

Relevant Laws

Illinois Central College sexual assault policies and procedures are intended to comply with relevant federal and state laws, including the following:

- Crime Awareness and Campus Security Act (Clery) of 1990, as amended, 20 USC 1092(f), and the implementing federal regulations, 34. CFR 668.47(a)(12).
- Federal Violence Against Women Reauthorization Act of 2013
- Title IX of the Educational Amendments of 1972
- Illinois Preventing Sexual Violence in Higher Education Act P.A. 99-426
- Campus Security Enhancement Act of 2008 (110 ILCS 12/)

These procedures may be amended by the college as necessary to conform to future changes in state and federal law.

Definitions

The definitions below are abbreviated in order to make them more easily identified and understood. The complete definitions can be found in the Violence Against Women Reauthorization Act of 2013 and the Illinois Compiled Statutes and Title IX of the Educational Amendment of 1972 (referred to as Title IX) as referenced below.

A. Sexual Assault

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

In Illinois, a person commits criminal sexual assault if that person commits an act of sexual penetration involving force or threat of force or knowing that the survivor/victim is unable to understand the nature of the act or is unable to give knowing consent. *720 ILCS 5/12-13*

In Illinois, a person commits criminal sexual abuse if that person commits an act of sexual conduct (*Sexual conduct is defined as any knowing touching or fondling by the victim or the accused, either directly or through clothing, of another person's private areas. 720 ILCS 5/11-0.1*) by the use of force, threat of force, or knows that the survivor/victim is unable to understand the nature of the act or is unable to give knowing consent. *720 ILCS 5/11-1/50*

B. Consent

Illinois statute defines consent as follows:

- consent is a freely given agreement to sexual activity
- a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent
- a person's manner of dress does not constitute consent
- a person's consent to past sexual activity does not constitute consent to future sexual

activity

- a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another
- a person can withdraw consent at any time, and
- a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:
 - the person is incapacitated due to the use or influence of alcohol or drugs;
 - the person is asleep or unconscious;
 - the person is under age; or
 - the person is incapacitated due to a mental disability. (110 ILCS 155/5)

C. Sexual Violence

"Sexual violence" includes physical sexual acts attempted or perpetrated against a person's will or when a person is incapable of giving consent, including without limitation rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. (110 ILCS 155/5)

"Sexual violence," as defined under Title IX, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

D. Sexual Exploitation

"Sexual exploitation," as defined by Title IX, occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's *consent*. Examples of behavior that could rise to the level of sexual exploitation include recording images and/or distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's *consent*; and, viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's *consent*, and for the purpose of arousing or gratifying sexual desire.

E. Sexual Misconduct

"Sexual misconduct" encompasses a range of behavior used to obtain sexual gratification against another's will or at the expense of another. State laws vary on defining acts which constitute sexual misconduct (<http://definitions.uslegal.com/s/sexual-misconduct/>). This general definition is used because Illinois does not have a statutory definition for sexual misconduct, so "sexual misconduct" is defined for this document as behavior used to obtain sexual gratification against another's will or at the expense of another that is not addressed in other Illinois or federal statutes.

F. *Survivor/Victim*

Throughout this document, both terms are used. The Rape, Abuse, and Incest National Network (RAINN) generally uses the term “victim” when referring to someone who has recently been affected by sexual violence; when discussing a particular crime; or when referring to aspects of the criminal justice system. They use “survivor” to refer to someone who has gone through the recovery process, or when discussing the short- or long-term effects of sexual violence. Some people identify as a victim, while others prefer the term survivor. In some laws or documents, the individual is referred to as a complainant. For this document, the dual term of “survivor/victim” is used the first time in any section and is then referred to by the term “survivor.”

G. *Accused Individual*

Throughout the laws and other literature, those individuals who have been accused of sexual violence in any form may be referred to in multiple ways. Some documents use the words accused, alleged, perpetrator, or assailant. For the purposes of consistency, the term accused or accused individual will be used throughout the document.

Confidentiality

Violence Against Women Act (VAWA) Section 3 prohibits sharing personally identifying information about victims without informed, written, reasonably time-limited consent. Additionally, no program can share personally identifying information to comply with Federal, Tribal, or State reporting, evaluation, or data collection requirements. These provisions allow survivors to request that their personal confidential information be shared by a victim service provider for a specific purpose through a time-limited, informed, and written release. The release of information (specific and time-limited) must be for services requested by the survivor and they must be fully informed of all possible consequences of disclosure, as well as alternative ways to obtain the service they are requesting.

VAWA also permit limited sharing when mandated by state law or a valid court order, and in either circumstance the VAWA program must protect the survivor’s information as much as possible. Because permissive child abuse reporting is not a mandate, it is not allowed. The 2013 reauthorization of VAWA clarifies that confidential advisors must not disclose, reveal, or release any personally identifying information regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected. All victims assisted by a confidential advisor at Illinois Central College will be informed of their rights to confidentiality and limitations of confidentiality through a signed informed consent.

Confidential Reporting

All communications between a Confidential Advisor and a survivor/victim pertaining to an incident of sexual violence shall remain confidential, unless the survivor consents to the disclosure of the communication in writing, the disclosure falls within one of the exceptions outlined below, or failure to disclose the communication would violate State or federal law. Communications include all records kept by the confidential advisor in the course of providing the survivor with services related to the incident of sexual violence.

The Confidential Advisor may disclose confidential communications between the confidential advisor and the survivor if failure to disclose would result in a clear, imminent risk of serious physical injury to or death of the survivor or another person.

1) Confidential Advisors (on-campus)

Confidential Advisors are mental health counselors located in the ICC Counseling Services. "Confidential advisor" means a person who is employed or contracted by a higher education institution to provide emergency and ongoing support to student survivors/victims of sexual violence with the training, duties, and responsibilities described in Section 20 of Public Act 099-0426.

Confidential Advisors are bound by law to maintain confidentiality and cannot release any private information, including the survivor's name or incident details, without the written consent of the individual. Confidential Advisors are required to report that an incident did occur to the Title IX Coordinator, but will not provide any further information.

If a student would like to report to a Confidential Advisor, the individual can stop by the Counseling Center in CC200, East Peoria Campus or call (309) 694-5281 to make an appointment. There are two Confidential Advisors for the 2016-2017 academic year at Illinois Central College.

Amy Daxenbichler, LCPC- Counseling Coordinator

(309) 694-5573, East Peoria Campus Room CC 221

Paul Beiersdorf, MA in Counseling

(309) 694-5733, East Peoria Campus Room CC 223

Confidential Advisors can assist the student in accessing and navigating campus and local health and mental health services as well as advocacy services.

2) Confidential Advisors (off-campus or during non-business hours)

The Center for Prevention of Abuse is a community agency that provides counseling and advocacy to survivors/victims of sexual abuse, domestic violence, dating violence, or stalking.

The Center for Prevention of Abuse is bound legally to maintain confidentiality and cannot release any private information without the written consent of the individual.

The Center for Prevention of Abuse is not required to report to the ICC Title IX Coordinator.

A student can report to the Center for Prevention of Abuse by calling 1-800-559-SAFE (7233) or (309) 691-0551.

3) Online Confidential Reporting

Students will have the right to report an incident by documenting it through an online reporting system located at www.icc.edu/l-report.

Students will be given the option to report the incident anonymously or will have the option to provide contact information.

POTENTIAL EXCLUSIONS TO CONFIDENTIALITY

Although rare, there are times when the College may not be able to honor a survivor/victim's request for confidentiality in order to provide a safe, non-discriminatory environment for all students. When weighing a survivor's request for confidentiality or that no investigation or discipline be pursued, the Vice President of Student Services will convene a Behavioral Intervention Team, which will consider a range of factors, including the increased risk that the accused individual will commit additional acts of sexual or other violence, based on factors such as:

- whether there have been other sexual violence complaints about the same accused individual;
- whether the accused individual has a history of arrests or records from a prior school indicating a history of violence;
- whether the accused individual threatened further sexual violence or other violence against the survivor/victim or others;
- whether the sexual violence was committed by multiple individuals;
- whether the sexual violence was perpetrated with a weapon;
- whether the survivor is a minor;
- whether the College possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the survivor's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the survivor's request for confidentiality.

If the College determines that it cannot maintain a survivor/victim's confidentiality, the College will inform the survivor prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response.

The College will remain ever mindful of the survivor's well-being, and will take ongoing steps to protect the survivor from retaliation or harm and work with the survivor to create a safety plan. Retaliation against the survivor or a bystander who reports the incident, whether by students or College employees, will not be tolerated.

The College can not require a survivor to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/survivor/victimization surveys; and/or revisiting its policies and practices.

If the College determines that it can respect a survivor/victim's request for confidentiality, the College will also take immediate action as necessary to protect and assist the survivor.

Online Reporting form

Students will have the right to report an incident by documenting it through an online reporting system located at www.icc.edu/l-report.

Students will be given the option to report the incident anonymously or will have the option to provide contact information.

Student's Rights and Options

Sexual Assault Survivor Rights and Options

- A survivor of sexual assault has the right to report or not report the alleged incident to Illinois Central College, campus law enforcement, and/or local law enforcement. All employees of Illinois Central College, including campus law enforcement, and local police are not confidential advisors and are not bound by the laws of confidentiality. These parties will only report to others if it is deemed necessary. A survivor has the right to privacy and confidentiality. If a survivor would like to report confidentially, he or she can report to an ICC counselor, the Center for Prevention of Abuse, or anonymously online. A survivor also has the right to request and receive assistance from ICC campus law enforcement in notifying local law enforcement.

- To report the incident to law enforcement or request assistance in contacting local law enforcement, call:

Illinois Central College Campus Law Enforcement

For Emergencies- x 5111 or (309)694-5111

For Non-emergencies

East Peoria campus- (309)694-5223

North campus- (309) 690-6899

Pekin campus- (309) 635-8804

Downtown campus- (309) 999-4699

Local Law Enforcement

For Emergencies- 911

For Non Emergencies

East Peoria Police- (309) 698-4700

Peoria Police- (309) 673-4521

Pekin Police- (309) 346-3132

- To report the incident to Illinois Central College, call:

Title IX Coordinator- (309)694-5561

Vice President of Student Support Services – (309)694-5561

Dean of Students- (309)694-8501

- To report to a confidential source, call:

ICC Counseling Services

- Stop by RM CC200
- Call (309)694-5281

The Center for Prevention of Abuse

- Call (309)691-0551 or 1-800-559-SAFE
- Visit their website at www.centerforpreventionofabuse.org

Anonymous Reporting

- Visit www.icc.edu/l-report

- A survivor has the right to request interim protective measures and accommodations, including without limitations changes to academic, living, dining, working, and transportation situations, obtain and enforce an order of protection or no contact order.

- For assistance with academic, living, dining, working, and transportation protective measures and accommodations, a survivor should call:

Sexual Assault Response Team (SART) at (309)694-5281

Title IX Coordinator at (309)694-5561.

- For assistance with obtaining an order of protection or no contact order, a survivor should contact the Order of Protection Office in their county at:

Peoria County- (309)672-6074

Woodford County- (309)467-7345

Tazewell County- (309)346-6645

- A survivor has the right to request that Illinois Central College provide assistance in accessing and navigating campus and local health and mental health services, counseling, and advocacy services. If a survivor would like to request this assistance, he or she can do so by contacting:

- Illinois Central College Counseling Services- (309) 694-5281
- Sexual Assault Response Team- (309)694-5281
- Title IX Coordinator- (309)694-5561
- Center for Prevention of Abuse- (309)691-0551
- National Sexual Assault Hotline- 1-800-656-HOPE or rainn.org

- A survivor has the right to seek medical treatment at a local medical facility at no cost to the survivor. Students may also request to have a medical advocate assist them at the hospital by contacting the Center for Prevention of Abuse. Emergency medical care can be accessed at two local hospitals:

- Methodist-Unity Point Hospital

221 NE Glen Oak Ave, Peoria, IL 61606

(309)672-5522

Services provided include forensic medical exam, laboratory testing for sexual assault transmitted diseases, emergency treatment for sexually transmitted diseases, and emergency contraceptives.

- OSF Saint Francis Medical Center

530 NE Glen Oak Ave, Peoria, IL 61637

(309)655-2000

Services provided include forensic medical exam, laboratory test for sexually transmitted diseases, emergency treatment for sexually transmitted diseases, and emergency contraceptive if victim is not ovulating.

- Pekin Hospital

600 S. 13th St, Pekin, IL 61554

(309)347-1151

Services provided include forensic medical exam, laboratory testing for sexual assault transmitted diseases, emergency treatment for sexually transmitted diseases, and emergency contraceptives.

How to Report an On-Campus Sexual Assault

Illinois Central College wants to provide the safest environment possible for students and staff. We encourage survivors/victims of sexual or other misconduct, including sexual assault, to report the incidents in the manner that they choose. There are multiple reporting options described below for individuals, including bystanders, to report incidents of sexual assault or other incidents of sexual violence. The choice of who to report to is up to the survivor or the person reporting; however, each entity listed below has different reporting responsibilities as defined by law. Reporting drug or alcohol use through this process will not result in additional sanctions for the survivor or the individual reporting the incident, in accordance with amnesty laws.

When a student reports an incident to any Illinois Central College employee, the student will be provided, within 12 hours of report, a written notification of the student's rights and available resources, regardless of whether the offense occurred on campus. This includes information regarding the preservation of evidence to assist in proving the accused criminal offense or obtaining a protective order, how and to whom an accused offense is to be reported, options for the involvement of law enforcement and campus authorities, and the individual's rights and institution's responsibilities for no-contact orders and orders of protection.

The student has the right to privacy and confidentiality, but only certain ICC employees are able to fully maintain confidentiality. If a student wants to confidentially report, they can use one of three options: Confidential Advisor, the Center for Prevention of Abuse, or anonymously on the ICC website. A survivor/victim who speaks to a professional or non-professional counselor or advocate must understand that, if the survivor wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the accused individual. A survivor who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the survivor with assistance if the survivor wishes to do so. More detailed descriptions of the roles and levels of confidentiality are explained in this section.

Section A: Criminal Charges

Section B: Confidential Reporting

Section C: Student Code of Conduct Report

Section D: Title IX Report

Section E: Electronic Reporting (including anonymous reporting)

Section F: Mandated Reporters and Responsible Employees

A. Criminal Charges

o Every survivor/victim of a sexual assault or any sexual violence or misconduct maintains the personal right to file criminal charges with the appropriate local law enforcement agency in addition to filing an incident report within the college. The college makes known these rights and will reasonably assist students in such filings when requested. The student has the right to request and receive assistance from campus authorities in notifying the local authorities. For more information about pursuing a criminal charge, individuals may call the following areas:

- ☎ Campus Police Department (309) 694-5111
- ☎ Dean of Students (309) 694-8501 or
- ☎ Sexual Assault Response Team (309) 694-5573.

o Ultimately, the decision to report the crime or make a complaint is up to the individual. A survivor/victim who delays in filing a charge may jeopardize an investigation. Should a criminal complaint be filed, it will be helpful for the survivor to provide the police with all relevant details and available evidence.

o In cases of sexual assault, forensic evidence that supports a legal case against an accused individual should be collected as soon as possible, preferably within a few hours. Survivor/victims of any sexual assault are encouraged to seek health care services such as those offered by any local hospital Emergency Room. (Survivors may have the assistance of advocates provided by the Center for the Prevention of Abuse, who can come to the Emergency Room at the hospital.) As appropriate, medical services include being examined for physical injury and/or disease, being made aware of the risk of pregnancy and, if considering criminal action, collecting physical evidence that supports a legal case against an accused individual. Survivors are advised not to bathe, douche, shower or change clothes prior to the examination, in order to preserve evidence.

o Incidents of sexual assault or sexual violence occurring on campus may be reported to ICC Campus Police. All reports made to Campus Police must be investigated.

Campus Police Offices All Emergencies: (309) 694-5111 | On Campus: 5111

Campus Police are on the East Peoria campus 24x7 and are able to be reached at the emergency number above at all times.

East Peoria Campus: (309) 694-5223

North Campus: (309) 690-6899 *during operation hours only

Pekin Campus: (309) 635-8804 *during operation hours only

Downtown Campus: (309) 999-4699 *during operation hours only

o If a bystander observes an act of sexual violence in progress on-campus, contact Campus Police immediately (309) 694-5111. If a bystander observes an act off-campus, contact local police using 911.

o Remedies available to survivors/victims through ICC Campus Police include the choice to press criminal charges and to request a security escort to and from classes.

o If the assault occurs off-campus, it should be reported to the local police by calling 911.

o Orders of Protection or Orders of No Contact can be obtained through the local judicial system by contacting the appropriate Order of Protection Office (see below). Both orders prohibit individuals from further abuse, contact, interference, or stalking. ICC Campus Police encourage students and staff who have obtained orders of protection to provide a copy of the order as soon as possible so that Campus Police can develop a plan to enforce the order fully while the student is on campus.

ORDERS OF PROTECTION

Peoria County – (309) 672-6074 Tazewell County – (309) 346-6645

Woodford County – (309) 467-7345

B. Confidential Reporting

All communications between a Confidential Advisor and a survivor/victim pertaining to an incident of sexual violence shall remain confidential, unless the survivor consents to the disclosure of the communication in writing, the disclosure falls within one of the exceptions outlined below, or failure to disclose the communication would violate State or federal law. Communications include all records kept by the confidential advisor in the course of providing the survivor with services related to the incident of sexual violence.

The Confidential Advisor may disclose confidential communications between the confidential advisor and the survivor if failure to disclose would result in a clear, imminent risk of serious physical injury to or death of the survivor or another person.

1) Confidential Advisors (on-campus)

o Confidential Advisors are mental health counselors located in the ICC Counseling Services.

"Confidential advisor" means a person who is employed or contracted by a higher education institution to provide emergency and ongoing support to student survivors/victims of sexual violence with the training, duties, and responsibilities described in Section 20 of Public Act 099-0426.

o Confidential Advisors are bound by law to maintain confidentiality and cannot release any private information, including the survivor's name or incident details, without the written consent of the individual. Confidential Advisors are required to report that an incident did occur to the Title IX Coordinator, but will not provide any further information.

o If a student would like to report to a Confidential Advisor, the individual can stop by the Counseling Center in CC200, East Peoria Campus or call (309) 694-5281 to make an appointment. There are two Confidential Advisors for the 2016-2017 academic year at Illinois Central College.

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o Confidential Advisors can assist the student in accessing and navigating campus and local health and mental health services as well as advocacy services.

2) Confidential Advisors (off-campus or during non-business hours)

o The Center for Prevention of Abuse is a community agency that provides counseling and advocacy to survivors/victims of sexual abuse, domestic violence, dating violence, or stalking.

- o The Center for Prevention of Abuse is bound legally to maintain confidentiality and cannot release any private information without the written consent of the individual.
 - o The Center for Prevention of Abuse is not required to report to the ICC Title IX Coordinator.
 - o A student can report to the Center for Prevention of Abuse by calling 1-800-559-SAFE (7233) or (309) 691-0551.
- 3) Online Confidential Reporting
- o Students will have the right to report an incident by documenting it through an online reporting system located at www.icc.edu/l-report.
 - o Students will be given the option to report the incident anonymously or will have the option to provide contact information.
 - o Full details can be found in Section E.

POTENTIAL EXCLUSIONS TO CONFIDENTIALITY

Although rare, there are times when the College may not be able to honor a survivor/victim's request for confidentiality in order to provide a safe, non-discriminatory environment for all students. When weighing a survivor's request for confidentiality or that no investigation or discipline be pursued, the Vice President of Student Services will convene a Behavioral Intervention Team, which will consider a range of factors, including the increased risk that the accused individual will commit additional acts of sexual or other violence, based on factors such as:

- whether there have been other sexual violence complaints about the same accused individual;
- whether the accused individual has a history of arrests or records from a prior school indicating a history of violence;
- whether the accused individual threatened further sexual violence or other violence against the survivor/victim or others;
- whether the sexual violence was committed by multiple individuals;
- whether the sexual violence was perpetrated with a weapon;
- whether the survivor is a minor;
- whether the College possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the survivor's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the survivor's request for confidentiality.

If the College determines that it cannot maintain a survivor/victim's confidentiality, the College will inform the survivor prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response.

The College will remain ever mindful of the survivor's well-being, and will take ongoing steps to protect the survivor from retaliation or harm and work with the survivor to create a safety plan. Retaliation against the survivor or a bystander who reports the incident, whether by students or College employees, will not be tolerated.

The College can not require a survivor to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/survivor/victimization surveys; and/or revisiting its policies and practices.

If the College determines that it can respect a survivor/victim's request for confidentiality, the College will also take immediate action as necessary to protect and assist the survivor.

C. Student Code of Conduct report

- 1) A student survivor/victim has the right to file a written complaint with the college student conduct system against another student that occurs on campus.
- 2) To file a formal written complaint, the survivor should go to or call the Dean of Students Office in CC 211 and ask for the Dean of Students or their designee. The survivor will have the right to file or not to file a complaint after speaking with the Dean of Students.
- 3) Witnesses may be identified through the investigations (criminal or otherwise), by the survivor, by the accused individual, by any bystanders, or by the appropriate college personnel. The college will provide resources to investigating officers as appropriate to the investigation and as allowed by law.
- 4) Based on a complaint filed by a student, changes may be made to the survivor's academic schedule, on-campus living situation, or other appropriate areas if changes are requested, are appropriate to the situation, and are reasonably available. These requests can be made through one of the following individuals:

Dean of Students CC211 or (309) 694-8501

Vice President of Student Services L221 or (309) 694-8970

Vice President of Diversity (Title IX Coordinator) L434 or (309) 694-5561

- 5) The Student Conduct System and Title IX inquiries and investigations will be conducted in accordance with the established procedures. Students should refer to the complete Student Code of Conduct for the full policies and procedures. Some key factors include the following:

☞ The College Student Conduct System's procedures and policies are fully detailed in the "Student Code of Conduct," which is available from the Dean of Students in CC211 and on the Student Services webpage, linked from the ICC homepage.

☞ The College will remain ever mindful of the survivor/victim's well-being, and will take ongoing steps to protect the survivor from retaliation or harm and work with the survivor to create a safety plan. Retaliation against the survivor, whether by students or College employees, will not be tolerated. Sanctions could include campus no-contact orders, removal from a class, suspension to expulsion from the college or termination for employees.

☞ These procedures are developed to be sensitive to the rights of all concerned. Members of the Conduct Board will receive training prior to serving on any disciplinary hearing.

☞ The accused individual and the survivor are each entitled to have an advisor accompany them to a hearing. Attorney(s) will not be allowed to address the College Student Conduct Board or officers, but will be allowed to serve in an advisory capacity.

☞ Both the accused individual and the survivor shall be informed concurrently and in writing of the outcome of proceedings involving accused offenses. Sanctions available to be imposed through college student conduct proceedings after a finding of responsible range from campus no-contact orders, removal from a class, suspension to expulsion from the college, as stated in the Code of Conduct.

☞ The College cannot require a survivor to participate in any investigation or disciplinary proceeding.

D. Title IX report

1) Title IX protects all students at recipient institutions from sex discrimination, including sexual violence. Any student can experience sexual violence: from elementary to professional school students; male and female students; straight, gay, lesbian, bisexual, transgender, questioning, and asexual students; part-time and full-time students; students with and without disabilities; and students of different races and national origins. The Title IX Coordinator at ICC will assist students who encounter any form of sex discrimination or other discrimination.

Dr. Rita Ali Vice President of Diversity, International and Adult Education

rali@icc.edu (309) 694-5561

2) A school can receive notice of sexual violence in many different ways. Some examples of notice include: a student may have filed a grievance with or otherwise informed the school's Title IX Coordinator; a student, parent, friend, or other individual may have reported an incident to a teacher, campus law enforcement, staff in the office of student services, or other responsible employee; or a teacher or dean may have witnessed the sexual violence.

3) The school may also receive notice about sexual violence in an indirect manner, from sources such as a member of the local community, social networking sites, or the media. In some situations, if the school knows of incidents of sexual violence, the exercise of reasonable care should trigger an investigation that would lead to the discovery of additional incidents.

4) A Title IX Coordinator's core responsibilities include overseeing the school's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. This means that the Title IX Coordinator must have knowledge of the requirements of Title IX, of the school's own policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the school. The Title IX Coordinator must be informed of all reports and complaints raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office.

5) In incidents reported to Campus Police or other mandated reporters (including CSA's and Responsible Employees), the Title IX Coordinator will identify a Lead Investigator to conduct the inquiry and any related proceedings.

E. Electronic reporting (including anonymous reporting)

1) Students will have the right to report an incident by documenting it through an online reporting system located at www.icc.edu/l-report. This online form is used to report incidents of sexual violence, dating or domestic violence, or stalking that involve any member of the ICC campus community.

2) Students will be given the option to report the incident anonymously or will have the option to provide contact information.

3) The College has an obligation to investigate allegations to the best of its ability, so ICC will follow up on any specific, identifying information provided in this report. However, this report can be filled out anonymously and will then be used for statistical purposes, to better understand the scope of sexual violence on campus, and to develop and implement programs and policies to address sexual violence. Please note though that submission of an anonymous report may limit the college's ability to follow-up with or take action.

4) If the individual chooses to include a phone number or e-mail, an ICC Confidential Advisor will make contact. At that time, the person may ask questions, seek resources or referrals, provide further information about the incident, make an official college report and seek action through the Code of Conduct, or file a police report. The person also may choose to do nothing more at that time.

5) Simply completing this form does NOT constitute a police report or a student conduct report.

College Response

If a student is the survivor/victim of sexual assault, the first priority should be to get to a place of safety. Once the student is safe, the individual then has the right to report or not report the incident to Illinois Central College, campus law enforcement, and/or local law enforcement. The College recognizes that this violence is more than an assault on an individual's body, but is also an invasion on the individual's dignity and sense of self. Out of respect for the individual choices available to a sexual assault survivor and to support her/his privacy needs after an incident, the College leaves the decision to file a student incident report, a formal complaint, or criminal charges up to the individual survivor. Resources for assistance may be discussed, but all members of the College community shall abstain from demanding that the survivor either report, not report, or under-report a sexual assault or incidents of sexual

violence or misconduct. All College staff will take all reports of sexual or other sexual violence or misconduct seriously and treat the survivor with sensitivity, including not implying that the survivor was somehow responsible for the assault.

Campus Police

Campus Police will respond to all reports of sexual assault for reporting and investigative purposes as requested. Campus Police will cooperate with the Dean of Students, Title IX Coordinator, and all other involved college personnel investigating the incident to the extent allowed by law. Additional law enforcement assistance will be requested as needed.

Concurrent Investigations

Colleges and universities are required to investigate a report regardless of whether a police investigation is underway, so concurrent investigations may occur. Sometimes the police may ask schools to very briefly delay investigations for evidence collection, but one process will never be put on hold for the sake of the other.

Title IX Investigations

Every school must have a Title IX Coordinator who manages complaints, as outlined in IID. If an individual decides to file a complaint, the school must promptly investigate it regardless of whether it is reported to the police (though a police investigation may very briefly delay the school's investigation if law enforcement is gathering evidence). A school may not wait for the conclusion of a criminal proceeding and should conclude its own investigation within a semester's time (the 2011 Office for Civil Rights Title IX guidance proposes 60 days as an appropriate time-frame.)

College Disciplinary Procedure

- 1) A student survivor/victim has the right to file a written complaint with the college student conduct system against another student that occurs on campus.
- 2) To file a formal written complaint, the survivor should go to or call the Dean of Students Office in CC 211 and ask for the Dean of Students or their designee. The survivor will have the right to file or not to file a complaint after speaking with the Dean of Students.
- 3) Witnesses may be identified through the investigations (criminal or otherwise), by the survivor, by the accused individual, by any bystanders, or by the appropriate college personnel. The college will provide resources to investigating officers as appropriate to the investigation and as allowed by law.
- 4) Based on a complaint filed by a student, changes may be made to the survivor's academic schedule, on-campus living situation, or other appropriate areas if changes are requested, are appropriate to the situation, and are reasonably available. These requests can be made through one of the following individuals:

Dean of Students CC211 or (309) 694-8501

Vice President of Student Services L221 or (309) 694-8970

Vice President of Diversity (Title IX Coordinator) L434 or (309) 694-5561

- 5) The Student Conduct System and Title IX inquiries and investigations will be conducted in accordance with the established procedures. Students should refer to the complete Student Code of Conduct for the full policies and procedures. Some key factors include the following:

The College Student Conduct System's procedures and policies are fully detailed in the "Student Code of Conduct," which is available from the Dean of Students in CC211 and on the Student Services webpage, linked from the ICC homepage.

- The College will remain ever mindful of the survivor/victim's well-being, and will take ongoing steps to protect the survivor from retaliation or harm and work with the survivor to create a safety plan. Retaliation against the survivor, whether by students or College employees, will not be tolerated. Sanctions could include campus no-contact orders, removal from a class, suspension to expulsion from the college or termination for employees.
- These procedures are developed to be sensitive to the rights of all concerned. Members of the Conduct Board will receive training prior to serving on any disciplinary hearing.

☰ The accused individual and the survivor are each entitled to have an advisor accompany them to a hearing. Attorney(s) will not be allowed to address the College Student Conduct Board or officers, but will be allowed to serve in an advisory capacity.

☰ Both the accused individual and the survivor shall be informed concurrently and in writing of the outcome of proceedings involving accused offenses. Sanctions available to be imposed through college student conduct proceedings after a finding of responsible range from campus no-contact orders, removal from a class, suspension to expulsion from the college, as stated in the Code of Conduct.

☰ The College cannot require a survivor to participate in any investigation or disciplinary proceeding.

On-Campus Resources

Confidential Advisors

- Confidential Advisors are mental health counselors located in the ICC Counseling Services. "Confidential advisor" means a person who is employed or contracted by a higher education institution to provide emergency and ongoing support to student survivors/victims of sexual violence with the training, duties, and responsibilities described in Section 20 of Public Act 099-0426.
- Confidential Advisors are bound by law to maintain confidentiality and cannot release any private information, including the survivor's name or incident details,

without the written consent of the individual. Confidential Advisors are required to report that an incident did occur to the Title IX Coordinator, but will not provide any further information.

- If a student would like to report to a Confidential Advisor, the individual can stop by the Counseling Center in CC200, East Peoria Campus or call (309) 694-5281 to make an appointment. There are two Confidential Advisors for the 2016-2017 academic year at Illinois Central College.

Amy Daxenbichler, LCPC- Counseling Coordinator

- (309) 694-5573, East Peoria Campus Room CC 221

Paul Beiersdorf, MA in Counseling

- (309) 694-5733, East Peoria Campus Room CC 223

- Confidential Advisors can assist the student in accessing and navigating campus and local health and mental health services as well as advocacy services.

Dean of Students

ICC Dean of Students will provide administrative disciplinary review of the assault or violence, and when judged appropriate, issue a temporary sanction to endeavor assurance of a survivor/victim's safety. The survivor/victim has the right to request interim protective measures and accommodations from Illinois Central College by contacting the Dean of Students. Interim protective measures and accommodation may include without limitation, changes to academic, living, dining, on-campus working, and transportation situations, obtaining and enforcing a campus-issued no contact order if reasonably available, and an order of protection through the county. Contact (309) 694-8501.

Title IX

- 1) Title IX protects all students at recipient institutions from sex discrimination, including sexual violence. Any student can experience sexual violence: from elementary to professional school students; male and female students; straight, gay, lesbian, bisexual, transgender, questioning, and asexual students; part-time and full-time students; students with and without disabilities; and students of different races and national origins. The Title IX Coordinator at ICC will assist students who encounter any form of sex discrimination or other discrimination.

Dr. Rita Ali Vice President of Diversity, International and Adult Education

rali@icc.edu

(309) 694-5561

- 2) A school can receive notice of sexual violence in many different ways. Some examples of notice include: a student may have filed a grievance with or otherwise informed the school's Title IX Coordinator; a student, parent, friend, or other individual may have reported an incident to a teacher, campus law enforcement, staff in the office of student services, or other responsible employee; or a teacher or dean may have witnessed the sexual violence.

- 3) The school may also receive notice about sexual violence in an indirect manner, from sources such as a member of the local community, social networking sites, or the media. In some situations, if the school knows of incidents of sexual violence, the exercise of reasonable care should trigger an investigation that would lead to the discovery of additional incidents.
- 4) A Title IX Coordinator's core responsibilities include overseeing the school's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. This means that the Title IX Coordinator must have knowledge of the requirements of Title IX, of the school's own policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the school. The Title IX Coordinator must be informed of all reports and complaints raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office.
- 5) In incidents reported to Campus Police or other mandated reporters (including CSA's and Responsible Employees), the Title IX Coordinator will identify a Lead Investigator to conduct the inquiry and any related proceedings.

SART

ICC Sexual Assault Response Team (SART) is one option for a survivor/victim to report a sexual assault. In cases where an assault is reported to SART, the team will convene to discuss the incident and formulate a response that supports the survivor, assists with coordinating appropriate services, and is in line with the policies and procedures of ICC, while maintaining the appropriate confidentiality for the survivor. Sexual Assault Response Team (SART) officers may not reveal the survivor's name or other identifying information concerning the incident that could compromise the survivor's privacy without his/her consent, except where a clearly documented, compelling good faith legal compulsion to disclose exists.

The Sexual Assault Response Team is a standing team that serves the college and community by providing support for survivors/victims of sexual assault on campus, by developing appropriate education and training opportunities for students and staff, and by working with campus and community law enforcement and service providers to jointly serve as the community task force specified in state mandate 110 ILCS 12/10 for the purpose of "improving coordination between community leaders and service providers to prevent sexual violence, domestic violence, dating violence, and stalking and to ensure a coordinated response both in terms of law enforcement and survivor/victim services." The Student Services Division will coordinate communication and educational and support services provided to the college community. **Contact (309) 694-5573.**

Campus Law Enforcement

- Incidents of sexual assault or sexual violence occurring on campus may be reported to ICC Campus Police. All reports made to Campus Police must be investigated.

*Campus Police Offices All Emergencies: (309) 694-5111 | On Campus: 5111
Campus Police are on the East Peoria campus 24x7 and are able to be reached at the emergency number above at all times.*

East Peoria Campus: (309) 694-5223

*North Campus: (309) 690-6899 *during operation hours only*

*Pekin Campus: (309) 635-8804 *during operation hours only*

*Downtown Campus: (309) 999-4699 *during operation hours only*

- **If a bystander observes an act of sexual violence in progress on-campus, contact Campus Police immediately (309) 694-5111. If a bystander observes an act off-campus, contact local police using 911.**
- Remedies available to survivors/victims through ICC Campus Police include the choice to press criminal charges and to request a security escort to and from classes.
- **If the assault occurs off-campus, it should be reported to the local police by calling 911.**
- Orders of Protection or Orders of No Contact can be obtained through the local judicial system by contacting the appropriate Order of Protection Office (see below). Both orders prohibit individuals from further abuse, contact, interference, or stalking. ICC Campus Police encourage students and staff who have obtained orders of protection to provide a copy of the order as soon as possible so that Campus Police can develop a plan to enforce the order fully while the student is on campus.

ORDERS OF PROTECTION

Peoria County – (309) 672-6074 Tazewell County – (309)
346-6645
Woodford County – (309) 467-7345

Off-Campus Resources

Center for Prevention of Abuse

- The Center for Prevention of Abuse is a community agency that provides counseling and advocacy to survivors/victims of sexual abuse, domestic violence, dating violence, or stalking.
- The Center for Prevention of Abuse is bound legally to maintain confidentiality and cannot release any private information without the written consent of the individual.

- The Center for Prevention of Abuse is not required to report to the ICC Title IX Coordinator.
- A student can report to the Center for Prevention of Abuse by calling 1-800-559-SAFE (7233) or (309) 691-0551.

Local Hospitals

The student who is sexually assaulted will be advised to seek medical treatment following the incident. A survivor/victim has the right to seek medical treatment at a local medical facility at no cost to the survivor, pursuant to the Sexual Assault Emergency Treatment Act. Students may also have a medical advocate present during the examination, which would be provided by the Center for Prevention of Abuse. Services provided include forensic medical exam, laboratory test for sexually transmitted diseases, emergency treatment for sexually transmitted diseases, and emergency contraception.

The student can access emergency treatment at a local hospital including:

Methodist- Unity Point Hospital

221 NE Glen Oak Ave, Peoria, IL 61636
(309) 672-5522

OSF Saint Francis Medical Center

530 NE Glen Oak Ave, Peoria, IL 61637
(309)655-2000

** Emergency contraceptive options may be limited.

Pekin Hospital

600 S. 13th St, Peoria, IL 61554
(309)347-1151

Proctor- Unity Point Hospital

5409 N Knoxville Ave, Peoria, IL 61614
(309)689-8603

Local Police Departments

-If a sexual assault occurs, the survivor can report it to the local police by calling 911 or by calling the non-emergency numbers for the local department at:

East Peoria Police- (309) 698-4700

Peoria Police- (309) 673-4521

Pekin Police- (309) 346-3132

-Orders of Protection or Orders of No Contact can be obtained through the local judicial system by contacting the appropriate Order of Protection Office (see below). Both orders prohibit individuals from further abuse, contact, interference, or stalking. ICC Campus Police encourage students and staff who have obtained orders of protection to provide a copy of the order as soon as possible so that Campus Police can develop a plan to enforce the order fully while the student is on campus.

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