://www.mccainc.org/clarion\\_rocket/programs/countering-domestic-violence/](http://www.mccainc.org/clarion_rocket/programs/countering-domestic-violence/)

## **Visa/Immigration Assistance**

The Office of International Studies and the Student's Attorney can provide referrals for assistance with visa and immigration issues.

### **Office of International Studies**

Contact: Rachel Webb

(309) 438-5276

Williams Hall, Room 102

<http://internationalstudies.illinoisstate.edu/>

### **Student's Attorney**

(309) 438-2008

Student Services Building, Room 387

<http://deanofstudents.illinoisstate.edu/services/legal/>

## **Financial Assistance**

The Student Financial Aid Office has funds available to help students in an emergency. Students are encouraged to contact the Student Financial Aid Office directly for more information or to request emergency funds.

### **Student Financial Aid Office**

(309) 438-2231

Hovey Hall, Room 101

[www.FinancialAid.IllinoisState.edu](http://www.FinancialAid.IllinoisState.edu)

Additionally, individuals can contact the YWCA's Stepping Stones program and Countering Domestic Violence for information on the availability of financial assistance within the community.

### **YWCA Stepping Stones - Sexual Assault Services**

(309) 662-0461

<http://www.ywcamclean.org/>

*Available 24 Hours by calling PATH (Providing Access To Help) hotline at (309) 829-9027 and asking to page Stepping Stones or by dialing 211*

### **Countering Domestic Violence**

(309) 827-7070 (Available 24-Hours)

[www.mccainc.org/clarion\\_rocket/programs/countering-domestic-violence/](http://www.mccainc.org/clarion_rocket/programs/countering-domestic-violence/)

## **Confidential Counseling and Advocacy**

### **Confidentiality**

Student Counseling Services staff (including Confidential Advisors), Sexual Assault Survivor and Prevention Services staff, Employee Assistance Program resources, or other licensed mental health professionals are the only University offices that can discuss information on a confidential basis and are not required to complete reports as Responsible Employees. Illinois law mandates that confidential advisors provide statistics on numbers of confidential reports of sexual violence, domestic violence, dating violence and stalking to the Title IX Coordinator. These monthly statistics will be provided on a monthly basis to the Deputy Title IX Coordinator, but will never include any personal identifying information. Individuals providing counseling services also provide information to persons they counsel of how to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.



Help is available and recovery is possible. Accessing services supports your safety and recovery and can help you find other needed resources. Services from the resources listed below are free, private, and confidential.

| <b>CAMPUS SERVICES</b>   |  |
|--|--|
| Sexual Assault Prevention and Survivor Services<br>(309) 438-3756<br>Student Services Building, Room 320<br><a href="http://www.Counseling.IllinoisState.edu/sexual-assault">www.Counseling.IllinoisState.edu/sexual-assault</a>                             | Student Counseling Services – Confidential Advisors<br>(309) 438-3655*<br>Student Services Building, Room 320<br><a href="http://www.Counseling.IllinoisState.edu">www.Counseling.IllinoisState.edu</a><br><i>*24 Hour Assistance is available by calling this number after business hours</i> |
| <b>COMMUNITY SERVICES</b>  |  |
| YWCA Stepping Stones<br>Sexual Assault Services<br>(309) 662-0461<br><a href="http://www.ywcamclean.org/">http://www.ywcamclean.org/</a><br><i>Available 24 Hours by calling PATH (Providing Access To Help) hotline at (309) 829-9027 or by dialing 211</i> | Countering Domestic Violence<br>Available 24 Hours at:<br>(309) 827-7070<br><a href="http://www.mccainc.org/clarion_rocket/programs/countering-domestic-violence/">http://www.mccainc.org/clarion_rocket/programs/countering-domestic-violence/</a>  |
| <b>EMPLOYEE SERVICES</b>   |  |
| Magellan Behavioral Health<br>Available 24 Hours at: (866) 659-3848<br><a href="http://hr.illinoisstate.edu/benefits/eap/">http://hr.illinoisstate.edu/benefits/eap/</a>   |  |

**Confidential Advisors and Sexual Assault Prevention and Survivor Services**, which is located on-campus in Student Counseling Services. Confidential advisors have completed 40 hours of targeted training and can provide free and confidential services to students including:

- Counseling
- Support referrals
- Information/assistance on reporting an incident
- Advocate for survivors
- Empower individuals in their own recovery and continued academic success

**YWCA’s Stepping Stones** program is a community-based non-profit program offering a number of free and confidential services including:

- Free and confidential counseling
- Crisis intervention
- Medical advocacy
- Legal advocacy
- Orders of protection/civil no contact orders
- Support for family, partners, and friends
- Referrals for other services

**Countering Domestic Violence**, a program of Mid Central Community Action, Inc. offers a number of free and confidential services to including:

- Emergency shelter services
- Free and confidential individual counseling
- Support groups
- Children’s services
- Criminal justice advocacy
- Legal/Court Advocacy

- Training
- Referrals for other services

The Employee Assistance Program offered through **Magellan Behavioral Health**, provides free and confidential services to eligible faculty and staff. Services include:

- Counseling
- Problem identification
- Referrals for services

| Resources for Reporting   | Advocacy & Counseling Resources   | Campus Support Services  | Health Care & Mental Health Resources  |  |
|---|---|--|--|--|
| <p><b>EMERGENCY</b></p> <p><b>Police, fire, ambulance: 9-1-1</b><br/>Available 24 hours<br/>UNIVERSITY POLICE</p> <p><b>Illinois State University Police Department</b><br/>Non-emergency: (309) 438-8631<br/>Nelson Smith Building, Rm. 105<br/><a href="http://Police.IllinoisState.edu">Police.IllinoisState.edu</a></p> <p><b>UNIVERSITY STAFF</b><br/><b>Title IX Coordinator</b><br/>Anthony Walesby<br/>(309) 438-3383<br/><a href="http://TitleIX.IllinoisState.edu">TitleIX.IllinoisState.edu</a></p> <p><b>Deputy Title IX Coordinator</b><br/>Jeff Lange<br/>(309) 438-3383</p> <p><b>Report Electronically</b><br/><a href="http://TitleIX.IllinoisState.edu/report/university_report">TitleIX.IllinoisState.edu/report/university_report</a></p> <p><b>Report Anonymously</b><br/><a href="http://TitleIX.IllinoisState.edu/report/anonymous_report">TitleIX.IllinoisState.edu/report/anonymous_report</a></p> <p><b>Confidential Advisors Student Counseling Services</b><br/>Available 24/7. All reports are confidential to the extent permitted by law.<br/>(309) 438-3655<br/><a href="http://Counseling.IllinoisState.edu">Counseling.IllinoisState.edu</a></p> <p><b>COMMUNITY REPORTING</b></p> <p><b>Normal Police Department</b><br/>9-1-1 or (309) 454-9535<br/>100 E. Phoenix, Normal</p> <p><b>Bloomington Police Department</b><br/>9-1-1 or (309) 820-8888<br/>305 S. East St., Bloomington</p> | <p><b>CAMPUS RESOURCES</b></p> <p><b>Sexual Assault Survivor Services</b><br/>1-855-256-2188 or<br/>(309) 438-3756<br/>Student Services Bldg, Rm. 320<br/><a href="http://Counseling.IllinoisState.edu/sexual-assault/">Counseling.IllinoisState.edu/sexual-assault/</a></p> <p><b>Confidential Advisors</b><br/>All reports are confidential to the extent permitted by law.<br/><b>Student Counseling Services</b><br/>(309) 438-3655<br/>Student Services Bldg, Rm. 320</p> <p><b>COMMUNITY RESOURCES</b></p> <p><b>Providing Access to Help (PATH) Crisis Center</b><br/>Available 24 Hours<br/>1-888-865-9903 or<br/>(309) 827-4005</p> <p><b>Stepping Stones – YWCA Sexual Assault Services</b><br/>Survivor support groups<br/>Held on ISU Campus<br/>(309) 585-3618/585-3617<br/><a href="http://ywcamclean.org/">ywcamclean.org/</a></p> <p><b>Countering Domestic Violence (CDV)/Neville House</b><br/>Available 24 Hours<br/>(309) 827-7070<br/><a href="http://mccainc.org">mccainc.org</a></p> <p><b>ISU Employee Assistance Program (EAP)</b><br/>Magellan Behavioral Health<br/>Available 24 hours<br/>(866) 659-3848<br/><a href="http://HR.IllinoisState.edu/benefits/EAP">HR.IllinoisState.edu/benefits/EAP</a></p> | <p>To request protective measures, academic assistance, alternative housing, alternative work situations, and service referrals:</p> <p><b>UNIVERSITY EMPLOYEES</b></p> <p><b>Office of Equal Opportunity and Access</b><br/>(309) 438-3383<br/><a href="http://EqualOpportunity.IllinoisState.edu">EqualOpportunity.IllinoisState.edu</a></p> <p><b>UNIVERSITY STUDENTS</b></p> <p><b>Title IX – Office of Equal Opportunity and Access</b><br/>(309) 438-5411<br/><a href="http://TitleIX.IllinoisState.edu">TitleIX.IllinoisState.edu</a></p> <p><b>OTHER CAMPUS SERVICES</b></p> <p><b>Dean of Students Dean on Duty / Redbird Care Team</b><br/>(309) 438-2008<br/>Student Services Bldg. Rm. 387<br/><a href="http://DeanofStudents.IllinoisState.edu">DeanofStudents.IllinoisState.edu</a></p> <p><b>Health Promotion and Wellness</b><br/>(309) 438-WELL (9355)<br/>McCormick Hall, Room 187<br/><a href="http://Wellness.IllinoisState.edu">Wellness.IllinoisState.edu</a></p> <p><b>Redbird Safe Walk</b><br/>(309) 438-WALK (9255)<br/>Available 24 hours/7 days a week</p> <p><b>Late Night Rides</b><br/><a href="http://Parking.IllinoisState.edu/campus_busing">Parking.IllinoisState.edu/campus_busing</a></p> | <p><b>CAMPUS HEALTH SERVICES</b></p> <p><b>Student Health Services</b><br/>(309) 438-8655<br/>Student Services Building<br/><a href="http://HealthServices.IllinoisState.edu">HealthServices.IllinoisState.edu</a></p> <p><b>LOCAL HOSPITALS &amp; EMERGENCY ROOMS</b></p> <p><b>Advocate BroMenn Medical Center</b><br/>(309) 454-1400<br/>1304 Franklin Ave., Normal<br/>Available 24 hours</p> <p><b>OSF St. Joseph Medical Center</b><br/>(309) 662-3311<br/>2200 E. Washington St., Bloomington<br/>Available 24 hours</p> <p><b>SERVICES FOR STUDENTS</b></p> <p><b>Student Counseling Services</b><br/>(309) 438-3655<br/>Student Services Bldg, Rm. 320<br/><a href="http://Counseling.IllinoisState.edu">Counseling.IllinoisState.edu</a></p> <p><b>SERVICES FOR EMPLOYEES</b></p> <p><b>ISU Employee Assistance Program (EAP)</b><br/>Magellan Behavioral Health<br/>Available 24 hours<br/>(866) 659-3848<br/><a href="http://HR.IllinoisState.edu/benefits/EAP">HR.IllinoisState.edu/benefits/EAP</a></p> <p><b>Faculty/Staff Care Team</b><br/><a href="http://Security.IllinoisState.edu/prevention/fscare">Security.IllinoisState.edu/prevention/fscare</a></p> | <p>For assistance with a civil no contact order, order of protection, or restraining order, contact:</p> <p><b>Stepping Stones – YWCA Sexual Assault Services</b><br/>(309) 585-3623<br/>ywcamclean.org</p> <p><b>Countering Domestic Violence (CDV)/Neville House</b><br/>Available 24 Hours (309) 827-7070<br/>mccainc.org</p> <p><b>EDUCATION &amp; TRAINING</b></p> <p><b>Health Promotion and Wellness</b><br/>(309) 438-WELL (9355)<br/>McCormick Hall, Room 187<br/>Wellness.IllinoisState.edu</p> <p><b>IMMIGRATION International Studies &amp; Programs</b><br/>(309) 438-5276<br/>102 Williams Hall<br/>InternationalStudies.IllinoisState.edu</p> <p><b>LEGAL RESOURCES/ORDERS OF PROTECTION</b></p> <p><b>Campus Students' Attorney</b><br/>Dean of Students Office<br/>(309) 438-2008<br/>Student Services Bldg. Rm 387<br/>DeanofStudents.IllinoisState.edu/services/legal/</p> <p><b>Community Prairie State Legal Services</b><br/>(309) 827-5021<br/>(800) 874-2536<br/>pslegal.org</p> |

## Complaint Policy and Procedures

### University Policies

#### Anti-Harassment & Non-Discrimination Policy

In keeping with the University's commitment to fostering a safe and inclusive campus community, the University has established the Anti-Harassment and Non-Discrimination Policy. Among the forms of prohibited harassment and discrimination are sexual harassment and gender-based harassment including sexual assault/misconduct, dating/domestic violence, and stalking. This policy is administered by the Office of Equal Opportunity and Access and OEOA – Title IX. The complete policy follows and can also be found at:

<http://policy.illinoisstate.edu/conduct/1-1-2.shtml>

#### Code of Student Conduct

In partnership with OEOA –Title IX as the office tasked with investigating and determining outcomes for alleged violations of the Anti-Harassment and Non-Discrimination Policy, the Dean of Students Office is charged with issuing sanctions for violations pursuant to those investigative findings. For complete information on the student conduct process, including possible sanctions/interventions, and information on the appeals process visit: <http://deanofstudents.illinoisstate.edu/conflict/>.

#### Definitions: Code, State, Federal Definitions (Consent, Sexual Assault/Misconduct, Dating/Domestic Violence, or Stalking)

Federal law requires that students, employees and others receive training regarding applicable definitions for consent, sexual assault/misconduct, dating/domestic violence or stalking. The University Code, Illinois law, and federal law each use slightly different definitions for various legal purposes. A complete list of related Code of Student Conduct definitions, as well as Federal and State Criminal Code definitions, is included in this section.

### University Procedures

#### Complaint Process Against a Student for Sexual Assault/Misconduct, Dating/Domestic Violence, Or Stalking

Cited from the Code of Student Conduct, Section E. Administrative Review and Investigation of Allegations of Violations of Section VI.D.

The following procedures will be followed when the University received information on an allegation of sexual assault/misconduct, dating/domestic violence, or stalking.

1. **Reporting Options.** Individuals have the option to report any violations of Section VI.D of the Code in a variety of ways including:
  - a. To the Deputy Title IX Coordinator by calling OEOA – Title IX at (309) 438-5411
  - b. To the Title IX Coordinator by calling OEOA at (309) 438-3383
  - c. To Campus or Local law enforcement (see [titleix.illinoisstate.edu/report/](http://titleix.illinoisstate.edu/report/))
  - d. Electronically (see [https://ilstu-advocate.symplicity.com/public\\_report](https://ilstu-advocate.symplicity.com/public_report) )
  - e. Anonymously (see [titleix.illinoisstate.edu/report/](http://titleix.illinoisstate.edu/report/))
  - f. Confidentially to a Confidential Advisor who will be required to the extent provided by law to keep the report confidential (see [titleix.illinoisstate.edu/report/](http://titleix.illinoisstate.edu/report/))
2. **Student Support.** When the University is made aware of a possible incident of sexual harassment, sexual misconduct/violence, sexual exploitation, dating violence, domestic violence, stalking, and/or retaliation, the University will provide information in writing regarding support services and reporting avenues to any individual who allegedly experienced such conduct and/or other involved parties. More information on interim protective measures can be found at: <http://titleix.illinoisstate.edu/support/protective/>
3. **Review of Allegation.** The allegation will be reviewed by the Title IX Coordinator or designated Deputy Title IX Coordinator to determine the next steps and assess whether any interim action is necessary. The Aggrieved Party will be offered the opportunity to participate in the review and investigation process. If the Aggrieved

Party does not respond to the University's request for participation, or requests that the complaint not be pursued, the University will review the request and all information available. The University will make a determination regarding the need to investigate further by balancing the Aggrieved Party's interests and the University's commitment to supporting an Aggrieved Party driven process, with the University's equally strong commitment to ensuring a safe community. The University may proceed with an investigation without an Aggrieved Party's involvement, although the University's response may be severely limited.

4. **Investigation of Allegation.** The University's investigation procedures will ensure that an allegation of Section VI.D is handled promptly and effectively in a manner that is procedurally fair to all parties. Both parties will (i) receive notice of the individual or individuals, trained in accordance with law, with authority to make a finding or impose a sanction in their proceeding before the individual or individuals initiate contact with either party and (ii) have the opportunity to request a substitution if the participation of an individual with authority to make a finding or impose a sanction poses a conflict of interest. Both parties will be given an opportunity to provide input and information during the investigation process. The Respondent will be provided notice of the charges under the Code of Student conduct prior to any meeting with a university investigator. After the investigation is concluded, the Investigator will submit a final report to SCCR that will detail if there is sufficient information to support a finding of violation of the Code of Student Conduct.
5. **Case Management Conference.** The University hearing officer/investigator will meet with both the Aggrieved Party and Respondent, pursuant to Section VIII of the Code of Student Conduct, to review the incident report and determine which University Regulation's may have been violated, as well as any sanctions that would be imposed as a result of the behavior. If the outcome from the case management conference is satisfactory to the Respondent and/or the aggrieved party, a decision letter will be generated and the case resolved. If the Complainant/Aggrieved Party does not support the proposed outcome, the case will be referred to a formal hearing.

#### **Administrative Hearing Procedures**

In some cases, where the student involved are unable to reach a resolution in a case management conference with the investigator, a hearing will be conducted by the Investigator.

1. Parties to the hearing shall be provided five University business days' notice of a formal hearing, except in cases involving an interim suspension, where parties will be provided three University business days' notice.
2. Hearings will be closed to the public.
3. Admission to the hearing of persons other than the parties involved will be at the discretion of the hearing officer/investigator.
4. In hearings involving more than one responding student, the standard procedure will be to hear the case jointly, providing that other respondents have not previously accepted a finding through a case management conference. The administrative hearing officer/investigator may grant separate hearings at their discretion if the hearing officer finds sufficient cause to do so.
5. The primary parties (responding party, complainant, and/or aggrieved party) all have the right to have an advisor of their choosing present at the hearing. The advisor may not participate in the hearing process and may not actively direct the participation of any party.
6. The hearing officer/investigator will first hear information and witnesses presented on behalf of the complainant and/or aggrieved party. Once the complainant and/or aggrieved party information has been heard, the responding student will then be given the opportunity to provide information and witnesses. All people appearing at a hearing are subject to questioning, with the hearing officer/investigator receiving priority in asking questions. Any questions asked by the parties (respondent, complainant and/or aggrieved party) must be directed to the hearing officer/investigator who has discretion in determining if the question is relevant and appropriate. Unduly repetitive

information and witnesses can be limited at the discretion of the hearing officer/investigator. Only witnesses who can speak to the substance of the allegations will be considered by a hearing officer/hearing officer.

7. All procedural questions are subject to the final decision of the hearing officer/investigator.

8. At the conclusion of the hearing, the hearing officer/investigator will deliberate to reach a decision for the alleged violations, on the basis of whether there is a preponderance of information that a student violated each cited University regulation. The hearing officer/investigator will prepare a finding of fact and then SCCR will impose sanctions for any violations found.

9. The hearing officer/investigator will provide both parties with written notification at the same time of the outcome of a hearing no later than five University business days after the hearing. This may be delayed if an administrative hearing officer/investigator needs additional time to review the information provided at the hearing. Notifications of any delay will be sent to a student by email. The hearing officer/investigator will also provide written notification of relevant findings and sanctions to any aggrieved party via email. All decision letters will outline the recipient's process for appeal. Findings shall not be verbally provided at the time of the hearing.

10. There will be a single verbatim audio recording of the hearing. Deliberations will not be recorded. This recording will be maintained by SCCR as a part of the record only until the conclusion of any applicable appeals process. Access to the record will be provided for parties upon request in preparation for their appeal only. No transcripts will be created or provided, nor are any parties permitted to record and/or broadcast the proceeding(s.)

### **Sanctions as described in the Code of Student Conduct**

When students and/or student organizations are found in violation of University regulations, sanctions shall be imposed. The purpose of sanctioning is to educate a student as to why their behavior is inappropriate, as well as to make the student aware of and sensitive to all the possible consequences of the behavior in question. Sanctions for misconduct will be determined on a case by case basis, utilizing four main criteria: a) the nature of the offense; b) the precedent established at the University for similar conduct; c) the previous conduct record of the student; and, d) the student's attitude and behavior throughout the conduct process.

Sanctions shall generally be comprised of two components: a) an "inactive sanction" or written sanction (Censure, Disciplinary Probation, Restrictive Disciplinary Probation, Disciplinary Suspension, or Disciplinary Dismissal), as well as; b) an "active sanction" or educational sanction, requiring the student to complete some form of assignment requiring the student's active participation and reflection. The following sanctions may be imposed by a case manager, administrative hearing officer, University Hearing Panel, University Appeals Board, Assistant Vice President/Dean of Students or through a restorative conference upon any student found to have violated the Code:

#### **A. Inactive Sanctions**

Inactive sanctions include those sanctions that determine a student's standing at the University. These sanctions include:

1. Censure. A censure is an official statement that the student or student organization has violated a University regulation, and serves as a formal reprimand. A censure also indicates that future violations will likely result in more serious level of sanctioning.
2. Disciplinary Probation. Disciplinary Probation is a serious encumbrance on the student or student organization's good standing in the University community, and serves as a recognition that the student (or organization) is no longer in good disciplinary standing with the University. Disciplinary Probation will last at least one semester (eighteen academic calendar weeks) and any subsequent violations during the probationary period will be viewed as both a violation of University regulations and a violation of the probation. No more than three Disciplinary Probation sanctions may be imposed on a student prior to that student being removed from the University community, though the student may be removed prior to this condition. Student organizations are limited to three probationary sanctions in a four-year period prior to that student organization being removed from the University community, though the student organization may be removed prior to this condition. A

student on disciplinary probation may not hold any elected or appointed office at the University and is ineligible for a sophomore housing exemption to move to a fraternity or sorority house. At the end of the disciplinary probation period, all lost privileges shall be restored.

3. Restrictive Disciplinary Probation. Restrictive Disciplinary Probation is a serious encumbrance on the student or student organization's good standing in the University community, and indicates that a student or student organization is at a "near removal status" from the University. Any additional incidents in which the student or student organization is found in violation of the Code of Student Conduct would result in immediate removal from the University for a period of time and the possibility of additional sanctions. No more than one restrictive disciplinary probation sanction shall be imposed on a student prior to removal from the University community. Student organizations are limited to one restrictive disciplinary probation sanction in a three-year period. Restrictive disciplinary probations may not be extended as a result of separate incidents. A student on restrictive disciplinary probation may not hold elected office, is ineligible for a sophomore housing exemption to live in a fraternity or sorority house, and may not represent the University in any official capacity, including intercollegiate athletics, major extracurricular activities (including forensics, debate, plays and musicals) or student exchange programs. At the end of the restrictive disciplinary probation period, all lost privileges and eligibility shall be restored. Student organizations on restrictive disciplinary probation may not seek sophomore housing exemptions and may not host any events with alcohol.
4. Disciplinary Suspension. Disciplinary Suspension establishes a fixed period of time during which the student or student organization may not participate in any academic or other activities of the University. At the end of the suspension period, the student or student organization may apply for reinstatement and be readmitted only upon the approval of the Assistant Vice President/Dean of Students or designee.
5. Disciplinary Dismissal. Disciplinary Dismissal denies the student or student organization the right to participate in any academic or other activities of the University. This is a permanent exclusion from the University community. Students subject to disciplinary dismissal shall be restricted from University property and University-related events for a minimum of five calendar years.
6. Restrictions. A restriction takes away a privilege that the student may have, as well as restricting contact with people and/or access to property.

#### **B. Active/Educational Sanctions**

Case managers, administrative hearing officers, and the University Hearing Panel are strongly encouraged to impose "active" and educational sanctions that promote learning, understanding, and reflection. These sanctions may be developed as necessary and as deemed relevant to specific conduct and specific individuals. Among the previously established educational sanctions are:

- i. Alcohol Education Program
- ii. Attendance at Educational Programs
- iii. Conflict Management Training
- iv. Educational Service Hours
- v. Ethics Workshop
- vi. Reflective Exercises
- vii. Restitution

#### **C. Conduct Fines and Fees**

Fines are utilized as a deterrent to further student misconduct, and are most often employed in cases involving the use of alcohol and other drugs. Conduct fines are, however, also utilized for frequent offenders of University regulations. Conduct fine rates are approved by the Vice President for Student Affairs. Conduct fees are associated with costs for providing educational sanctions, and are set by the service provider.

#### **D. More than one sanction may be imposed for any violation.**

**E. Case managers, administrative hearing officers, and the University Hearing Panel may impose other restrictions, such as restriction from class registration and other academic activities as is**

deemed necessary.

### **Appeal Procedures in the Process involving a Student being reported for Sexual Assault/Misconduct, Dating/Domestic Violence, Stalking, or Retaliation**

Responding students and aggrieved parties may appeal outcomes of student conduct cases, except in cases where the appeal right has been waived as a result of a voluntary agreement. In cases of a voluntary agreement involving a disciplinary suspension or disciplinary dismissal, students maintain limited appeal rights. Only one appeal is collectively afforded to all parties involved in a student conduct case.

The following conditions apply to the appeals process:

1. Appeals are not re-hearings of student conduct cases, but only serve to review the conditions within which a case was resolved. Because this is not a new hearing of the case, the burden rests with the appealing party to establish that the original hearing and/or the decision reached are improper. Appeals officers and appeals boards shall give deference to the original decision unless it is established by a preponderance of information that the appellant was deprived of a fair process; they shall not supplant their judgment over the decision of the original hearing body without cause.

2. The criteria for filing an appeal are:

- A. Procedural Error – the appellant is contending that a substantive error was committed as a part of the student conduct process that deprived the appellant of a fair hearing of the case. This would include but not be limited to a substantiated bias, an arbitrary and capricious finding, a material deviation from established procedures, etc.
- B. New Information – the appellant is contending that there is new information that was unavailable to the appellant at the time of the original proceeding, and that this information would have substantially impacted the outcome of the proceeding. The student must include the new information with the appeal. Note that this criterion may not be utilized by students who choose or fail to attend or participate in the original proceeding they are appealing.
- C. Disproportionate Sanction – the appellant is contending that the sanction is not appropriate to the findings of the case.
- D. Unsupported Conclusion – the appellant is contending that the decision reached by the hearing body is arbitrary and capricious, and is unsupported by substantial information.

3. The process for the review of appeals is as follows:

- A. Students have ten calendar days to request an appeal any student conduct decision. The ten-day period begins on the date of delivery of the decision letter via email.
- B. Appeals of decisions reached through case management conferences are reviewed by the Assistant Vice President/Dean of Students or designee except in cases involving Disciplinary Suspension and Disciplinary Dismissal. The Dean or designee shall review the information provided by the appellant, as well as all case information. In some cases, the Dean or designee may invite the appellant to provide additional information in person or by telephone. The Dean or designee will respond to all appeals within ten University business days of receipt. The Dean's or designee's decision is final, subject to no further route of appeal.



D. Appeals of cases involving allegations of Section VI. D shall be reviewed by the Assistant Vice President/Dean of Students' Appeals Board. The Dean will review the request for appeal submitted by the appellant, as well as all case information, to ensure that the appeal meets the criteria for appeal. In some cases, the Dean may invite the appellant to provide additional information in person or by telephone. The Dean will respond to all requests for appeals within five University business days of receipt.

E. If the Chair of UAB or Assistant Vice President/Dean of Students' Appeal Board denies the appeal hearing, the case is closed, subject to no further route of appeal.

F. If the Chair or Dean grants the appeal hearing, the hearing will be convened within ten University business days to review the case.

G. In cases involving an aggrieved party, both the responding party and the aggrieved party shall be given the opportunity to appeal at the same appeals hearing. Whether or not both the responding party and the aggrieved party appeal, both shall be provided the opportunity to attend a hearing.

I. Proceedings of all appeal hearings shall abide by the following protocol:

i. All hearings are closed to the public.

ii. The representative from SCCR offers a brief overview of the facts of the case to date.

iii. The appellant offers a summary of their cause for appeal, providing any relevant information. Both the UAB (or AVP/Dean) and the representative from SCCR (generally the case manager or hearing officer) shall both have the opportunity to ask questions.

iv. The representative from SCCR offers a response to the appellant's case, providing any relevant information. Both the UAB (or AVP/Dean) and the appellant shall have the opportunity to ask questions.

v. Optional final statements can be made by both parties, beginning with the appellant.

vi. In the event that there is a responding party, an aggrieved party, and a representative of SCCR present, the appellant shall proceed first, the counter party second, and SCCR third. In cases where both the responding student and aggrieved party file appeals, the responding student shall proceed first, the aggrieved party second, and SCCR third.

vii. Upon conclusion of the hearing, deliberations will take place in closed session to reach a decision, by consensus. In UAB hearings, the Chair shall observe the proceedings and aid in the authoring of a decision, but shall not have participate in the deliberations.

viii. Appeal hearings shall result in one of the following outcomes:

1. Affirm the original finding and sanction.

2. Affirm the finding and modify the sanction. In cases where the accused student is the appealing party, the sanction may not be increased. In cases where the aggrieved party is the appellant, the sanction may be increased or reduced as deemed appropriate.

3. Remand the case for a new hearing or case management conference.

- ix. Written findings shall be conveyed to all parties within five business days of the hearing. Findings shall not be verbally provided at the time of the hearing.

#### *Assistant Vice President/Dean of Students Appeals Board*

The Assistant Vice President/ Dean of Students shall convene a Dean's Appeal Board, which shall hear appeals of cases involving allegations of Section VI.D. The following rules apply to the Dean's Appeal Board:

1. The members of the Assistant Vice President/ Dean of Students' Appeal Board (Board) shall be faculty and staff members recruited and selected by the Assistant Vice President/Dean of Students. Members of the University Appeals Board are eligible to serve. Board members are subject to annual review and renewal at the discretion of the Assistant Vice President/Dean of Students.
2. The Assistant Vice President/Dean of Students will identify at least four faculty and staff members to serve on the Board. All members of the Board are required to complete training specific to the subject matter of the appeals over which the Board holds jurisdiction.
3. Three members of the Board shall serve on each appeal hearing. The Assistant Vice President/Dean of Students shall chair the hearing unless this role is designated to another Board member by the Assistant Vice President/Dean of Students. The Assistant Vice President/Dean of Students is a voting member of the Board.
4. All members of the Board may be removed from membership at the discretion of the Assistant Vice President/Dean of Students for any of the following reasons: failure to participate in training activities, failure to attend scheduled hearings, poor performance appraisals, termination or expiration of employment, violation of University regulations, failure to uphold confidentiality requirements, or other issues as specified by the Assistant Vice President/Dean of Students.

### **Code of Student Conduct Rights**

#### **Student Aggrieved Party Rights and Responsibilities**

Student aggrieved parties are entitled to the following rights in the student conduct process:

1. An aggrieved party has the right to be treated with respect and dignity by all representatives of the student conduct process.
2. An aggrieved party has the right upon request to the availability of information pertaining to interim measures and support assistance available to them.
3. An aggrieved party has the right to a hearing by an unbiased administrative hearing officer or University Hearing Panel trained in accordance with requirements of law.
4. An aggrieved party has the right to have an advisor present at all meetings or hearings in the student conduct process. The advisor's role is non-participatory, limited only to advising the aggrieved party, and the advisor may not actively participate in the proceedings, nor serve as a witness.
5. A list of conduct consultants (students, faculty and staff who have volunteered and received basic training in the student conduct process) is provided by SCCR as an optional resource to offer assistance in the student conduct process.
6. An aggrieved party has the right to request to participate in the student conduct process via electronic means (email, telephone, video conference, etc.). Requests for this accommodation must be submitted to SCCR or OEOA – Title IX at least 48 hours prior to a scheduled proceeding. The aggrieved party is responsible for

providing appropriate contact information to SCCR as a part of the request. Determinations regarding these requests will be made by the coordinator of the student conduct case and communicated to the aggrieved party in advance of any meeting or hearing.

7. An aggrieved party has the right to have any unrelated past behavior excluded from the student conduct process. The administrative hearing officer or UHP shall determine what constitutes unrelated behavior.
8. An aggrieved party has the right to deliver or submit a written impact statement to the case manager, administrative hearing officer/investigator or UHP that will be considered only in sanctioning, should there be a finding of violation against a responding student. The impact statement may be filed at any time in the student conduct process prior to the conclusion of a formal hearing.
9. An aggrieved party has the right to expect to be free from intimidation and harassment throughout the conduct process.
10. An aggrieved party has the right, upon request, to have reasonable steps taken by SCCR, OEOA – Title IX, or other University agencies to prevent any unnecessary or unwanted contact with the responding student(s).
11. An aggrieved party has the right to written notification of the outcome of a hearing as it pertains specifically to the complainant no later than five University business days after the hearing. This may be delayed if an administrative hearing officer/investigator or University Hearing Panel needs additional time to review the information provided at the hearing. Notifications of any delay will be sent to an aggrieved party by email.
12. An aggrieved party has the right to appeal any student conduct outcome under Section VIII.I and shall be informed of this right, as well as the process and timeframes for doing so. A student has the right to appeal voluntary resolutions from a SCCR or OEOA – Title IX case management conference (Section VIII.A) that involves disciplinary suspension or disciplinary dismissal as a sanction.
13. An aggrieved party has the right to know the outcome of any appropriate appeals process as it applies to the respondent.
14. An aggrieved party in cases of alleged violations of Section VI.D will not receive a disciplinary sanction by the University for a Code violation (such as underage drinking), that is revealed in the course of such a report, unless the University determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

**Student aggrieved parties are expected to adhere to the following responsibilities in the student conduct process:**

1. An aggrieved party has the responsibility to take the student conduct process seriously, to act in good faith, and to treat everyone involved in the process with respect and dignity.
2. An aggrieved party has the responsibility to educate themselves on the Code and its expectations.
3. An aggrieved party giving testimony or evidence is expected to tell the full and complete truth throughout the student conduct process.
4. An aggrieved party has the responsibility to represent themselves at all meetings or hearings in the student conduct process. Aggrieved parties will not take direction from advisors during the course of a proceeding, nor will advisors be permitted to script aggrieved party responses and/or questions during a meeting or hearing.
5. An aggrieved party is responsible for ensuring that their advisors attend meetings and hearings, understanding that meetings and hearings will not be rescheduled to accommodate advisors.
6. An aggrieved party is responsible for regularly checking their University email account (ilstu) and is responsible for the contents of any notices sent to their account, whether or not the aggrieved party chooses to open them.
7. An aggrieved party in an administrative hearing or appearing before the University Hearing Panel has the responsibility to present only those witnesses that can speak to the substance of the allegations that have been made.
8. An aggrieved party has the responsibility to keep confidential all information pertaining to the student conduct process.

**Student Respondent Rights and Responsibilities**

Student respondents are entitled to the following rights in the student conduct process:

1. A student has the right to be treated with respect and dignity by all representatives of the student conduct process.
2. A student has the right upon request to information pertaining to availability of interim measures and support assistance available to the student.
3. A student has the right to a hearing by an unbiased administrative hearing officer/investigator or University Hearing Panel trained in accordance with requirements of law.
4. A student has the right to have an advisor present at all meetings or hearings in the student conduct process. The advisor's role is non-participatory, limited only to advising the student, and the advisor may not actively participate in the proceedings, nor serve as a witness.
5. A list of conduct consultants (students, faculty and staff who have volunteered and received basic training in the student conduct process) is provided by SCCR as an optional resource to offer assistance in the student conduct process.
6. A student has the right to written notice of any student conduct charges under review prior to any meeting with a university investigator. This notice shall indicate the time and place of any student conduct meeting or hearing. Proper written notification shall be defined as delivery of email to a student's University account (ilstu). When not enrolled, individuals shall be notified via their permanent mailing address provided to the University unless an alternative electronic or physical address is provided in writing.
7. A student has the right to receive a written summary of the incident stating the circumstances and allegations involved.
8. A student has the right not to present information against themselves.
9. A student has the right to hear and respond to all information presented against the student. This includes the right to questions all involved parties through an administrative hearing officer/investigator or the University Hearing Panel.
10. A student has the right to present information and/or witnesses on their behalf. Only witnesses able to speak to the substance of an allegation may be called. The number of witnesses who may be called may be subject to the discretion of the administrative hearing officer/investigator or the University Hearing Panel.
11. A student has the right to written notification of the outcome of a hearing no later than five University business days after the hearing. This may be delayed if an administrative hearing officer/investigator or University Hearing Panel needs additional time to review the information provided at the hearing. Notifications of any delay will be sent to a student by email.
12. A student has the right to request to participate in the student conduct process via electronic means (email, telephone, video conference, etc.). Requests for this accommodation must be submitted to SCCR or OEOA – Title IX at least 48 hours prior to a scheduled proceeding. The student is responsible for providing appropriate contact information to SCCR or OEOA – Title IX as a part of the request. Determinations regarding these requests will be made by the coordinator of the student conduct case and communicated to the student in advance of any meeting or hearing.
13. A student has the right to appeal any student conduct outcome under Section VIII.I and shall be informed of this right, as well as the process and timeframes for doing so. A student has the right to appeal voluntary resolutions from a SCCR or OEOA – Title IX case management conference (Section VIII.A) that involves disciplinary suspension or disciplinary dismissal as a sanction.

**Student respondents are expected to adhere to the following responsibilities in the student conduct process:**

1. A student has the responsibility to take the student conduct process seriously, to act in good faith, and to treat everyone involved in the process with respect and dignity.
2. A student has the responsibility to educate themselves on the *Code* and its expectations.
3. A student giving testimony or evidence is expected to tell the full and complete truth throughout the student conduct process.
4. A student has the responsibility to represent themselves at all meetings or hearings in the student conduct process. Students will not take direction from advisors during the course of a proceeding, nor will advisors be permitted to script student responses and/or questions during a meeting or hearing.

5. A student is responsible for insuring that their advisors attend meetings and hearings, understanding that meetings and hearings may be rescheduled to accommodate advisors at the discretion of the Assistant Vice President/Dean of Students, OEOA – Title IX, or designee.
6. A student has the option to meet with the SCCR conduct consultant in advance of meetings or hearings if the student is choosing to take advantage of this service.
7. A student is responsible for regularly checking their University email account (ilstu) and is responsible for the contents of any notices sent to their account, whether or not the student chooses to open them. When not enrolled, the student has the responsibility to provide the University with an accurate permanent mailing address.
8. A student has the responsibility to participate in student conduct proceedings at the time they are originally convened. Students are not obligated to provide information against themselves in student conduct proceedings, but may not later utilize this as a basis for appeal on the grounds of new information.
9. A student has the responsibility to abide by all interim actions, if any are in place, and to abide by the conditions and sanctions of any final decision reached.
10. A student in an administrative hearing or appearing before the University Hearing Panel has the responsibility to present only those witnesses that can speak to the substance of the allegations made. Character witnesses may submit written statements for inclusion at the hearing, but may not be called as a witness.
11. A student has the responsibility to keep confidential all information pertaining to the student conduct process.

## **OEOA Employee Complaint Procedures: Sexual Assault/Misconduct, Dating/Domestic Violence, Stalking**

### **General Procedures & Rights for OEOA Cases**

Any student, faculty member, or employee who feels they have been the victim of harassment and/or discrimination on the basis of race, color, ancestry, national origin, religion, pregnancy, sexual orientation, order of protection, gender identity and expression, age, marital status, disability, genetic information, unfavorable military discharge, status as a veteran, or sex (including sexual harassment, sexual assault, domestic violence, dating violence, and stalking) may file a formal complaint with the Office of Equal Opportunity, and Access (OEOA).

Consistent with Illinois State University's duty to provide an academic and work environment free from unlawful behavior, the University reserves the right to investigate any allegation it receives indicating a possible violation of the Anti-Harassment and Non-Discrimination Policy.

The Reporting Party always has the option to pursue a criminal complaint with the Illinois State University Police Department, or pursue both the OEOA and criminal complaint processes simultaneously.

In circumstances when the OEOA is provided with credible information that may violate other law or University policy or procedure, the OEOA will refer a reporting party to the appropriate campus resource for the review of their concerns.

#### **1. Role of the Office of Equal Opportunity, and Access in Complaint Investigations**

The OEOA is an administrative office charged by the President of Illinois State University to review complaints to determine whether violations of the Anti-Harassment and Non-Discrimination Policy have occurred or are occurring. In doing so, the OEOA collects and analyzes relevant information and evidence provided by the Complainant, the Respondent, and other sources as appropriate.

During the investigation process, the OEOA investigator remains impartial and is neither an advocate nor an adversary with respect to the Complainant, the Respondent, or other parties involved in the investigation.

#### **2. Burden of Proof**

When a complaint is filed, it is the Complainant's responsibility to articulate allegations of a violation of the Anti-Harassment and Non-Discrimination Policy by providing the OEOA with sufficient evidence, based on a preponderance of the evidence standard, to demonstrate:

- a) The Complainant qualifies as a member of one or more groups protected by the Anti-Harassment and Non-Discrimination Policy;
- b) The Complainant alleges treatment/actions in violation of the policy; and
- c) There exists a causal relationship between the protected status and the alleged treatment/ actions.

When the OEOA conducts an investigation, it reviews the information collected using the preponderance of the evidence standard. "Preponderance of the evidence" means there is more credible information supporting the position of one party, in comparison to the other, so that the facts in question were more likely than not to have occurred.

### 3. Cooperation with an Investigation

It is expected that a Complainant will actively provide information to support his or her complaint in the time and manner deemed necessary and appropriate by the University to conduct the investigation. Illinois State University reserves the right to continue to investigate allegations of harassment and/or discrimination and take appropriate disciplinary action, even if the Complainant does not wish to pursue the complaint process. However, the University's response to the allegations may be limited based on inaction, non-participation, or failure to cooperate.

### 4. Investigation Time Frame

The OEOA will conduct a diligent and conscientious investigation into the Complainant's allegations based on the information and evidence the Complainant provides the OEOA to support their allegation. The OEOA has 60 business days from the date the Complainant filed the complaint with the OEOA to complete the investigation, make formal recommendations to the appropriate University officials, and issue written findings to the Complainant and Respondent.

The OEOA reserves the right to extend this time frame by a reasonable period according to the scope of the investigation, the availability of witnesses, and the cooperation of the parties. If additional time is necessary, both the complainant and respondent will be notified of the OEOA's need to extend the investigation beyond the 60 business day time limit.

### 5. Anti-Retaliation Protection

Retaliation or intimidation against one, who in good faith, brings a complaint alleging a violation of the Anti-Harassment and Non-Discrimination Policy, or who in good faith participates in the investigation of a complaint pursuant to this policy, is prohibited. Substantiated retaliation shall constitute a violation of this policy and result in disciplinary action. The University will not tolerate retaliation against students, employees, or faculty members who exercise their rights by filing a complaint with or participate in a protected investigation. Any action, or attempted action, directly or indirectly, against any person(s), who, in good faith, reports or discloses a violation of this policy, files a complaint, and/or otherwise participates in an investigation, proceeding, complaint, or hearing under this policy. Retaliation includes, but is not limited to harassment, discrimination, threats, or negative impact on employment and/or academic progress. Actions are considered retaliatory if they have a materially adverse effect on the working, academic, or living environment of a person; or if they hinder or prevent the person from effectively engaging in University activities and programs. Any person or group within the scope of this policy who engages in retaliation is subject to a separate charge of retaliation.

### 6. Confidentiality

While confidentiality cannot be guaranteed, all persons involved in a harassment and/or discrimination complaint are expected to treat all information as confidential unless disclosure of the information is compelled by law or University policy.

## 7. Right to a Representative

Any individual involved in a harassment and/or discrimination complaint has the right to bring a representative to meetings or interviews scheduled by the OEOA. Please note, however, that any party desiring to exercise this right must notify the OEOA prior to the meeting.

## 8. Seeking Assistance/Support Services

If you feel that you have been, or are being harassed, discriminated against, or have been the victim of sexual assault/misconduct, dating/domestic violence, or stalking the OEOA is the appropriate place to bring your concerns. Additionally, Illinois State University offers a variety of support services that can assist you in obtaining counseling, medical services, and assistance.

### **Specific Complaint Procedures for OEOA Cases**

#### 1. Filing a Complaint

Any student, faculty member, or employee who feels they have been the victim of harassment and/or discrimination on the basis of race, color, ancestry, national origin, religion, pregnancy, sexual orientation, order of protection, gender identity and expression, age, marital status, disability, genetic information, unfavorable military discharge, status as a veteran, or sex (including sexual harassment, sexual assault, domestic violence, dating violence, and stalking) may file a formal complaint with the Office of Equal Opportunity, and Access (OEOA). Illinois State University offers a variety of support services that can assist you in obtaining counseling, medical services, and assistance. [Complaint form \(PDF\)](#)

#### 2. Review of Allegations/Resources

Upon receipt of a complaint, a representative of the OEOA will review the allegation to ensure the reported behavior meets the criteria of a possible Anti-Harassment and Non-Discrimination Policy violation. If the alleged behaviors are deemed not to meet the Anti-Harassment and Non-Discrimination criteria, the Complainant will be referred to the appropriate campus resource for review of their concerns.

#### 3. Investigation

The OEOA investigator will meet with the Complainant, the Respondent, and any witnesses identified by either party separately to discuss the complaint and gather information related to the allegations. At the close of each meeting, the Complainant, the Respondent, and each witness will be informed of the University's Anti-Retaliation policy.

#### 4. Administrative Report of Investigation

At the close of the investigation, the OEOA will determine whether or not sufficient evidence, based on a preponderance of the evidence standard, was found to support a finding of a violation of the Anti-Harassment and Non-Discrimination Policy. The OEOA will issue an administrative report of investigation to both the Complainant and Respondent.

#### 5. Right of Appeal

Either or both the Complainant and/or Respondent may file a letter of appeal with the President of Illinois State University. Appeal letters to the President must be made in writing and within 10 business days from the date of the OEOA administrative report of investigation.

Upon receipt of the appeal, the President will review the OEOA investigation determinations and the information provided in the letter of appeal. The President's decision regarding the appeal will be issued, in writing, to the Complainant, Respondent, and the OEOA no more than 60 business days from receipt of the appeal letter. The President's written decision on the appeal will constitute the final step in the University's administrative process.

## 6. Sanctions

Should the OEOA conclude that the Respondent's behavior violated the Anti-Harassment and Non-Discrimination Policy; the OEOA will notify Human Resources and/or the relevant university officials who may impose disciplinary action up to and including termination of employment.

### Frequently Asked Questions

Whether you are reporting an incident or you are responding to an allegation, you likely have many questions. Many of those questions will be answered when each party meets with the SA-TIX Investigator. However, you can find many answers in the following Frequently Asked Questions Documents.

#### General Frequently Asked Questions for Students

##### Who can I contact with questions or for more information?

###### **OEOA- Title IX**

308 Kingsley  
Normal, IL 61790-1280  
(309) 438-5411

[www.TitleIX.IllinoisState.edu](http://www.TitleIX.IllinoisState.edu)

###### **Office of Student Conduct and Conflict Resolution**

120 Student Services Building  
Normal, IL 61790-2440  
(309) 438-8621

[StudentConductAndConflictResolution@ilstu.edu](mailto:StudentConductAndConflictResolution@ilstu.edu)  
<http://deanofstudents.illinoisstate.edu/conflict/>

##### **What should I do if I am an individual with a disability and I need an accommodation to participate in the complaint and/or investigation process?**

If you need an accommodation to fully participate in the complaint and/or investigation process, notify OEOA - Title IX at (309) 438-5411.

##### **How does Illinois State University learn about incidents?**

Local police jurisdictions, Illinois State University Police, and University required reporting personnel are required to inform the Office of Student Conduct and Conflict Resolution and OEOA - Title IX of reports or reported incidents involving Illinois State University students where sexual assault/misconduct, dating/domestic violence and/or stalking are indicated.

##### **Why is Illinois State University involved in this matter?**

Illinois State University is committed to both supporting your well-being and safety and acting to ensure the safety of our campus community. For that reason, Illinois State University follows its review and investigation procedures when it receives information or reports regarding incidents that may involve sexual assault/misconduct, dating/domestic violence, and/or stalking. These procedures are available at [www.TitleIX.IllinoisState.edu](http://www.TitleIX.IllinoisState.edu).

##### **Who will information be shared with about this incident?**

The University is required to complete certain publicly available reports and disclosures, including Clery Act reporting and disclosures; however, such reports are prepared without the inclusion of personally identifying information about you.

All information is maintained in a secure manner and information is only shared with people who are involved in administering the university's response. The University will also maintain as confidential any assistance or protective/interim measures provided to you to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the assistance or protective/interim measures.



### **What if I am retaliated against for participating?**

Illinois State University Code of Student Conduct prohibits retaliation against individuals who provide information to the University, bring forth a complaint, or who are asked to cooperate in an investigation. Any allegation of retaliation initiated by someone participating in an investigation will be deemed a separate and distinct violation of the Illinois State University Code of Student Conduct and will be investigated independently. Additionally, you may contact OEOA - Title IX or the Office of Student Conduct and Conflict Resolution at any time to request that a University Contact Restriction be issued related to this report.

As part of this policy, Illinois State University, its officers, employees, or agents, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

If you are experiencing retaliation, please contact our office at (309) 438-5411 immediately so that we may address it promptly.

### **What should I avoid?**

- Do not engage in retaliatory behavior (e.g. intimidation, threats, harassment, etc.) directed toward anyone who you believe may be involved with or cooperating in the investigation
- Limit discussions about the investigation or allegations with others in the campus community other than staff from the OEOA-Title IX, Student Conduct and Conflict Resolution, or confidential support services, as it could be perceived by others as retaliation.

### **Student Aggrieved Party Frequently Asked Questions**

Who should I contact to request assistance with University support services?

**OEOA - Title IX (309) 438-5411**

### **Is the meeting I am being asked to attend mandatory?**

No, this meeting is not mandatory, but is highly encouraged. The purpose of the meeting is to provide you with information about support resources available to you both on and off campus and to share information with you about the University processes that are available to address this incident. Additionally, this meeting is your opportunity to provide input for the review and investigative process. During this meeting, you have the choice to decide your desired level of participation.

### **Can I bring a support person with me?**

Yes, you may bring a support person, including but not limited to, a Counselor, friend, or parent, to all meetings. We ask that if you choose to bring a support person with you that you notify us in advance by calling (309) 438-5411 so we may make appropriate meeting arrangements.

### **Am I in trouble with the University?**

No. Our priority is your well-being, safety, and the safety of our campus. Thus, our focus is on gathering information about the report we received and providing you with information about your rights and available support resources. An individual who reports sexual assault or sexual misconduct will not be subject to the disciplinary action by the University for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk.

### **Am I required to provide information?**

No, you are not required to provide information. Your participation with the University investigation, hearing, or other proceedings associated with this report is completely voluntary. There are a variety of ways in which you can participate in the University processes and those will be reviewed during the meeting we have requested. You are welcome and encouraged to participate in the University processes to your desired level of comfort or you may decline to participate.

The University may still choose to move forward with an investigation even if you are not interested in providing information or being involved, however, without your involvement, the University's response may be limited.

### **What happens if I decline to provide information or cooperate in an investigation?**

If you decline to participate in the University processes or you do not respond to OEOA- Title IX's request to meet, Illinois State University will review the information we have received and determine if the University will move forward in investigating the matter further independently of your involvement. You will receive a letter from OEOA - Title IX indicating whether the University intends to proceed with an investigation or close the case. If the University chooses to investigate independently, the University will take all reasonable steps to investigate; however, the University's investigation and ability to respond to this incident may be limited without your participation.

### **What if I change my mind and want more information about the University processes or wish to participate?**

You may contact OEOA - Title IX at (309) 438-5411 at any time to request more information about the University processes. Additionally, you may opt to participate in the University processes at any point; however, your ability to impact those processes may be limited based upon the point at which you choose to participate.

### **What if I change my mind and wish to withdraw my participation?**

You are welcome to participate in the University processes to your desired level of comfort.

### **Can I request confidentiality or ask the University not to investigate further?**

Yes. The University will review your request by considering the information we have received, your interests, and the University's commitment to a process that is driven by you, the reporting student, while balancing the University's equally strong commitment to ensuring a safe community consistent with applicable laws and regulations that may require the university to move forward. You will be notified of the University's determination by email and if the University does not proceed in investigating at this time, you still reserve the right to request that the university investigate further at any time.

### **Do I have the right to file a criminal complaint as well?**

Yes. Illinois State University's response to this report is independent of any criminal processes. You also have a right to file a criminal complaint with the appropriate law enforcement authorities. You can contact the Illinois State University Police at (309) 438-8631, the Normal Police Department at (309) 888-5030, or the Bloomington Police Department at (309) 434-2889.

You also have the right to request assistance in notifying law enforcement authorities and the right to request an order of protection, no contact order, restraining order, or other similar lawful orders issued by a criminal, civil, or tribal court. Sexual Assault Prevention and Survivor Services (309-438-7948) and YWCA's Stepping Stones Program (309-662-0461) both offer advocates who can accompany you through the process of filing a criminal complaint and/or requesting an order of protection, no contact order, restraining order, or other similar lawful order.

### **What if I don't want to file a criminal complaint or involve law enforcement?**

You are not required to speak to law enforcement or to file a criminal complaint. You may be contacted by law enforcement authorities in response to this incident. If you are contacted by law enforcement authorities, it is not required, but is highly recommended that you speak to them so you can communicate your desired outcome, even if that is to request no involvement from law enforcement.

### **Student Respondent Frequently Asked Questions**

#### **Is the meeting I am being asked to attend mandatory?**

Yes, this meeting is required so that we may review your rights and provide you with information regarding how the University will proceed in responding to this matter.

#### **What happens if I do not attend the meeting?**

If you do not respond to our request to meet, you may be charged under the Code of Student Conduct with failure to comply. You can access the *Code of Student Conduct* at <http://deanofstudents.illinoisstate.edu/conflict/>. It is your choice whether or not you share information about the incident at the meeting, but if you choose not to provide any information the University may proceed without your perspective.

#### **What should I do now?**

- Stop any behavior directed towards individuals that could be interpreted as being discriminatory or harassing.
- Cooperate with the OEOA -Title IX office by attending scheduled appointments and providing relevant evidence.
- Comply with any contact or trespass restrictions issued by OEOA or Student Conduct and Conflict Resolution, University Housing, and/or any Orders of Protection issued.

#### **What should I avoid?**

- Do not engage in retaliatory behavior (e.g. intimidation, threats, harassment, etc.) directed toward anyone who you believe may be involved with or cooperating in the investigation.
- Do not discuss the investigation or allegations with anyone within the campus community other than staff from Student Affairs Title IX, Student Conduct and Conflict Resolution, or confidential support services, such as Student Counseling Services.

### **Prevention and Training Policies**

The University is committed to:

1. Providing educational programs which promote awareness of anti-harassment and non-discrimination, sexual assault, dating/domestic violence, and/or stalking and target prevention of such acts.
2. Informing students and employees of available services both within the University and surrounding community and facilitating their decision-making in regards to recovery needs.
3. Encouraging and assisting in the reporting of discrimination, harassment, sexual assault, dating/domestic violence, and/or stalking to the appropriate law enforcement authority and filing a complaint with the Office of Equal Opportunity and Access (OEOA) for employee complaints or OEOA - Title IX for student complaints.
4. Timely investigations of allegations of policy violations and misconduct including violations of the Code of Student Conduct and/or the Equal Opportunity / Anti-Harassment and Non-Discrimination Policy.

5. Reviewing, upon request, available options for interim actions designed to protect students (e.g. no contact order, modifying academic and/or living environments and implementing modifications if such modifications are reasonably available)
6. Ensuring that individuals conducting investigations or making any decisions regarding violations of this policy shall receive annual training on related issues including but not limited to sexual harassment, domestic violence, dating violence, sexual assault, and stalking.
7. Annual training for employees regarding mandated reporting, crime reporting, and complaint procedures. For more information, please go to the website at <http://equalopportunity.illinoisstate.edu/crime/>.
8. Annual training and education for students regarding anti-harassment and non-discrimination, sexual assault, dating/domestic violence, and/or stalking and the relevant policies, procedure, support and resources. For more information, please go to the website at <http://titleix.illinoisstate.edu/>

Prevention and training activities for students are coordinated by Sexual Assault Prevention and Survivor Services, and Health Promotion and Wellness. Prevention and training efforts will target all genders and include:

- a. Annual training regarding mandated reporting, crime reporting, and complaint procedures;
- b. Ongoing education and prevention and awareness campaigns;
- c. Current activities and resources can be accessed on the following websites:

- Health Promotion and Wellness website: [www.Wellness.IllinoisState.edu](http://www.Wellness.IllinoisState.edu)
- Student Counseling Services website: [www.Counseling.IllinoisState.edu](http://www.Counseling.IllinoisState.edu)
- Employee Assistance Program (EAP): <http://HR.IllinoisState.edu/benefits/eap/>
- Campus Safety and Security: <http://Security.IllinoisState.edu/>
- University Personnel Crime Reporting / Incident Training: <https://equalopportunity.illinoisstate.edu/crime/>
- Student Sexual Harassment Presentation by OEOA

### **Related Policies, Procedures and Resources**

Complaint procedures for alleged violations can be found at: <http://policy.illinoisstate.edu/conduct/1-1-2.shtml>

Police policies regarding reporting can be found at: <http://policy.illinoisstate.edu/health-safety/5-2-1.shtml>

Campus Security and Safety Information can be found at: <https://security.illinoisstate.edu/>

Information and resources about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available to survivors both on-campus and in the community can be found at the <http://security.illinoisstate.edu/>.

### **Bystander “Risk Reduction” Strategies**

#### **Steps You Can Take to Prevent Sexual Harassment and Sexual Assault**

- Everyone has a role to play in prevention. There are many different ways that you can step in or make a difference if you see someone at risk.
- The key to keeping others safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn't right. Speaking up can make all the difference, but it should never put your own safety at risk.

#### **Your Role in Preventing Sexual Assault**

- The only person responsible for committing sexual assault is a perpetrator, but all of us have the ability to look out for each other's safety. Whether it's giving someone a safe ride home from a party or directly confronting a person who is engaging in threatening behavior, anyone can help prevent sexual violence.

## What is a bystander?

- A bystander is a person who is present when an event takes place but isn't directly involved. Bystanders might be present when sexual assault or abuse occurs—or they could witness the circumstances that lead up to these crimes.
- On average there are over 293,000 victims (age 12 or older) of rape and sexual assault each year in the U.S. The majority of these crimes are committed by someone the victim knows. Given these circumstances, it's important to recognize the role bystanders can play in preventing crimes like sexual assault.

## What can I do to prevent sexual assault?

- You may have heard the term “bystander intervention” to describe a situation where someone who isn't directly involved steps in to change the outcome. Stepping in may give the person you're concerned about a chance to get to a safe place or leave the situation. You don't have to be a hero or even stand out from the crowd to make a big difference in someone's life. Take steps to protect someone who may be at risk in a way that fits your comfort level.
- Whether you're taking home a friend who has had too much to drink, explaining that a rape joke isn't funny, or getting security involved when someone is behaving aggressively, choosing to step in can impact the way those around you think about and respond to sexual violence.

## Why don't people help more often?

- It's not always easy to step in, even if you know it's the right thing to do. Some common reasons bystanders remain on the sidelines include:
  - “I don't know what to do or what to say.”
  - “I don't want to cause a scene.”
  - “It's not my business.”
  - “I don't want my friend to be mad at me.”
  - “I'm sure someone else will step in.”
- It's okay to have these thoughts, but it's important to realize that your actions can have a big impact. In many situations, bystanders have the opportunity to prevent crimes like sexual assault from happening in the first place.

## Your actions matter.

- Whether or not you were able to change the outcome, by stepping in you are helping to change the way people think about their role in preventing sexual assault/violence. If you suspect that someone you know has been sexually assaulted, there are steps you can take to support that person.

## Here are a few ways to Speak Up [C.A.R.E]:

1. Create a distraction
2. Ask directly
3. Refer to an authority
4. Enlist others

### **1. Create a distraction -- Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.**

- Cut off the conversation with a diversion like, "Let's get pizza, I'm starving," or "This party is lame. Let's try somewhere else."
- Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about.
- Start an activity that draws other people in, like a game, a debate, or a dance party.

## 2. Ask directly.

- Talk directly to the person who might be in trouble.
- Ask questions like, "Who did you come here with?", "Would you like me to stay with you?" or "Do you need help?"

## 3. Refer to an authority.

Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, like an RA or the management staff of your local hangout.

- Talk to a security guard, bartender, or another employee about your concerns. It's in their best interest to ensure that their patrons are safe, and they will usually be willing to step in.
- Don't hesitate to call 911 if you are concerned for someone else's safety.

## 4. Enlist others.

It can be intimidating to approach a situation alone. Enlist another person to support you.

- Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers.
- Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom.
- Enlist the friend of the person you're concerned about, "Your friend looks like they've had a lot to drink. Can you check on them?"

Source: Rape Abuse & Incest National Network (RAINN)

## Sexual Misconduct/Violence "Risk Reduction" Strategies

### Sexual Misconduct/Violence:

- Sexual Misconduct/Violence is any act that is sexual in nature and which is committed without the full and informed consent of all persons involved. Examples of such behaviors include, but are not limited to: any penetration of the mouth, vagina, or anus with any body part of other object; contact with a person's breasts, buttocks, groin, or genitals; touching another person with one's own breasts, buttocks, groin, or genitals; any other intentional bodily contact of a sexual nature, or; exposing one's intimate body parts to another person or persons. Source: Illinois State University Code of Student Conduct, VI.D.2.
- Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless provide you with options for increasing safety in areas over which you have some control.

### Warning Signs: Red Flags

- Watch out for people that:
  - **Do not listen to you, ignore what you say, talk over you or pretend not to hear you.** Such individuals may have little respect for others and would be more likely to hear "no" as meaning "convince me."
  - **Ignore your personal space boundaries,** such as standing or walking too close or touching you without permission.
  - **Push you to drink beyond your tolerance level** or wait to make a sexual advance until you are extremely intoxicated. Alcohol is the #1 drug used to perpetrate sexual violence.
  - **Express anger or aggression frequently.** Hostile feelings can easily be translated into hostile acts.
  - **Uses hostile or possessive language about others,** such as "bitch", "whore", or "stupid" or other derogatory language. They may refer to their partner as their possession. This shows that the individual may not see others as human-beings, but as objects that they own and can do with as they wish.

- **Do what they want regardless of what you want.** A person may do this in little ways--for example, by making all the decisions about what you both will do.
- **Decide where to go without asking your opinion;** later they may be likely to make the decision about whether you are ready to have sex with them.
- **Try to make you feel guilty,** or accuse you of being "uptight" if you resist their sexual overtures.
- **Act excessively jealous or possessive.**
- **Prevent you from seeing or talking to friends or family members,** by keeping you isolated and separated from your support network.
- **Have stereotypical or unrealistic ideas about gender roles.** Such perpetrators are not likely to take objections to sex seriously.
- **Drink heavily.** A "mean drunk" can often get sexually aggressive, angry, or violent if they are rejected.
  - Adapted from: Friends Raping Friends, Could it Happen to You? The Project on the Status and Education of Women, Association of American Colleges, 1997

### How to Respond if Someone Is Pressuring You

- Perpetrators of sexual violence often use tactics, such as guilt or intimidation, to pressure a person into something they do not want to do. It can be upsetting, frightening, or uncomfortable if you find yourself in this situation. Remember that it's not your fault that the other person is acting this way—they are responsible for their own actions. The following tips may help you exit the situation safely.
  - **Remind yourself this isn't your fault.** You did not do anything wrong. It is the person who is pressuring you who is responsible.
  - **Trust your gut.** Don't feel obligated to do anything you don't want to do. It doesn't matter why you don't want to do something. Simply not being interested is reason enough. Do only what feels right to you and what you are comfortable with.
  - **Have a code word.** Develop a code with friends or family that means "I'm uncomfortable" or "I need help." It could be a series of numbers you can text, like "311." It might be a phrase you say out loud such as, "I wish we took more vacations." This way you can communicate your concern and get help without alerting the person who is pressuring you.
  - **It's okay to lie.** If you are concerned about angering or upsetting this person, you can lie or make an excuse to create an exit. It may feel wrong to lie, but you are never obligated to remain in a situation that makes you feel uncomfortable, scared, or threatened. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, and having to be somewhere else by a certain time. Even excusing yourself to use the bathroom can create an opportunity to get away or to get help. Whatever you need to say to stay safe is okay—even if it may seem embarrassing at the time.
  - **Think of an escape route.** If you had to leave quickly, how would you do it? Locate the windows, doors, and any others means of exiting the situation. Are there people around who might be able to help you? How can you get their attention? Where can you go when you leave?
    - If you have to find a way out of a situation where someone is pressuring you, or if something happens that you didn't consent to, it is not your fault. [Take care of yourself](#), and know you're not alone.
      - Source: Rape Abuse & Incest National Network (RAINN)

### Dating/Domestic Violence "Risk Reduction" Strategies

#### What is Dating Violence?

- Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and 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 the relationship, and the frequency of the interaction between the persons involved in the relationship.
  - Source: Illinois State University Code of Student Conduct, VI.D.4.

## What is Domestic Violence?

- Domestic violence is violence committed by:
  - a) a current or former spouse or intimate partner of the alleged victim;
  - b) a person with whom the alleged victim shares a child in common;
  - c) a person who is cohabitating with, or has cohabitated with, the alleged victim as a spouse or intimate partner;
  - d) a person similarly situated to a spouse of the alleged victim under the domestic of family violence laws of the State of Illinois; or
  - e) any other person against an adult or youth alleged victim who is protected from that person's acts under the domestic or family violence laws of the State of Illinois.
- Source: Illinois State University Code of Student Conduct, Sec. D.5.
- Dating/Domestic violence can happen to anyone regardless of race, sexual orientation, social economics, education, age, religion, etc. Dating/Domestic violence can also affect family, friends, co-workers and members in the community, in addition to the victim and abuser. Domestic violence can occur regardless of the relationship status, including individuals who are dating, co-habiting, or married.
- It's not always easy to tell at the beginning of a relationship if it will become abusive.
- In fact, many abusive partners may seem absolutely perfect in the early stages of a relationship. Possessive and controlling behaviors don't always appear overnight, but rather emerge and intensify as the relationship grows.
- Domestic violence doesn't look the same in every relationship because every relationship is different. But one thing most abusive relationships have in common is that the abusive partner does many different kinds of things to have more power and control over their partners.
  - Resource: Sources:
    - National Domestic Violence Hotline - <http://www.thehotline.org/is-this-abuse/abuse-defined/#tab-id-6>
    - National Center for Victims of Crime
    - WomensLaw.org

## General Pattern of Behavior:

- Tension Building: Relationship begins to get strained or tense between partners.
- Explosion: Outburst that includes verbal, emotional, or physical abuse.
- Honeymoon: Apologies where the abuser tries to re-connect with his/her partner by shifting the blame onto someone or something else.

## Safety planning when leaving the person hurting you:

- **Make an escape bag.** Pack a bag that includes all important papers and documents, such as your birth certificate, license, passport, social security card, bills, prescription drugs, and medical records. Include cash, keys, and credit cards. Hide the bag well. If it's discovered, call it a "hurricane bag" or "fire bag." If you are escaping with children, include their identifying information as well.
- **Prepare your support network.** Keep your support network in the loop. Let them know how to respond if the perpetrator contacts them.
- **Plan a destination.** If you're not going to stay with someone you know, locate the nearest domestic violence shelter or homeless shelter.
- **Plan a route.** Then plan a backup route. If you are driving, have a tank of gas filled at all times. If you rely on public transportation, know the routes departure times. Many public transportation systems have mobile apps that update their schedules and arrival times.

## Stalking "Risk Reduction" Strategies

### Stalking:

- Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for the persons' safety or the safety of others; or (ii) suffer substantial emotional distress. For



the purposes of this definition (i) course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property; (ii) substantial emotions distress means significant mental suffering or anguish that may, but may not necessarily, require medical or other professional treatment or counseling.

- Source: Illinois State University Code of Student Conduct, VI.D.6.
- Stalking can include:
  - Follow you and show up wherever you are.
  - Send unwanted gifts, letters, cards, or e-mails.
  - Damage your home, car, or other property.
  - Monitor your phone calls or computer use.
  - Use technology, like hidden cameras or global positioning systems (GPS), to track where you go.
  - Drive by or hang out at your home, school, or work.
  - Threaten to hurt you, your family, friends, or pets.
  - Find out about you by using public records or online search services, hiring investigators, going through your garbage, or contacting friends, family, neighbors, or co-workers.
  - Posting information or spreading rumors about you on the Internet, in a public place, or by word of mouth.
  - Other actions that control, track, or frighten you.
    - Resource: National Center for Victims of Crime: Stalking Resource Center

### Underlying Motives

- One widely-accepted typology of stalkers is based on the stalker's underlying motives. These types of stalkers are essentially general classifications. Therefore, individual stalkers may not exactly fit in one single category, but instead may exhibit characteristics associated with more than one category. The categories are as follows:
  - **Simple Obsessional:** This is the most common type of stalker. The stalker is usually a male and the focus of the stalking is an ex-wife, ex-lover or former boss. In intimate relationships, the stalking frequently starts before the break-up. The stalking can sometimes result from the stalker feeling that he or she has been mistreated by the victim.
  - **Love Obsessional:** In this type of stalking, the stalker is a stranger or a casual acquaintance to the victim. Nonetheless, the stalker becomes obsessed and begins a pattern of behavior as a means of making the victim aware of his or her existence. High profile examples of this type of stalking include when celebrities or public figures become the target. However, this type of stalking can be focused on an "average" citizen as well.
  - **erotomania:** In this type of stalking, the stalker incorrectly believes that the victim is in love with him or her, and that, but for some external barrier or interference, the two of them would be together. Given that perceived "love" between the stalker and the victim, the stalker can also pose a risk to those persons close to the victim since they may be viewed as "being in the way."
  - **False Victimization Syndrome:** This involves an individual who either consciously or subconsciously seeks to play the role of the "victim." As such, the individual may invent a detailed tale in which he or she claims to be a stalking victim. In reality, however, the would-be victim is sometimes the actual stalker and the alleged stalker is actually the real victim. This is an extremely rare form of stalking.

### Relationship to Victim

- Another method used to classify stalkers defines them according to their relationship to the victim. This typology divides stalkers into two basic categories:
  - **Intimate:** In this type of stalking, the stalker and victim had a former relationship with each other. Often times, the stalker seeks to reestablish a relationship with the victim which has either ended or which the victim has tried to end. It is likely that there is a history of abuse, including domestic violence, by the stalker.
  - **Nonintimate:** Here, the stalker and victim have absolutely no interpersonal relationship with each other. Rather, the stalker may select and focus on the victim following a brief encounter with each other, or merely after observing the victim. The victim is often at a loss to readily identify the stalker

once he or she becomes aware of the conduct. Nonintimate stalking is further divided into the two following categories:

- **Organized:** The "relationship" between the stalker and victim is characterized by one-way, anonymous communications from the stalker to victim. The stalker is methodical and calculating such that the victim usually does not know the identity of the stalking.
- **Delusional:** The "relationship" between the stalker and victim is based exclusively on the stalker's psychological fixation on the victim. The stalker's delusion is falsely believing that he or she in fact has a relationship or some other connection with the victim.
  - **Resources:**
    - *Meloy, J. (1998). The Psychology of Stalking: Clinical and Forensic Perspectives. New York: Academic Press.*
    - *Wright, J., Burgess, A., Burgess, A., Laszlo, A., McCrary, G., and Douglas, J. (1996). "A Typology of Interpersonal Stalking." Journal of Interpersonal Violence 11 (4): 487-502.*

### The Use of Technology to Stalk:

- Stalkers often use technology to assist them in stalking their victims. This section provides information about how different technologies can be used to stalk, measures victims can take to keep safe, and additional information and resources.
  - **Computers and the Internet**
    - **Computer Monitoring Software:** Stalkers are increasingly using computer monitoring software, or "spyware," to track their victims' computer activity, including all emails or instant messages, websites visited, programs launched, and keystrokes typed (which gives abusers access to passwords). Spyware can be installed on a computer either directly or remotely, through an attachment in an email or instant message. All of this occurs without notification to victims or victims' awareness.
    - **Keystroke Logging Software:** stalkers can use hardware devices called "keystroke loggers" which are inserted between keyboard cables and the backs of computers. These tiny devices contain small hard drives that record every key typed, including all passwords, personal identification numbers, and website and email addresses.
    - **Email:** Anonymous email services are marketed for users to "confess your love to someone," "contact someone who has blocked your email address," and "email people without leaving a trace." These services appear on websites, often advertised as "revenge" sites, and allow perpetrators to harass victims and to anonymously publicize personal information (accurate or not) about them, ultimately making it more difficult, although not impossible, to identify the perpetrators and hold them accountable for their actions.
  - **Telephone Technology**
    - **Cell Phones:** Stalkers can use cell phone monitoring software, such as Mobile Spy, to track individuals' cell phone activity and to identify their locations through the cell phone's GPS. Some software even offers the ability to control monitored phones, allowing stalkers to block certain numbers on their victims' phones or turn off the phone completely.
    - **Text Messaging:** Various websites allow perpetrators to falsify their phone numbers when they send multiple harassing and/or threatening text messages. Many cell phone providers also allow text messages to be sent over the Internet via a website where senders' numbers can be faked. In addition, some stalkers send text messages using free web-based email services that allow them to create multiple email addresses. This enables them to send texts from accounts that victims don't recognize.
    - **Voice Messages:** Stalkers may use several methods to make repeated and harassing telephone calls to victims while on probation or parole. Purchasing prepaid phone cards or "pay-as-you-go" cell phones with cash makes it easier for them to call their victims without identifying themselves through caller ID or another method.

- **Caller ID:** Various services exist that allow stalkers to “spoof” the phone numbers that are displayed on caller ID.
  - One example, **SpoofCard**, gives callers the ability to fake the numbers from which they are calling, allowing them to enter any number they want to be displayed on the caller ID. SpoofCard even gives callers the option to record their calls and fake their voices, for example, changing a man’s voice to sound like a woman’s and vice versa.
  - **VoIP (Voice over Internet Protocol)** phone systems, which include Vonage and other digital phone services, can be manipulated to allow stalkers to call their victims without displaying their caller ID. Using three-way calling, a stalker can call a friend, put the friend on hold, and then call the victim, who will see the friend’s number on the caller ID and not the stalker’s.
  - A subscription service called **TrapCall** makes it easy for perpetrators to unmask blocked calls and expose the callers’ blocked numbers, and sometimes their names and addresses. Subscribers push a button on their phones when they receive a call from a blocked number, and TrapCall unblocks the number within seconds, without any notice to the caller.
- **Global Positioning Devices (GPS)**
  - **GPS devices** are now cheaper, smaller, and more accessible than ever. Many GPS packages that can be installed on vehicles come with companion software that abusers can use on their own computers to track every movement of their victims’ cars.
  - **Geofencing**, part of many of these packages, allows users to assign a physical parameter around a town or city, designating where a person’s vehicle can and cannot go. If a vehicle goes beyond this parameter or to a location designated “off limits,” the service will notify the user via email or text message.
  - **Hidden Cameras:** Small, wireless, high-resolution cameras can be hidden or purchased already installed in a wide array of items, including smoke detectors, lamps, clocks, and teddy bears. Many cameras can be activated remotely, providing offenders with real-time surveillance of their victims.
    - **Resources:**
      - Domestic Violence & Stalking in a Digital Age: Information for Community Corrections Agencies & Professionals. By Erica Oldsen and the Safety Net Team at the National Network to End Domestic Violence. [http://victimsofcrime.org/docs/src/community-corrections-stalking-from-perspectives\\_2012\\_spotlight.pdf?sfvrsn=2](http://victimsofcrime.org/docs/src/community-corrections-stalking-from-perspectives_2012_spotlight.pdf?sfvrsn=2)
      - Baum, K., Catalano, S., Rand, M., & Rose, K. (2009, January). Stalking victimization in the United States (NCJ 224527). Retrieved from U.S. Department of Justice website: <https://www.justice.gov/sites/default/files/ovw/legacy/2012/08/15/bjs-stalking-rpt.pdf>
      - Stalking Resource Center. (2003, Fall). Using probation and parole to stop stalkers. The Source, 3(3). Retrieved from the National Center for Victims of Crime website: <http://victimsofcrime.org/docs/Information%20Clearinghouse/Using%20Probation%20and%20Parole%20to%20Stop%20Stalkers.pdf?sfvrsn=0>

#### What can you do if you or a friend are being stalked?

- **Tell Someone.** Let friends, family, campus authorities, employers, and the police know about your situation.
- **Keep a record.** Document each incident to demonstrate that it fits into a pattern of behaviors for safety planning, police reports, and to obtain a protective order.
- **Set clear boundaries.** What you tell a stalker not to contact you, be short and firm, leaving no room for misunderstanding.

- **Change your routine.** Be aware of your daily routine and begin to alter it over time. Switch up the way you commute more often, taking different routes or different modes of transportation.
- **Be prepared to reach out.** If possible, keep your cell phone charged and have emergency contact numbers programmed ahead of time. You may want to save these contacts under a different name. Memorize a few numbers in case you don't have cell phone access in the future.
- **Develop a safety plan.** A safety plan analyzes risk factors and develops ways to reduce the risk of harm. Victim advocates and law enforcement officers can help victims create plans that fit their situation.

#### **How Common a Problem is Stalking?**

- The National Center for Victims of Crimes fact sheet states that "one in six women and one in 19 men have experienced stalking victimization at some point during their lifetime."
- And according to a report on the prevalence and characteristics of sexual violence from the Centers for Disease Control (CDC), 60.8 percent of female stalking victims and 43.5 percent male victims reported being stalked by a current or former intimate partner.
- College students aren't immune from stalking. In fact, Patrick Brady, M.A. and Leana Bouffard, Ph.D. from The Crime Victims' Institute at Sam Houston State University found that college students are actually more likely than the general public to be stalked and less likely to report it to the authorities.
- But that doesn't mean stalking isn't just something for students to be aware of. Faculty, administrators and staff need to understand what to do if they witness or experience stalking.

#### **What SHOULDN'T Stalking Victims Do?**

Stalking is extremely serious. And if someone is stalking you, remember NOT to do any of the following:

- Don't assume it will stop on its own
- Don't ignore a potential problem
- Don't try to handle it yourself
- Don't engage or confront the stalker

#### **What Can You Do If You're Being Stalked?**

There are things you should do if you're being stalked. This includes:

- Keeping evidence of the behavior to show to the authorities
- Get a new phone number to help restrict contact and immediately add it to any applicable "do not call" lists (to prevent it from being shared publicly)
- Take down your personal information from any public places or websites, such as whitepages.com, etc. (It's surprising how easy it can be to find a home address or phone number with only a few key pieces of information about a person)
- Seek help from the police, your school and/or victims' rights groups

#### **What Can You Do if a Friend or Someone You Know is Being Stalked?**

One of the ways to make your campus a safe place is to encourage bystander intervention. So if a friend or someone you know is being stalked here are some ways you can step in to help:

- Watch out for the stalker when you are with the person
- Help the person leave a place if they spot their stalker
- Offer to provide transportation or walk with them so they're not alone
- Encourage and go with the person to report the stalking to the authorities

#### **What Should You Do If You Are the One Stalking?**

If you start to notice these negative behaviors in yourself:

- Stop the unwanted contact immediately
- Find help to help manage your feelings and impulses
- Put yourself in the other person's shoes when making decisions you aren't sure would be perceived as stalking

#### **How Can Schools Help to Prevent Stalking?**

- Title IX, VAWA and the Clery Act require schools that receive federal funding to offer sexual violence prevention programs and training. And the training offered should be comprehensive.

- From their research on stalking, Brady and Bouffard make the point that sexual violence prevention training should emphasize stalking awareness and give learners the skills they need to navigate potentially dangerous situations.

### **Required Training and Programs**

Below is a short description of the required training and other training resources.

#### **Not Anymore**

This is an online Sexual Violence Education Course that all Illinois State University students are asked to complete an annual online prevention module that addresses unwanted sexual experiences including sexual assault and sexual harassment, sexual consent, relationship and dating violence, and stalking behaviors.

#### **Bystander Empowerment Trainings - Optional**

These programs are interactive, and build skills and knowledge that empower participants to help in a variety of potentially harmful situations. Bystander Empowerment programs can be tailored to organization-specific situations, and are available to student and employee groups, as well as departments.

#### **Escalation Workshop – Progression of Relationships – Optional**

This workshop provides individuals with the tools to recognize the warning signs of relationship abuse, the difference between healthy and unhealthy relationship behaviors, and to learn ways to safely intervene to help a friend.

#### **Responding with Care – Optional**

This workshop aims to frame the complexity of sexual violence, discusses how trauma affects individuals, how to best support survivors of sexual violence and any traumatic experience, campus and community resources, and how to report incidences through campus avenues.

Please contact Chris Dove to schedule any of the above sessions or to request further information. Contact information: cedove@ilstu.edu or 309-438-0902

For more information on ongoing awareness campaigns and other training initiatives, please visit the Campus Security Website to access information regarding:

- University Education and Prevention Programs: <http://wellness.illinoisstate.edu/students/workshop/>
- Redbird Cares (Student Care Team): <http://studentaffairs.illinoisstate.edu/who/safety/sbit.php>
- FS CARE (Faculty/Staff Care Team): <https://hr.illinoisstate.edu/current/care-team/>
- Security Force: [https://security.illinoisstate.edu/initiatives/unarmed\\_staff.php](https://security.illinoisstate.edu/initiatives/unarmed_staff.php)
- Crime Advisories (Timely Warning): [https://security.illinoisstate.edu/initiatives/crime\\_advisories.php/](https://security.illinoisstate.edu/initiatives/crime_advisories.php/)
- Bird Watch: <https://security.illinoisstate.edu/initiatives/birdwatch.php/>
- STOP: <http://police.illinoisstate.edu/events/stop/>
- Personal Safety Courses for Women (RAD): <http://police.illinoisstate.edu/events/rad/>
- Redbird Safe Walk: <http://police.illinoisstate.edu/events/safe/>
- Crime Prevention and Personal Safety Guide: <http://police.illinoisstate.edu/safety/>
- Sexual Assault Prevention & Survivor Services: <http://www.counseling.illinoisstate.edu/sexual-assault/>

Current activities and resources can be accessed on the following websites:

- Student Counseling Services website: [www.counseling.illinoisstate.edu](http://www.counseling.illinoisstate.edu)
- Employee Assistance Program (EAP): <http://hr.illinoisstate.edu/benefits/EAP/>
- Campus Safety and Security: [www.security.illinoisstate.edu](http://www.security.illinoisstate.edu)
- University Personnel Crime Reporting / Incident Training: [https://security.illinoisstate.edu/report/crime\\_reporting/training.php](https://security.illinoisstate.edu/report/crime_reporting/training.php)
- Student Sexual Harassment Presentation from OEOA

## Request Training, Programs, and Information

Training, education, and prevention programs are a collaborative effort among several offices on-campus. The offices listed below provide programs for faculty, staff, and students. In addition to planned programs, trainings, and campaigns, these units are also available to collaborate in the development of ad hoc programs or provide talks/lectures on related topics upon request. Students, faculty, and staff can contact the offices below to request assistance as needed.

| Primary Prevention Programs                     | Survivor Support  | University Resources, Response, and Policies             | Safety and Self-Defense                            |
|---|---|--|--|
| Health Promotion and Wellness<br>(309) 438-9355 | Sexual Assault Prevention and Survivor Services<br>(309) 438-7948 | Office of Equal Opportunity and Access<br>(309) 438-3383 | Illinois State University Police<br>(309) 438-8631 |

### Additional Resources

- University Education and Prevention Programs: <http://wellness.illinoisstate.edu/students/workshop/>
- Employee Crime Reporting Training: [https://security.illinoisstate.edu/report/crime\\_reporting/training.php](https://security.illinoisstate.edu/report/crime_reporting/training.php)
- Student Consent and Respect training: <https://wellness.illinoisstate.edu/living/redbirdrespect/>
- Safety Programs and Resources: [https://security.illinoisstate.edu/report/crime\\_reporting/resources.php](https://security.illinoisstate.edu/report/crime_reporting/resources.php)

### National & Local Resources

#### I. LEGISLATION RESOURCES

##### a. Legislation: The Clery Act

- i. <https://www.gpo.gov/fdsys/pkg/FR-2014-10-20/pdf/2014-24284.pdf>

##### b. Legislation: Violence Against Women Act (VAWA)

- i. <https://www.federalregister.gov/articles/2014/10/20/2014-24284/violence-against-women-act>

##### c. Legislation: Title IX

- i. [http://www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

##### d. Legislation: Title VII

- i. <https://www.justice.gov/crt/overview-employment-litigation>

##### e. Victim Rights Law Center

- i. Founded as the first law center in the nation dedicated solely to serving the legal needs of sexual assault victims, the Victim Rights Law Center is the leader in representing sexual assault victims' legal rights within the civil context. VRLC provides legal assistance to survivors as well as relevant resources across a number of areas, including education, housing, and employment.

1. <http://www.victimrights.org/>

##### f. Know Your Rights

- i. This fact sheet released by the White House covers the basics of sexual assault and sexual harassment prevention requirements under Title IX.

1. <https://www2.ed.gov/about/offices/list/ocr/docs/know-rights-201404-title-ix.pdf>

#### II. SEXUAL ASSAULT RESOURCES

##### a. National Institute of Justice

- i. <http://www.nij.gov/topics/crime/rape-sexual-violence/pages/welcome.aspx>
- b. **Centers for Disease Control and Prevention**
  - i. <http://www.cdc.gov/Violenceprevention/sexualviolence/index.html>
- c. **AEquitas**
  - i. <http://www.aequitasresource.org/>
- d. **End Violence Against Women International**
  - i. <http://www.evawintl.org/>
- e. **International Association of Chiefs of Police**
  - i. <http://www.theiacp.org/>
- f. **Mending the Sacred Hoop**
  - i. <http://mshoop.org/>
- g. **National Alliance to End Sexual Violence**
  - i. <http://endsexualviolence.org/>
- h. **National Sexual Violence Resource Center**
  - i. <http://www.nsvrc.org/saam>
- i. **National Center for Victims of Crime**
  - i. <http://www.victimsofcrime.org/home>
- j. **National Sexual Assault Hotline**
  - i. The Rape, Abuse, and Incest National Network (RAINN) operates the National Sexual Assault Hotline at 1-800-656-HOPE (4673) in partnership with 1,100 rape crisis centers across the nation, providing free, confidential advice 24/7. This page also includes helpful information for supporting friends or finding local counseling and advocacy organizations.
    - 1. <https://rainn.org/get-help>
- k. **NotAlone**
  - i. Launched in connection with the White House Task Force to Protect Students from Sexual Assault, NotAlone provides information and resources for students on rights, options, and definitions of key terms.
    - 1. <https://www.notalone.gov/>
- l. **Resource Sharing Project**
  - i. <http://resourcesharingproject.org/>
- m. **Responding to Campus Sexual Assault**
  - i. <https://www.justice.gov/ovw/responding-campus-sexual-assault>
- n. **Sisters of Color Ending Sexual Assault**
  - i. <http://sisterslead.org/>
- o. **Vision of Hope**
  - i. <http://www.pcar.org/vision-of-hope-fund>

### III. **DATING VIOLENCE RESOURCES**

- a. **ACOG Violence Against Women Department:** The American Congress of Obstetricians and Gynecologists has developed tools to screen patients for intimate partner violence and sexual assault.
  - i. [http://www.acog.org/About\\_ACOG/ACOG\\_Departments/Violence\\_Against\\_Women](http://www.acog.org/About_ACOG/ACOG_Departments/Violence_Against_Women)
- b. **Asian Task Force Against Domestic Violence:** ATASK primarily serves Asian families and individuals in Massachusetts and New England who suffer from or are at risk of suffering from domestic violence.
  - i. <http://www.atask.org/site/>
- c. **Battered Women's Justice Project:** BWJP offers training, technical assistance and consultation on the most promising practices of the criminal and civil justice systems in addressing domestic violence.
  - i. <http://www.bwjp.org/>
- d. **Break the Cycle:** Break the Cycle provides tools and resources to prevent and end dating abuse.
  - i. <http://www.breakthecycle.org/>
- e. **Casa de Esperanza:** Casa de Esperanza's mission is to mobilize Latinas and Latino communities to end domestic violence.
  - i. <http://www.casadeesperanza.org/>

- f. **ChildHelp:** ChildHelp runs the National Child Abuse Helpline and they can be reached 24/7 at 1-800-422-4453. They talk to people of all ages who have experienced parental abuse.
  - i. <http://www.childhelp.org/>
- g. **FaithTrust Institute:** FaithTrust is a national, multi-faith, multicultural training and education organization with global reach working to end sexual and domestic violence. They provide communities and advocates with the tools and knowledge they need to address the religious and cultural issues related to abuse.
  - i. <http://www.cpsdv.org/>
- h. **Futures Without Violence:** Futures Without Violence has led the way and set the pace for ground-breaking education programs, national policy development, professional training programs, and public actions designed to end violence against women, children and families around the world.
  - i. <http://www.futureswithoutviolence.org/>
- i. **Health Cares About IPV:** This site created by Futures Without Violence is an online toolkit with resources for resources for all health providers (not just physicians), as well as advocates.
  - i. <http://www.healthcaresaboutipv.org/>
- j. **HopeLine from Verizon Wireless:** HopeLine is a collection of no-longer-used wireless phones and accessories turned them into support for domestic violence organizations nationwide.
  - i. <http://www.verizon.com/about/responsibility/domestic-violence-prevention>
- k. **Illinois Coalition Against Domestic Violence**
  - i. **Hotline: (877) 863-6338**
  - ii. **Office: (217) 789-2830**
  - iii. **Website: [www.ilcadv.org](http://www.ilcadv.org)**
- l. **Institute for Law and Justice:** ILJ is a private, nonprofit corporation dedicated to consulting, research, evaluation and training in criminal justice.
  - i. <http://www.ilj.org/>
- m. **Jane Doe Inc.:** Offering unparalleled leadership in Massachusetts, JDI is changing the way society views and reacts to sexual and domestic violence in ways that make communities safer.
  - i. <http://www.janedoe.org/>
- n. **Joyful Heart Foundation:** JHF was founded by Law & Order SVU's Mariska Hargitay with the intention of helping sexual assault survivors heal and reclaim a sense of joy in their lives.
  - i. <http://www.joyfulheartfoundation.org/>
- o. **Legal Momentum:** Legal Momentum advances and protects the rights of women and girls through education, litigation and public policy. Started in 1970, they are the oldest organization of their kind.
  - i. <http://www.legalmomentum.org/>
- p. **Legal Resource Center on Violence Against Women:** The LRC works specifically to obtain legal representation for domestic violence survivors in interstate custody cases and to provide technical assistance to domestic violence victim advocates and attorneys in such cases.
  - i. <http://www.lrcvaw.org/>
- q. **Legal Services Corporation:** Legal Services Corporation (LSC) is an independent nonprofit established by Congress in 1974 to provide financial support for civil legal aid to low-income Americans.
  - i. <http://www.lsc.gov/>
- r. **Loveisrespect:** A project of the National Domestic Violence Hotline and Break the Cycle, loveisrespect is the ultimate resource fostering healthy dating attitudes and relationships, and educating about teen dating violence.
  - i. <http://www.loveisrespect.org/>
- s. **MINCAVA:** is considered a leader in innovative violence-related education, research and Internet publishing and now coordinates four nationally and internationally renowned projects.
  - i. <http://www.cehd.umn.edu/ssw/mincava/>
- t. **National Clearinghouse for the Defense of Battered Women:** NCDBW works with battered women who have been arrested and are facing trial, as well as those who are serving prison sentences.
  - i. <http://www.ncdbw.org/>



- u. **National Center on Domestic and Sexual Violence:** NCDSV helps people who work with victims and perpetrators: law enforcement, criminal justice professionals, health care professionals, advocates and service providers, counselors, and social workers. They also work with local, state and federal agencies, educators, media, policymakers and more.
  - i. <http://www.ncdsv.org/>
- v. **The National Center for Victims of Crime:** They advocate for victims' rights, train professionals who work with victims, and serve as a trusted source of information on victims' issues. They are the most comprehensive national resource committed to advancing victims' rights and helping victims of crime rebuild their lives.
  - i. <http://www.victimsofcrime.org/>
- w. **National Immigration Project of the National Lawyers Guild:** NIPNLG provides legal and technical support to immigrant communities, legal practitioners and all advocates seeking to advance the rights of noncitizens.
  - i. <http://www.nationalimmigrationproject.org/>
- x. **National Online Resource Center on Violence Against Women**
  - i. <http://www.vawnet.org/special-collections/TDV.php>
- y. **National Runaway Safeline:** The mission of NRS is to help keep America's runaway, homeless and at-risk youth safe and off the streets.
  - i. <http://www.1800runaway.org/>
- z. **The National Coalition Against Domestic Violence:** The National Coalition Against Domestic Violence (NCADV) has worked since 1978 to make every home a safe home. NCADV works to raise awareness about domestic violence; to educate and create programming and technical assistance; to assist the public in addressing the issue; and to support those impacted by domestic violence.
  - i. <http://www.ncadv.org/>
- aa. **National Dating Abuse Helpline:** This 24-hour online and telephone resource offers real-time, one-on-one support for teens and young adults who may be involved in abusive dating relationships or are concerned for friends or loved ones. Additional information and resources can be found at:
  - i. [www.loveisrespect.org](http://www.loveisrespect.org)
- bb. **National Domestic Violence Hotline**
  - i. The National Domestic Violence Hotline is a non-profit organization established in 1996 as a component of the Violence Against Women Act (VAWA). They provide confidential, one-on-one support to each caller, offering crisis intervention, options for next steps and direct connection to sources for immediate safety. Call the National Domestic Violence Hotline at 1-800-799-SAFE(7233).
    - 1. <http://www.thehotline.org/>
- cc. **National Network to End Domestic Violence:** NNEDV offers a range of programs and initiatives to address the complex causes and far-reaching consequences of domestic violence. Through cross-sector collaborations and corporate partnerships, they give support to victims of domestic violence who are escaping abusive relationships.
  - i. <http://www.nnedv.org/>
- dd. **National Resource Center on Domestic Violence:** NRCDV engages, informs and supports systems, organizations, communities and individuals to build their capacity to effectively address domestic violence and intersecting issues.
  - i. <http://www.nrcdv.org/>
- ee. **National Sexual Violence Resource Center:** NSVRC's mission is to provide leadership in preventing and responding to sexual violence through collaboration, sharing and creating resources, and promoting research.
  - i. <http://nsvrc.org/>
- ff. **National Suicide Prevention Lifeline:** If you're having thoughts of suicide or know someone who is, contact the National Suicide Prevention Lifeline 24/7 by phone at 1-800-273-8255 and by chat.
  - i. <http://www.suicidepreventionlifeline.org/>

- gg. **NO MORE:** NO MORE is a new unifying symbol designed to galvanize greater awareness and action to end domestic violence and sexual assault. NO MORE is supported by major organizations working to address these urgent issues.
  - i. <http://nomore.org/>
- hh. **National Violence Against Women Prevention Research Center:** Sponsored by the CDC, NVAWPRC does research to help increase the understanding of violence against women.
  - i. <http://www.musc.edu/vawprevention/>
- ii. **Peace Over Violence:** Peace Over Violence is a sexual and domestic violence, stalking, child abuse and youth violence prevention center headquartered in LA and dedicated to building healthy relationships, families and communities free from sexual, domestic and interpersonal violence.
  - i. <http://peaceoverviolence.org/>
- jj. **Polaris Project:** The Polaris Project is the leader in the global movement to eradicate modern slavery. They run the National Human Trafficking Resource Center Hotline at 1-888-373-7888.
  - i. <http://www.polarisproject.org/>
- kk. **Prevent Connect:** Prevent Connect is a national project of the California Coalition Against Sexual Assault with funding from the CDC. Their goal is to advance the primary prevention of sexual assault and relationship violence by building a community of practice among people who are engaged in such efforts.
  - i. <http://www.preventconnect.org/>
- ll. **Sojourner Center:** As one of the nation's largest domestic violence shelters since 1977, the Sojourner Center is a tireless advocate for domestic violence victims and survivors.
  - i. <http://www.sojournercenter.org/go2/index.php>
- mm. **Soroptimist Women's Opportunity Awards:** The Women's Opportunity Awards program assists women who provide the primary source of financial support for their families by giving them the resources they need to improve their education, skills and employment prospects. Each year, over \$1.5 million in education grants are awarded to over 1,000 women, many of whom have overcome enormous obstacles, including domestic violence.
  - i. <http://www.soroptimist.org/awards/awards.html>
- nn. **US Department of Housing and Urban Development:** HUD can assist in locating housing for low-income tenants, including senior citizens and people with disabilities.
  - i. <http://www.hud.gov/apps/section8/index.cfm>
- oo. **US Department of Justice: Office on Violence Against Women | Domestic Violence State Coalitions:** A component of the U.S. Department of Justice, they provide federal leadership in developing the nation's capacity to reduce violence against women and administer justice for and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking.
  - i. <http://www.ovw.usdoj.gov/>
  - ii. <https://www.justice.gov/ovw/domestic-violence>
- pp. **VAWnet:** The goal of VAWnet, the National Online Resource Center on Violence Against Women, is to use electronic communication technology to enhance efforts to prevent violence against women and intervene more effectively when it occurs.
  - i. <http://www.vawnet.org/>
- qq. **WomensLaw:** A project of NNEDV, WomensLaw was launched to provide state-specific legal information and resources for survivors of domestic violence. They also provide referrals, detailed protective/restraining order information, and more, state by state.
  - i. <http://www.womenslaw.org/>
- rr. **YWCA:** The YWCA is one of oldest and largest women's organizations in the nation, serving over 2 million women, girls and their families. They can assist the homeless in finding safe places to sleep and some facilities provide domestic violence, job training and financial literacy services.
  - i. <http://www.ywca.org/>

#### IV. TEEN DATING VIOLENCE RESOURCES

- a. **Loveisrespect:** A project of the National Domestic Violence Hotline and Break the Cycle, loveisrespect is the ultimate resource for advice and info on healthy dating. Its mission is to empower youth and young adults to

prevent and end abusive relationships. Peer advocates can be reached 24/7 via phone, online chat, or text (“loveis” to 22522).

- i. <http://www.loveisrespect.org/>
- b. **That’s Not Cool:** “Where do you draw your digital line?” Teens can learn about dating abuse and online safety through videos, games, and downloads they can share with friends.
  - i. <https://thatsnotcool.com/>
- c. **Boys Town:** Boys Town works to reunite children with their families when possible, or give them the skills and foundation needed to build a life on their own. They strive to help every child, “from those who may simply be struggling or in doubt to those who are in need of the most severe behavioral care.”
  - i. <http://www.boystown.org/>
- d. **National Runaway Safeline:** If you’re thinking about leaving home, or you have and are seeking information and help, the Safeline is one of the top resources for runaway, homeless, and at-risk youth and their families.
  - i. <http://www.1800runaway.org/>
- e. **National Teen Dating Abuse Helpline**
  - i. <http://www.loveisrespect.org/>
- f. **Trevor Project:** Trevor Project is the national crisis lifeline for LGBTQ teens and adults. They have suicide prevention services for youth in digital spaces, counseling via IM, and a large online social network for LGBTQ people.
  - i. <http://www.thetrevorproject.org/>
- g. **1 is 2 many:** Launched by Vice President Joe Biden, this initiative uses technology and outreach to spread knowledge about dating violence and sexual assault among teens and young adults.
  - i. <https://obamawhitehouse.archives.gov/1is2many>
- h. **Northwest Network:** NW Network was founded by and for LGBTQ survivors and is focused on safety, support and empowerment.
  - i. <http://nwnetwork.org/>
- i. **A Thin Line:** A Thin Line is an MTV campaign created to empower teens to identify, respond to, and stop the spread of digital abuse.
  - i. <http://www.athinline.org/>
- j. **Break the Silence:** Stop the Violence: In “Break The Silence: Stop the Violence,” parents talk with teens about developing healthy, respectful relationships before they start dating.
  - i. <http://www.cdc.gov/cdctv/breakthesilence/>
- k. **Dating Matters:** Understanding Teen Dating Violence Prevention: This 60-minute, interactive training is designed to help educators, youth-serving organizations and others working with teens understand the risk factors and warning signs associated with teen dating violence.
  - a. <http://www.cdc.gov/violenceprevention/datingmatters/index.html>

## V. LGBTQ+ RESOURCES

- a. **The National Coalition of Anti Violence Programs:** AVP provides free and confidential assistance to thousands of lesbian, gay, bisexual, transgender, queer, and HIV-affected (LGBTQH) people each year from all five boroughs of New York City through direct client services and community organizing and public advocacy.
  - i. <http://www.avp.org/>
- b. **GLBTQ Domestic Violence Project:** The Gay Men’s Domestic Violence Project is a grassroots, non-profit organization founded by a gay male survivor of domestic violence and developed through the strength, contributions and participation of the community.
  - i. <http://www.glbtqdv.org/>
- c. **GLBT National Help Center:** The GLBT National Help Center runs the GLBT National Hotline (1-888-843-4564) and the GLBT National Youth Talkline for youth up to age 25 (1-800-246-7743).
  - i. <http://www.glbthotline.org/>
- d. **Northwest Network of Bi, Trans, Lesbian, and Gay Survivors of Abuse:** Northwest Network works to end violence and abuse by building loving and equitable relationships in communities and across the country.

- i. <http://www.nwnetwork.org/>
- e. **CUAV (Community United Against Violence):** CUAV works to build the power of LGBTQ (lesbian, gay, bisexual, transgender, queer) communities to transform violence and oppression.
  - i. <http://www.cuav.org/resources/>
- f. **The Network la Red:** The Network/La Red is a survivor-led, social justice organization that works to end partner abuse in lesbian, gay, bisexual, transgender, BDSM, polyamorous and queer communities.
  - i. <http://tnlr.org/en/>
- g. **The Trans Lifeline:** The Trans Lifeline is dedicated to the wellbeing of transgender people. In the US call 877-565-8860. In Canada call 877-330-6366.
  - i. <http://www.translifeline.org/>
- h. **Trevor Project:** The Trevor Project is the national crisis lifeline for LGBTQ teens and adults. They have suicide prevention services for youth in digital spaces, counseling via IM, and a large online social network for LGBTQ people.
  - i. <http://www.thetrevorproject.org/>

## STALKING RESOURCES

- a. **Stalking Resource Center:** The mission of the Stalking Resource Center is to enhance the ability of professionals, organizations, and systems to effectively respond to stalking. This website provides information and resources for victims of stalking, including a stalking incident and behavior log.
  - i. <http://www.victimsofcrime.org/our-programs/stalking-resource-center>
- i. **Minnesota Center Against Violence and Abuse:**
  - i. Stalking: <http://www.mincava.umn.edu/categories/927>
- j. **A High-Tech Twist on Abuse: Technology, Intimate Partner Stalking, and Advocacy**
  - i. <http://www.mincava.umn.edu/documents/commissioned/stalkingandtech/stalkingandtech.html>
- k. **VictimLaw:** VictimLaw is a searchable database of victims' rights legal provisions including federal, state, and territorial statutes, tribal laws, state constitutional amendments, court rules, administrative code provisions, and summaries of related court decisions and attorney general opinions.
  - i. <https://www.victimlaw.org/>

## Get Involved

Illinois State University and the surrounding community offer many opportunities to get involved.

- Consider volunteering or joining a campus or community organization/group.
- Participate in one of the many campus events including education and awareness campaigns and training programs. For more information on available education and awareness campaigns and training programs, visit: <http://counseling.illinoisstate.edu/sexual-assault/education/>
- Host a guest speaker or educational/training program for your campus/student organization or class. For more information on requesting a guest speaker or educational/training program, visit: [www.TitleIX.IllinoisState.edu](http://www.TitleIX.IllinoisState.edu).

### Campus Organizations & Groups

- Health Promotion and Wellness: [www.wellness.illinoisstate.edu](http://www.wellness.illinoisstate.edu)
- Students' Progressive Alliance for Nonviolence: <https://www.facebook.com/SPANISU>

### Community Organizations & Groups

- YWCA Stepping Stones Program: <http://www.ywcamclean.org/>
- Countering Domestic Violence: [http://www.mccainc.org/clarion\\_rocket/programs/countering-domestic-violence/](http://www.mccainc.org/clarion_rocket/programs/countering-domestic-violence/)

How can I help?

- How to help a friend: <http://counseling.illinoisstate.edu/sexual-assault/help-a-friend.shtml>
- Start By Believing: <http://www.startbybelieving.org/>
- How can men help? <http://counseling.illinoisstate.edu/sexual-assault/men.shtml>

**University, State, and Federal Definitions:**

| <b>Consent</b>          |   |
|-------------------------|---|
| Code of Student Conduct | For purposes of this section informed consent must be freely and actively given through mutually understandable terms or actions. A person is deemed incapable of giving consent when that person is not of an age to legally give consent (i.e. juvenile, minor), mentally disabled, mentally incapacitated, physically helpless, incapacitated through the use of alcohol and/or drugs to the point of being unable to make an informed and rational decision, unconscious, or asleep. Informed consent cannot be obtained through physical force, compelling threats, intimidating behavior, or coercion. Consent cannot be derived based on: a lack of verbal or physical resistance, previous sexual relations between the same parties, consent provided to another party, previous or current sexual relations with other parties, or through the manner in which someone chooses to dress. A person always retains the right to revoke consent at any time during a sexual act. Attending an artistic or educational event or a class in which nudity occurs and for which advanced notice of nudity has been provided qualifies as informed consent. |
| State                   | A freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.   |
| Federal                 | Uses state definition.  |

| <b>Sexual Assault/Misconduct</b> |  |
|----------------------------------|--|
| Code of Student Conduct          | <p>The University Code of Student Conduct does not have a definition of Sexual Assault. The Code of Conduct defines Sexual Misconduct and Sexual Exploitation to include:</p> <p>Engaging in any act that is sexual in nature and which is committed without the full and informed consent of all persons involved. Examples of sexual behaviors include, but are not limited to: any penetration of the mouth, vagina, or anus with any body part or other object; contact with a person’s breasts, buttocks, groin, or genitals; touching another person with one’s own breasts, buttocks, groin, or genitals; any other intentional bodily contact of a sexual nature, or; exposing one’s intimate body parts to another person or persons.</p> <p>Engaging in any action that results in one or more persons taking nonconsensual or abusive sexual advantage of another person or persons. Examples of such behavior include, but are not limited to: invasion of sexual privacy; recording or broadcasting sexual activity, including redistribution of pictures, video, or audio; engaging in voyeurism; facilitating or allowing voyeurism without the consent of all parties; knowingly exposing another to a sexually transmitted disease; inducing another person or persons to commit an inappropriate sexual act, or; inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.</p> |
| State                            | <p>Sexual Violence (state law Preventing Sexual Violence in Higher Education Act): Any physical sexual acts attempted or perpetrated against a person’s will or when a person is incapable of giving consent, including without limitations rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.</p> <p>See IL Criminal Code offenses of state criminal sexual assault, criminal sexual abuse described below.</p>   |
| Federal                          | <p>An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.</p>  |

| <b>Rape</b>             |   |
|-------------------------|---|
| Code of Student Conduct | See definition of Sexual Misconduct and Sexual Exploitation   |
| State                   | <p>A person commits criminal sexual assault if that person commits an act of sexual penetration and (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.</p> |
| Federal                 | <p>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.</p>  |

| <b>Fondling</b>         |  |
|-------------------------|--|
| Code of Student Conduct | See definition of Sexual Misconduct and Sexual Exploitation  |
| State                   | <p>A person commits criminal sexual abuse if that person: (1) commits an act of sexual conduct by the use of force or threat of force; or (2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent. For the purpose of this definition sexual conduct means any knowing touching or fondling by the victim or the accused, either directly or through clothing, of the sex organs, anus, or breast of the victim or the accused, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the accused upon any part of the clothed or unclothed body of the victim, for the purpose of sexual gratification or arousal of the victim or the accused. The accused commits criminal sexual abuse if the accused was under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who was at least 9 years of age but under 17 years of age when the act was committed. The accused commits criminal sexual abuse if the accused commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age but under 17 years of age and the accused was less than 5 years older than the victim.</p> |
| Federal                 | The touching of the private parts of another person for the purposes 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.  |

| <b>Incest</b>           |  |
|-------------------------|--|
| Code of Student Conduct | See definition of Sexual Misconduct and Sexual Exploitation  |
| State                   | <p>A person commits sexual relations within families if he or she: (1) Commits an act of sexual penetration; and (2) The person knows that he or she is related to the other person as follows: (i) Brother or sister, either of whole blood or the half-blood; or (ii) father or mother, when the child, regardless of legitimacy and regardless of whether the child was of the whole blood or half-blood or was adopted, was 18 years of age or over when the act was committed; or (iii) stepfather or stepmother, when the stepchild was 18 years of age or over when the act was committed; (iv) aunt or uncle, when the niece or nephew was 18 years of age or older when the act was committed; (v) great-aunt or great-uncle, when the grand-niece or grand-nephew was 18 years of age or older when the act was committed; (vi) grandparent or step-grandparent, when the grandchild or step-grandchild was 18 years of age or older when the act was committed.</p> |
| Federal                 | Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law   |

| <b>Statutory Rape</b>   |   |
|-------------------------|---|
| Code of Student Conduct | See definition of Sexual Misconduct and Sexual Exploitation   |
| State                   | In Illinois there is not a crime called “Statutory Rape”. The elements of this offense are contained within the criminal sexual abuse laws. Specifically, the accused commits criminal sexual abuse if the accused was under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who was at least 9 years of age but under 17 years of age when the act was committed. The accused commits criminal sexual abuse if the accused commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age but under 17 years of age and the accused was less than 5 years older than the victim; and within the Aggravated Criminal Sexual Abuse the accused commits aggravated criminal sexual abuse if he or she commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age but under 17 years of age and the accused was at least 5 years older than the victim. |
| Federal                 | Non-forcible sexual intercourse with a person who is under the statutory age of consent.  |

| <b>Domestic Violence</b> |  |
|--------------------------|--|
| Code of Student Conduct  | Violence committed by:<br>a) a current or former spouse or intimate partner of the alleged victim;<br>b) a person with whom the alleged victim shares a child in common;<br>c) a person who is cohabitating with, or has cohabitated with, the alleged victim as a spouse or intimate partner; d) a person similarly situated to a spouse of the alleged victim under the domestic or family violence laws of the State of Illinois;<br>e) any other person against an adult or youth alleged victim who is protected from that person’s acts under the domestic or family violence laws of the State of Illinois.   |
| State                    | Physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.  |
| Federal                  | Felony or misdemeanor crimes of violence committed: (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) 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; or (v) by any other person against an adult or youth victim 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. |



| <b>Dating Violence</b>  |   |
|-------------------------|---|
| Code of Student Conduct | Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of relationship, the type of the relationship, and the frequency of the interaction between the persons involved in the relationship.   |
| State                   | The Illinois criminal code includes an offense of "Teen Dating Violence" that is defined as a pattern of 1) behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or (2) Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.  |
| Federal                 | Violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim and (2) the existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence. |

| <b>Stalking</b>         |   |
|-------------------------|---|
| Code of Student Conduct | Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for the person's safety or the safety of others; or (ii) suffer substantial emotional distress.<br><br>For the purposes of this definition (i) course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. (ii) Substantial emotional distress means significant mental suffering or anguish that may, but may not necessarily, require medical or other professional treatment or counseling.   |
| State                   | A person commits stalking when knowingly engaging in a course of conduct directed at a specific person, that knows or should know would cause a reasonable person to: i) fear for his/her safety or the safety of a third person; or ii) suffer other emotional distress.<br><br>A person commits stalking when he or she, knowingly and without lawful justification, on at least two separate occasions follows another person or places the person under surveillance or any combination thereof and: i) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to an individual or their family member; or ii) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to an individual or their family member. |

|         |   |
|---------|---|
|         | <p>A person also commits stalking when he or she has previously been convicted of stalking another person and knowingly does either of the above activities.</p>  |
| Federal | <p>(1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:</p> <ul style="list-style-type: none"><li>(i) fear for the person’s safety or the safety of others; or (ii) suffer substantial emotional distress.</li></ul> <p>(2) For the purposes of this definition-</p> <ul style="list-style-type: none"><li>(i) course of conduct means two or more acts, including, but not limited to, acts which the stalker 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.</li><li>(ii) Substantial emotional distress means significant mental suffering or anguish that may, but may not necessarily, require medical or other professional treatment or counseling.</li><li>(iii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.</li></ul> |