



# DOMINICAN UNIVERSITY

7900 w. Division

River Forest, Illinois 60305

## **2024 Annual Security and Fire Safety Report**

# 2024 Annual Security Report

This annual safety report summarizes the elements of the campus safety program, which is administered and maintained by the Office of Campus Safety. This public disclosure is intended to comply with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”) and inform current and prospective students and employees of the safety programs and policies in place at Dominican University, and the institution’s state of readiness to detect and respond appropriately to emergencies.

This report can be viewed online at:

[https://mydu.dom.edu/ICS/Portlets/ICS/Handoutportlet/viewhandler.ashx?handout\\_id=5021a2e5-e839-4c7f-b652-41f31e899298](https://mydu.dom.edu/ICS/Portlets/ICS/Handoutportlet/viewhandler.ashx?handout_id=5021a2e5-e839-4c7f-b652-41f31e899298). Hard copies of the report are available by calling 708-524-5999 or by visiting the Campus Safety Dispatch Office located in the Parking Garage Room 100. The Campus Safety Dispatch Office is open 24/7.

While Dominican University enjoys a low crime rate, no community is immune from crimes. It is through preparedness that we can help reduce the likelihood of criminal acts. This report is intended to heighten awareness of safety issues and support continued safety at Dominican.

## *Mission Statement*

Dominican University is committed to promoting a safe, secure and value-centered educational environment that is conducive to academic and personal development. We achieve this goal through the effective combination of security policies, educational programs, and the timely reporting and communication of campus crime statistics and incidents. Safety and security is a shared responsibility of the entire university community.

## **Campus Safety Officers**

### *Authority of officers*

Dominican University security officers are an unarmed informational force and maintain jurisdiction in all areas of campus. The officers are in direct communication with the police and fire departments of River Forest, IL, who are available whenever assistance is needed. Campus Safety officers may enter all university buildings including the residence halls at any time while on duty. Dominican University security officers do not have arrest authority, but call on local police for the detainment of trespassers or persons involved in criminal activities or for the investigation of alleged criminal offenses.

### *Responsibilities of officers*

In an effort to prevent crime, officers regularly check all emergency equipment, lights, doors or windows found ajar or unlocked while on patrol of the campus. They report on overgrown hedges, malfunctioning lighting, and monitor areas where construction may pose the risk of injury. More specific duties and responsibilities of campus safety officers are outlined in the current edition of the campus safety operations manual. Their duties are primarily limited to the campus and include the authority to assist with emergencies, investigate alleged policy violations and file reports. Officers patrol the campus 24 hours a day, 365 days a year. The Department of Campus Safety is staffed by 19 full time and 2 part time employees.

## **Required Trainings**

All Campus Safety Officers are required to maintain the trainings listed below. The trainings are minimum requirements as a condition of their employment within the Campus Safety Department. Officers regularly update and take refresher courses to stay compliant and to be informed of emerging best practices in the

field. Members of the community are encouraged to click on hyperlinks below to engage in these trainings to further inform themselves of best practices for emergency situations.

- **IS-100.C: Introduction to the Incident Command System, ICS 100**
  - <https://training.fema.gov/is/courseoverview.aspx?code=IS-100.c&lang=en>
- **IS-200.C: Basic Incident Command System for Initial Response**
  - <https://training.fema.gov/is/courseoverview.aspx?code=IS-200.c&lang=en>
- **IS-700.B: An Introduction to the National Incident Management System**
  - <https://training.fema.gov/is/courseoverview.aspx?code=IS-700.b&lang=en>
- **IS-800.D: National Response Framework, An Introduction**
  - <https://training.fema.gov/is/courseoverview.aspx?code=IS-800.d&lang=en>
- Cardiopulmonary Resuscitation & Automated External Defibrillator Training (CPR/AED)
- Department of Children and Family Services Mandated Reporter Training
- Rave Emergency Notification System Training
- Lenel Access Control System Training and XProtect Video Surveillance Operations Training
- Active Shooter Training
- Siemens Fire System Training
- Pillars Community Health Mini- Series which includes Sexual Assault 101, Legal Advocacy, Medical Advocacy, Neurobiology of Trauma, Trauma-Informed Care/Response
- Drug Recognition Training
- Physical First Aid
- Mental Health First Aid
- Vistelar's Verbal Defense and De-Escalation Training
- OC pepper spray and physical restraints.

### **Dispatch**

The dispatch center is located in the 1<sup>st</sup> floor of the Parking Garage and is staffed 24 hours a day/365 days a year and includes services such as Campus safety dispatch, access control, maintaining life safety systems, CCTV video monitoring and emergency notification systems. Dispatchers work all shifts, weekends, holidays, administrative closure days, and inclement weather days. All calls for non-emergency assistance (lockouts, unlocks, etc.) are to be directed to the security line 708-524-5999 or ext. **5999**.

Each building elevator is equipped with an emergency phone. Parmer Hall utilizes emergency assistance call stations in its stairwells. The parking garage has a blue light emergency call system. All these systems are monitored by security 24 hours a day.

### **Campus Safety Escort Service**

The Campus Safety office provides Safety Escorts to any Dominican University student, faculty or staff member from one point on campus to another or to their vehicle. Campus Safety honors all requests for this service. To request a Campus Safety Escort, call the dispatcher at (708) 524-5999 or dial extension 5999 from any campus phone.

### **Enhanced-911 (E-911)**

All 911 calls are routed by the phone company to the West Suburban Consolidated Dispatch Center at the Village of River Forest Police Department. The West Suburban Consolidated Dispatch Center (WSCDC) is the 9-1-1 center (primary PSAP – public safety answering point) responsible for dispatching police, fire and EMS for the communities of Forest Park, Oak Park, and River Forest.

"Enhanced," means that the 911 operator has call display features, which tell them your phone number and the location you are calling from. However, you will still need to verify those things for them. This system allows communications personnel to know from where a call originates, even if the caller cannot speak. If the number you are calling from is unlisted or unpublished, the information will still be displayed.

Enhanced 9-1-1 for cellular telephone calls is not yet available so it is very important to make sure to state the location of the emergency, nature of the emergency, who is involved and your cellular telephone number for verification. The dispatchers are provided with the telephone number you are calling from, the address of the cellular tower the call is routing from, and the approximate location of the caller.

When calling from a cellular telephone be aware of your surroundings, look for landmarks and when driving stop at a safe place and then place your call to 9-1-1.

### **Campus Telephones**

Telephones are located in many of the common areas of campus buildings and are available to report emergencies or ask for assistance. Emergencies may be reported on any campus phone. Please inform the dispatcher of the nature and location of the emergency.

### **Lost and Found**

Campus Safety serves as the University's central depository for recovered items in order to safeguard them while assisting in their return to the rightful owner. Found property can be turned in to Campus Safety 24 hours a day, 365 days a year by contacting dispatch at 708-524-5999. Inquiries concerning lost property should be directed to the Campus Safety Dispatch between 8:00am to 4:00pm, Monday through Friday. All property not claimed within 30 days is donated to charity or destroyed.

### **Dominican University Star Card**

Dominican University issues each student, employee and affiliated guest an identification card that includes their name and image, referred to as a Star Card. The Star Card serves as an identification card; an electronic key card controlling access to residence halls and other buildings, the Library, facilities, and staff office buildings; and DU Dollars which can be used to purchase goods and services at select locations on campus.

### **Emergency Assistance Call Stations**

Emergency assistance call stations are located in all of the stairwells of the parking garage and emergency rescue stations in the Parmer Hall stairwells. These call stations are for requesting emergency assistance and for alerting Campus Safety of a crime or suspicious activity. Call stations allow persons to press a button and immediately contact the University Dispatcher, as do all emergency call boxes or intercoms in the campus elevators. All call boxes and all elevator intercoms are tested regularly by trained university personnel, municipal personnel or outside service technicians to ensure these devices are working properly. Work was completed on the installation of an emergency call station/intercom at the East Commons entry.

### **Locker Registration Information**

Use of Dominican lockers is a privilege. Lockers will only be issued to STAR Card holders and are first come first serve.

Dominican University cannot be held responsible for lost, stolen or damaged personal property.

By signing the Locker Use Agreement, applicants agree to abide by the terms and conditions set forth by Campus Safety outlined below:

1. All lockers are the property of Dominican University.
2. Use of a locker by a person other than to whom it is assigned is forbidden. Misuse of a locker may lead to termination of locker privileges.
3. Campus Safety reserves the right to open a locker without the consent of the owner in instances where locker procedures are being abused, or in the case of an emergency situation.
4. Flammable materials, dangerous chemicals, explosives or weapons of any kind are strictly prohibited inside the lockers.
5. Perishable items, illegal or controlled substances such as drugs or alcohol are also strictly prohibited inside the lockers.
6. Users are not permitted to affix anything to the interior or exterior of their lockers.

7. Upon assignment and during use, users are responsible for reporting any damage or needed repairs to Campus Safety. Users will assume the cost of any unreported damages.
8. All personal items must be stored completely within a locker. All items left outside of a locker, whether secured or not, will be removed and disposed of accordingly.
9. Every user must renew their agreement at the end of the designated period. Lockers not renewed will be cleaned out and all contents will be disposed of.
10. Locker users will be held to all standards as aligned in the Student Code of Conduct and in the Employee handbook.

## **Daily Crime and Fire Logs**

### *Crime Log*

The University's Campus Safety Department maintains a written daily crime log and a fire log. The purpose of the daily crime log is to record all **criminal incidents** and **alleged criminal incidents** that occur either on campus, in or on the University's non-campus buildings or property, or on public property within or immediately adjacent to and accessible from the campus, and that are reported to Campus Safety. The log is designed to record and disclose crime information on a timely basis. A crime is entered into the log as soon as it is reported to Campus Safety. The crime and fire log, for the most recent 60-day period open to public inspection during business hours. Older portions of the crime log must be made available within 2 days of a request for inspection. This log is available for review at the Campus Safety Dispatch Office during normal business hours 8:30am-4:30pm Monday through Friday excluding holidays and includes the date and time of the incident, the nature of the incident, the general location, and the disposition of the complaint or report, if known.

Information may be withheld from the daily crime log if there is clear and convincing evidence that the release of the information would either jeopardize an ongoing criminal investigation or the safety of the individual; cause a suspect to flee or evade detection; or result in the destruction of evidence. The university will disclose any information withheld from the crime log once it is determined that the adverse effect described above is no longer likely to occur.

### *Fire Log*

This log records, by the date reported, any fire that occurs on University owned property including both Main and Chicago Campuses. This log is designed to record and disclose incidents of fire on a timely basis. The fire log includes the date and time of the fire, the date it was reported, the nature of the fire, and the general location of the fire. Both the Crime and Fire Logs have been combined for easier accessibility.

## **Campus Safety Education and Prevention**

The security team emphasizes crime prevention by minimizing crime opportunities and by encouraging students and employees to be responsible for their own and others' security.

### *Informational Programs about Crime Prevention and Awareness*

To educate the university community about how to enhance their own security as well as the safety of others, programs are presented regularly on a variety of crime prevention topics. These programs are offered at residence hall sessions, new student orientation, crime awareness and prevention seminars each year, and through special posters and flyers and ongoing educational material. Through the daily crime and fire logs, timely warnings, newspaper articles, web page postings and tabletop exercises we are able to help better educate the community about crime prevention.

## Campus Reporting Options

Dominican University strives to create a safe learning environment for all members of the community. Dominican has developed standards of behavior in support of the intellectual, physical, spiritual and emotional development of each student—Integrity, Community, Social Justice, Respect and Responsibility. As members of the university community, we each have a responsibility to share any concerns so they can be reviewed and addressed appropriately. While we encourage a culture of “See Something, Say Something”, there are two categories of employees that have a responsibility and obligation to report.

If you have an immediate concern, please contact 911 or call Campus Safety at (708) 524-5999. Otherwise, please review below for reporting options.

### Campus Security Authorities (CSA)

Employees are considered CSAs based on the following functions and are responsible to report criminal incidents to Campus Safety:

- Their official job responsibilities involve significant interaction with students and/or campus activities.
- They serve as informal or unofficial mentors to students, or advise student organizations, projects and activities.
- They serve as a member in an office or of a committee to whom students are instructed and informed to report and discuss crimes, allegations of crimes, and other troubling situations, and/or
- They have oversight for disciplinary procedures

#### *A CSA's Responsibilities*

- If a CSA becomes aware of crime information and believes it was provided *in good faith*, he/she should document it as a crime report and in a prompt manner (within 24 hours), submit it to Campus Safety.
  - “*In good faith*” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.
- What CSA's must disclose, therefore, are statistics from reports of alleged criminal incidents. It is not necessary for the crime to have been investigated by the police or campus security authority, nor must a finding of guilt or responsibility be made to disclose the statistic. Personally identifiable information need not be disclosed, unless a danger is present.

### Responsible Employees

Responsible employees are university employees who have the authority to redress sexual violence or who otherwise have the duty to report such incidents. All university employees, contracted staff, designated student employees, and trustees are required to report concerning behaviors, including threats or crimes by employees. Specific categories of student employees including: Social Justice Advocates, Circulation Desk Attendants, Peer Advisors, Resource Desk Assistants, Resident Advisors, Student Security, Welcome Desk Workers, and University Ministry Student Staff are considered responsible employees. These employees must formally report an incident including the details of the incident and the names of the complainant or the person who discloses the incident.

Please review the reporting options outlined below. If you have questions about making a report, please contact Campus Safety at (708) 524-5999 or Student Success and Engagement at (708) 524-5927.

### Academic Alert

Following are two categories of academic alerts:

- **Flag.** Outreach from faculty to students with emerging concerns (academic, attendance, or professional). Alerts team staff monitor flags, but staff will only intervene if/when there are multiple flags or extenuating circumstances.
- **Alert.** Student's ability to succeed in course is in serious jeopardy. SSE Alerts Team will take prompt action to respond to faculty and support student. (academic, other)

<https://mydomedu.sharepoint.com/sites/SSEFacultyResources>

### **Assessment and Care Team (ACT)**

Here you can submit a concern about a student regarding behavior that is concerning, disruptive or dangerous to themselves, members of the University community, or the community by clicking on **Send an Alert** and entering the student's name. Click **Send Alert** and choose the ACT (former BCT) Assessment and Care Team.

<http://dom.pharos360.com/>

### **Referral to Student Success and Engagement (SSE)**

SSE will review and respond to a non-academic concern regarding a student. Click on Send an Alert and enter the student's name. Click Send Alert and choose the Dominican Referral Form in the drop down.

<http://dom.pharos360.com/>

### **Support Center**

Service requests to the Support Center can be made to the following:

#### **Information Technology**

<https://support.dom.edu/TDClient/2074/Portal/Requests/ServiceCatalog?CategoryID=7966>

#### **Marketing and Communications**

<https://support.dom.edu/TDClient/2074/Portal/Requests/ServiceCatalog?CategoryID=8091>

#### **Campus Safety**

<https://support.dom.edu/TDClient/2074/Portal/Requests/ServiceCatalog?CategoryID=7987>

#### **Physical Plant**

<https://support.dom.edu/TDClient/2074/Portal/Requests/ServiceCatalog?CategoryID=7987>

### **Title IX/One Process**

Submit a report regarding bias incidents, including gender based or sexual violence, gender identity discrimination, sexual assault, hate crimes, bias motivated offensive conduct, and discrimination against individuals on the basis of physical or mental disability.

<https://dom.pharos360.com/apps/launchpad.php>

Reports can be submitted anonymously.

[https://dom.pharos360.com/anonymous\\_referral/create.php](https://dom.pharos360.com/anonymous_referral/create.php)

### **Whistle Blower; Lighthouse Services**

To anonymously report fraud, unlawful, unethical and other types of improper behavior. Reporting options include online or toll free by phone 24/7. Reporters will be prompted to choose the type of misconduct they are reporting and give as much detail as possible.

<http://www.lighthouse-services.com/Dominican-RiverForest>

## **Whistle Blower Policy**

Dominican University is committed to maintaining the highest standards of ethical, moral and legal business conduct. In line with this commitment, Dominican University's Whistle Blower Policy and Anonymous Hotline aims to provide an avenue for employees to raise concerns and have reassurance that they will be protected from retaliation, harassment, reprisals or victimization for whistle blowing in good faith. Please see the Faculty and Staff Handbooks for information on submitting reports.

### **Important Information**

This hotline is **NOT** a substitute for routine communications between staff and their supervisors. Please follow the University's standard practices for all reports or issues not requiring anonymity. ***Most importantly, any employment-related concerns should continue to be reported through normal channels such as the supervisor, the director of Human Resource, the department chair or dean. Also further note that this service does not replace the university's grievance policy.*** In order to handle grievances effectively and timely, employees should follow the policy stated in the employee handbooks.

This hotline is an additional communication tool for specific types of situations and is provided because we believe it is good business practice. Reports may cover but are not limited to topics or situations that may lead to incorrect financial reporting, are unlawful or serious misconduct, or are not in compliance with university policy. Examples include:

Ethical violations	Unsafe Working Conditions
Improper Conduct	Conduct Violations
Discrimination	Threats
Internal Controls	Bribery & Kickbacks
Wrongful Discharge	Quality of Service
Conflict of Interest	Alcohol & Substance Abuse
Fraud	Theft & Embezzlement
Vandalism and Sabotage	Misuse of Company Property
Violation of Law	Violation of Company Property
Falsification of Contracts	Falsification of Reports or Records

Please note that the information provided by you may be the basis of an internal and/or external investigation into the issue you are reporting and your anonymity will be protected to the extent possible by law. While every effort will be taken to protect your anonymity, your identity may become known during the course of the investigation because of the information you have provided. Reports are submitted by Lighthouse to designated employees of Dominican for investigation according to university policies. In cases where report submission requires anonymity, Lighthouse acts as an intermediary between the employee and Dominican.

## **How to Report Violations**

**Effective since February 1, 2020** we have engaged Lighthouse Services to provide an anonymous ethics and compliance hotline for all full-time, part-time, and temporary employees of Dominican University.



Lighthouse Services' toll free number and other methods of reporting are available 24 hours a day, 7 days a week.

- **Website:** [www.lighthouse-services.com/Dominican-RiverForest](http://www.lighthouse-services.com/Dominican-RiverForest)
- **Toll-Free Telephone:**
  - **English speaking USA and Canada: 877-560-0006**
  - Spanish speaking USA and Canada: **800-216-1288**
  - Spanish speaking Mexico: **01-800-681-5340**
  - French speaking Canada: **855-725-0002**
  - Contact us if you need a toll-free # for North American callers speaking languages other than English, Spanish or French
- **E-mail:** [reports@lighthouse-services.com](mailto:reports@lighthouse-services.com) (must include company name with report)
- **Fax:** (215) 689-3885 (must include company name with report)

## **DCFS Mandated Reporter**

### **Department of Children and Family Services (DCFS) Mandated Reporter**

All personnel of institutions of higher education are considered mandated reporters. According to DCFS, “mandated reporters are required to report suspected child maltreatment immediately when they have “reasonable cause to believe” that a child known to them in their professional or official capacity may have been an abused or neglected child.”

All employees are required to sign an acknowledgement of their mandated reporter status (pdf) during their onboarding process.

[https://www.dom.edu/sites/default/files/pdfs/Human\\_Resources/HR\\_DCFS\\_cants22.pdf](https://www.dom.edu/sites/default/files/pdfs/Human_Resources/HR_DCFS_cants22.pdf)

All states, including Illinois, have laws that require people who witness or know about child abuse or neglect to report it to the authorities. The Illinois Department of Children and Family Services has amended the Illinois Abused and Neglected Child Reporting Act (ANCRA) to expressly make all “personnel of institutions of higher education” mandated reporters. As a result, all Dominican University faculty, staff, student employees, and other personnel must immediately make a report to the Illinois Department of Children and Family Services (DCFS) if they have reason to believe that a child known to them in their professional or official capacity may be abused or neglected.

**Abuse** occurs when a parent or person responsible for the child’s welfare:

- Inflicts, causes to be inflicted, allows to be inflicted, or creates a substantial risk of, physical injury by other than accidental means, which causes or would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any body function;
- Commits or allows to be committed a sex offense against such child;
- Commits or allows to be committed an act of torture upon such child;
- Inflicts excessive corporal punishment; or
- Causes illegal controlled substances to be sold, transferred or given to a child under age 18.

**Neglect** occurs when a parent or person responsible for the child’s welfare fails to provide the child with necessary nourishment, clothing, shelter, medical treatment, or adequate supervision.

A **child** is defined as any person under 18 years of age.

It is essential that all University personnel understand their obligations as mandated reporters of child abuse and neglect, which are briefly summarized below.

ANCRA requires that all Dominican personnel who have reason to suspect abuse or neglect of any person under the age of 18 must immediately make a report to DCFS by telephone to the DCFS hotline (1-800-25-ABUSE) or in person, followed by a written report within 48 hours. This duty to report is absolute, and it rests with the individual identifying the suspected abuse or neglect.

Mandated reporters are required to report both suspected physical abuse and sexual abuse, which occurs when any person responsible for the child's welfare sexually exploits or molests the child, engages in sexual penetration with the child, or transfers a sexually transmitted disease to the child. This definition would therefore include sex with a child by a person over the age of 18 if that person over the age of 18 is responsible for the child's welfare or comes to know the child through an official capacity or position of trust, including health care professionals, educational personnel, recreational supervisors, members of the clergy, and volunteers or support personnel.

The Act also does not distinguish between current or past abuse. Thus, if a University employee suspects that a child was abused in the past, he or she must report that suspicion.

DCFS recommends that, if a mandated reporter is in doubt about whether to report, the reporter should report the suspected abuse. DCFS hotline staff members are trained on what constitutes grounds for an investigation and can assess a mandated reporter's concerns to determine if a report should be taken and referred for investigation.

Willful failure to report suspected incidents of child abuse or neglect is a misdemeanor (first violation) or a class 4 felony (second or subsequent violation). In addition, an employee who fails to make a report may face disciplinary action by the university. State law protects the identity of all mandated reporters, who are provided with immunity from legal liability as a result of reports made in good faith.

If you see, hear about, or know about possible child abuse or neglect in connection with your duties as a Dominican employee, you must take the following three steps:

1. Immediately report the suspected abuse or neglect to DCFS by calling 1-800-25ABUSE (1-800-252-2873).
2. Submit a follow-up written report to DCFS within 48 hours of the verbal report.  
<https://childabuse.illinois.gov/Reporting/ReportingMain>
3. Notify Human Resources of the report.

#### Other Helpful Links

- The Illinois DCFS Mandated Reporter Manual:  
[https://www2.illinois.gov/dcfs/safekids/reporting/Documents/cfs\\_1050-21\\_mandated\\_reporter\\_manual.pdf](https://www2.illinois.gov/dcfs/safekids/reporting/Documents/cfs_1050-21_mandated_reporter_manual.pdf)
- Abused and Neglected Child Reporting Act:  
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1460&ChapterID=32>

All employees are required to complete the online training <https://mr.dcfstraining.org/UserAuth/Login!loginPage.action;jsessionid=886753E4165929A0C23CD029917A55FB> and sign an "Acknowledgement of Mandated Reporter Status" form, a copy of which can be found at <http://www.state.il.us/DCFS/docs/cants22.pdf> or in the Human Resources office. Employees must

complete the training and Acknowledgement of Mandated Reporter Status form within 30 days of beginning employment.

For further information on the requirements of ANCRA and how they apply to the University, please contact Human Resources at 708-524-6655 or [hr@dom.edu](mailto:hr@dom.edu).

### **Police Support**

The Dominican University Office of Campus Safety works in cooperation with local police. They are in direct communication with the police and fire departments and call upon their assistance when needed. The university does not have a formalized memorandum of understanding with the River Forest Police Department and has no student organizations that maintain use of off-campus residential property.

### *Contact Information to Report Concerns*

Campus Safety and 24-Hour on campus escort..... (708) 524-5999  
Email.....[safety@dom.edu](mailto:safety@dom.edu)

Student Success and Engagement .....(708) 524-5927  
Email.....[sse@dom.edu](mailto:sse@dom.edu)

Student Life-Housing (9:00a-4:00p)..... (708) 524-6527  
Email.....[housing@dom.edu](mailto:housing@dom.edu)

**River Forest Police** ..... (708) 366-7125  
400 Park Avenue River Forest, IL 60305 (Non-emergency and off-campus escort)  
Emergency..... 911

### **Timely Warning Notices**

The Office of Campus Safety will issue a timely warning if a Clery Act crime is reported to campus security authorities or local police agencies; and considered by the University to represent an ongoing threat to students and employees. The Office of Campus Safety will issue a timely warning for any Clery Act crimes that are reported to campus security authorities or local police agencies; and considered by the University to represent an ongoing threat to students and employees; and there are enough details known about the crime to provide useful information to the community. These alerts are issued with the consultation of relevant university administration and the local police departments. Identifying information of victims will be withheld from notices. Alerts are routinely posted on the Campus News and the Campus Safety web pages. Additionally, alerts may be sent to e-mail accounts, posted in the common area of academic buildings and residential halls, and when appropriate as emergency alerts via email. Emergency text message may also be sent out through an opt-out system.

### **Emergency Notifications**

In the event of an emergency involving an imminent threat to the health or safety of students or employees occurring on campus, Campus Safety will confirm that there is a significant emergency or dangerous situation in conjunction with Emergency Planning Team and local police departments and will immediately issue a campus-wide notification. The on duty Campus Safety supervisor will coordinate with the local police department(s) and the Director of Campus Safety to determine the severity of the reported incident. Campus Safety will coordinate with at least one member of the Emergency Planning Team to determine content of the notification and utilize the university's emergency notification system (opt-out emergency alerts via email or text message) to notify the campus community, whether on or off-campus. Dominican

University has partnered with Rave Mobile Safety to alert community members of any emergency or extreme circumstances that exist on our campus. Community member's Dominican email address is automatically enrolled, so you will always receive a message should it be necessary. Additionally, Community members may enroll up to two mobile phones to receive text messages. The university will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In conjunction with the RAVE Mobile Safety, the University has begun installation of the Alertus Alert Beacons and Speakers as an additional means of emergency notification. The Alert Beacon attracts attention with an audible alarm and flashing strobes. The wall mounted device has a large text display which informs building occupants of the emergency and instructs them how to respond. The units are in high visibility areas of the residence halls, such as hallways and stairwells and in the classroom and office areas of Fine Arts. Alert Beacons are programmable to enable safety officials to notify specific areas, buildings, and corridors.



Students, faculty and staff can register online to receive notifications of these emergency events. These messages are transmitted only during emergencies and are an additional real-time avenue of communication. The university's emergency notification messaging system is tested campus-wide at least once a year. Campus Safety, in conjunction with the Emergency Planning Team and local emergency responders, are responsible for the planning, coordinating and performing these campus wide tests. These tests may be announced or unannounced and may include all or part of; sending an emergency text, email notifications, activating building loudspeakers or web based notifications.

#### *Informing the larger community*

In addition, special programs, flyers, bulletins, emails, voicemail and student newspaper articles may be used to disseminate emergency information to the larger campus community. Close communication with the River Forest Police Department and other appropriate agencies is maintained regarding any neighborhood security issues.

## **Emergency Management Plan**

### **Incident Management Assessment Team (IMAT)**

IMAT exists to create a more safe and secure learning, working, and living environments for all members of the Dominican University community soliciting community concerns and crafting solutions to be discussed at IMAT for endorsement and then to cabinet for approval. Serving as the Threat Assessment Team (*under section 305.80 of the Illinois General Assembly's Illinois Administrative Code*), this team facilitates threat assessments and convenes the appropriate teams to address threats as it relates to the campus community. IMAT also provides guidance and best practice for preventing violence and providing supportive services to

the community. IMAT operates under Dominican University Emergency Operations Plans to guide efforts to mitigate, prepare for, respond to, and recover from emergencies and disasters.

Members of IMAT-Executive Team include (but not limited to):

- Chair, Vice President of Student Success and Engagement
- Vice President for Finance and Administration
- Vice President, Provost
- Vice President of Diversity, Equity & Inclusion
- Vice President for the Office of People and Culture
- Director of Campus Safety
- Faculty Senate Representative

The IMAT is the previous Emergency Planning Team and Emergency Response Teams combined. The IMAT is the umbrella over the ACT (formerly Behavioral Concern Team) and the Threat Assessment Team.

### **Working Teams:**

**COVID/Health Team** - Special assignment to coordinate University COVID/Health Related Emergency response providing specific health recommendations to executive team offering guidance to the campus community.

**Bias response** – A working group of IMAT focused on Bias Response. It is the policy and practice of Dominican University to provide and promote employment and academic opportunities for all students, faculty and staff members without regard to race, color, gender, age, marital status, order of protection status, religion, sexual orientation, gender identity, medical condition, national origin, ancestry, military status, physical or mental disability, or pregnancy (collectively, “the bases for unlawful discrimination”). All students, faculty and staff members are expected to abide by this policy and to assist in its enforcement. This team coordinates responses to acts of bias towards an individual’s actual or perceived gender, race, sex, color, age, creed, national or ethnic origin, physical or mental disability, religion, military status, or sexual orientation within or towards the Dominican University’s community. Will brief the executive team on decisions.

**Emergency Communications** – A working group of IMAT providing guidance for communicating within the university and from the university to the media and the public in the event of an emergency.

**Training/Table tops** – conducting campus emergency needs/risk assessments, develops and implements emergency response plans. Works to sponsor plans and campus wide training drills.

**Campus Safety Response Team** – As first responders, this team works to serve as the university first response to direct threats to the campus community serving also as the liaison to community first responder teams (police, fire department, EMT). This team does not wait for the TAT to evaluate the situation as these situations need an immediate response. Will brief the executive team on decisions.

### **Non-emergency response teams:**

**Assessment and Care Team (ACT)** – Interdepartmental team to review, assess, and respond to student cases regarding behavior that is concerning, disruptive, or dangerous to themselves. ACT strives for early intervention in the best interest of the student and the campus community.

**Coordinated Community Response Team (CCRT)** – comprehensive coordinated community focus on cultivating a safe culturally responsive environment promoting healthy relationships, trauma informed

support, training, and comprehensive education towards the reduction of sexual assault, domestic violence, dating violence, and stalking.

## **Safety of Buildings and Grounds**

### **Academic and Administrative Buildings**

Some facilities have individual hours, and the hours vary at different times of the year. Access to the Fine Arts Building, Lewis, Power and Parmer Hall are by card access after normal business hours, and uses varied levels of access. Most academic and administrative buildings do not have a university security officer assigned to them. However, Campus Safety officers patrol the academic and administrative building on a regular basis.

### **Residence Halls**

Access to residence halls is restricted to residents, their approved guests, and other approved members of the University community. Residents gain entry by swiping their keycards at the card access readers. Residents are cautioned against permitting strangers to enter the building and are urged to require individuals seeking entry to use their own keycards. Campus Safety officers patrol the residence halls on a regular basis and assist with the staffing of the Coughlin Commons front desk.

### **Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Campus Safety regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Physical Plant for correction. Other members of the University community are encouraged to report equipment problems to Campus Safety or Physical Plant. The parking garage and all parking lots throughout campus are well lit and routinely patrolled by the officers. The parking garage and all campus elevators are equipped with a communication system linked to the security dispatcher.

### **Outside Vendors/Construction Staff/Contractors**

All outside Vendor, Construction Staff and Contractors are required check in and out with Campus Safety every work day. They are to have proper Dominican University issued Identification badges visible while on campus.

### **Video Surveillance**

Video surveillance is conducted in various locations throughout campus and recorded 24 hours a day, 365 days a year.

### **Safety in Residence Halls**

The university provides security to help protect students in residence halls. The system includes:

- Trained security personnel
- Locked entrance doors
- Information on how students can maintain their safety
- Policies requiring identification cards with magnetic swipe entry to facilities
- Policies requiring guest registration and guest passes
- Policies requiring students to escort guests at all times
- Required programming efforts in areas of safety and security
- Holding students accountable for the actions of their guests

The university places restrictions on guests, building access, and actions that may have a detrimental effect on student safety. Such restrictions include:

- Entering buildings only through designated entrances
- Prohibiting unauthorized entry

- Prohibiting the practice of propping open doors
- Following security procedures at security checkpoints
- Prohibiting the practice of duplicating or sharing room keys
- Prohibiting activities that endanger the safety of others

If a student is found to violate any of these restrictions, the university may impose fines or other sanctions on the student.

### **Residence hall access/contractor access**

Student residence halls are never open to the public. Outside entrance doors to the residence halls are locked at all times and residents are issued a keycard allowing exclusive access to the residence halls. Locks on room doors and all windows ensure resident safety; malfunctioning security devices are repaired promptly. If a resident key is lost or stolen, the corresponding lock is immediately changed. Non-residents including staff or contractors assigned to tasks in the residence halls must receive and wear special identification badges issued from either security or the director of physical plant operations.

### **General Visitor Policy**

We ask that visitors to specific offices and departments check in with the main campus Welcome and Information Desk (WID) at the south entrance to Lewis Hall. External visitor parking is available for two hours just inside the Main Gate on the circle off of Division. Guests and visitors planning to stay longer than two hours should get a temporary parking permit from the WID or from Campus Safety on the first floor of the garage.

Any and all visitors to the residence halls must check in at the Coughlin Commons Welcome and Information Desk.

Campus Safety has an interest in ensuring that the privacy of its students, faculty and staff is respected, and that no activities interfere with education, research or residential life.

The university is private property; however, some areas of the campus typically are open to visitors. These areas include the Crown Library, the West Campus Soccer Field and the Performing Arts Center (Fine Arts). Even in these locations, visitors must not interfere with the privacy of students, faculty and staff, or with educational, research and residential activities. The university may revoke at any time permission to be present in these, or any other areas. Visitors should not be in academic or residential areas unless they have been invited for appropriate business or social purposes by the responsible faculty member, student or staff member.

### **Guest Responsibility and Visitation**

Students and student organizations are responsible for the behavior of their guest(s) while they are on property owned or controlled by the university or in attendance at its sponsored events. The host student or student organization assumes full responsibility for the guest compliance with all prescribed university policies and procedures, including those specific to the residence halls.

### **Residence Hall Visitation**

The visitation policy allows for 24-hour visitation on all floors in the residence halls. Residence hall students are allowed to have guests under the following policy:

1. All guests must check-in and comply with the guest policy and university policies.
2. All residents must complete the online guest registration form; one for each guest.
3. Residents will be held responsible for the actions of their guests and/or anyone checked in under their name.

4. All non-DU guests must present a government issued picture ID. Dominican University commuter students must present their Student IDs.
5. No one under the age of 12 is allowed in the residence halls after 8 p.m. and before 8 a.m.
6. Guests under 16 years of age are exempt from showing ID, but must be checked-in and checked out.
7. The host student must escort their guest(s) at all times, including when a guest is leaving the residence halls and checking out. Guests who are not escorted by their hosts will be asked to leave the hall.
8. The resident student host and guest must be present at the time of check-in and check-out.
9. No cohabitation is allowed. Individuals not assigned to the room may not live in the room.
10. A resident student may have no more than three guests at one time. A resident must have the agreement of their roommate in order to host a guest.
11. Non-Dominican Daytime Guests may visit the residence halls for a maximum of three separate days per seven-day week. Dominican Commuter Students will not be limited but must be checked-in and checked-out.
12. Overnight Guests may stay in the residence halls for a maximum of three nights per month. An overnight guest is one that is staying in the halls during Quiet Hours - 10:00 p.m. to 7:00 a.m. Sunday through Thursday and midnight to 7:00 a.m. Friday and Saturday.
13. University officials, members of law enforcement and/or other approved personnel are allowed in the residence halls without checking in or having a host.
14. The University reserves the right to require guests to leave immediately upon request.

Violations of the Guest Policy, including failure to check in and/or out guest(s), include, but are not limited to, a possible loss of visitation privileges, fines, or other student conduct sanction.

Non-students may be prosecuted for trespassing.

Faculty, staff and students attending or participating in special programs are provided access to facilities after public building hours.

### **Resident Assistants**

Resident Assistants (RAs) are available on each floor of the residence halls. RAs are students carefully selected for their ability to advise and aid residents in everyday situations. The RA lives with and builds relationships with students living in the residence halls. The RA serves as a role model, assisting students, supporting academic achievement, and building community. RAs are responsible for developing programs for the students, maintaining safety and order in the halls and creating a living-learning environment in the residential community.

### **Students Governed by Student Code of Conduct**

Students are governed by Dominican University's Student Code of Conduct, which contains policies affecting security on campus. Such policies include those that regulate:

- Entry into campus buildings
- Removal, possession of or use of property
- Responsibility for the acts of guests
- Physical abuse
- Harassment
- Hazing
- Possession and use of weapons
- Alcohol or illegal substances



Students can obtain an electronic copy of the student handbook from the Student Success and Engagement website [https://mydu.dom.edu/ICS/Campus\\_Life/Dean\\_of\\_Students\\_Office/](https://mydu.dom.edu/ICS/Campus_Life/Dean_of_Students_Office/)  
The university reserves the right to discipline students for violations of the Student Code of Conduct that occur both on-and off-campus, up to and including expulsion.

### **Off-Campus Housing**

The university does not rent apartments off campus for undergraduate or graduate resident students.

### **Fraternity and Sorority Houses**

The university does not sponsor social fraternities or sororities and no fraternity or sorority houses are available.

### **Noncampus Property**

In the Spring of 2024 Dominican University partnered with the West Cook YMCA to provide emergency housing to students in extenuating circumstances. As such this property, specifically the second floor of this facility, is considered “noncampus property” defined as *any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.*

### **Campus Security for Separate Campus Location**

Chicago Campus Dominican University

The Chicago Campus is located 9 miles east from the Main Campus and is considered a separate campus. The institution took possession of this property in Summer of 2024. It is used for housing, dining, classrooms, worship and campus events. This location has on-site security that patrols the campus and local police that assist with patrolling the surrounding vicinities. All Dominican University policies and procedures apply to both campuses. Statistics for this campus will be reported separately in ASF SR calendar year 2025. Crimes on public property surrounding the Chicago Campus will also be reported.

### **Public Property**

Authority having jurisdictions (River Forest Police at Main Campus, and Chicago Police at Chicago Campus respectively), monitor and record criminal activity on public property and works cooperatively with university security and SSE to address problems as they arise.

### **Campus Safety for Satellite Locations and Occasional Instructional Sites**

Dominican University has no satellite locations. Occasionally, non-campus locations controlled by other organizations are used. The security and police departments serving their respective communities police them.

# Emergency Procedures

## Building Evacuation

Campus buildings may be evacuated in order to protect the health and safety of occupants from a possible threat; i.e.; fire, utility failure, flooding, bomb threat, chemical spills, noxious / toxic fumes and campus disorders. Occupants may also be directed to a different location, if that location is more secure.

Building evacuation will occur when an alarm sounds and/or upon notification by Campus Safety.

- Leave by the nearest marked exit. Follow the **Emergency Evacuation Procedure/FIRE EXIT** signs and alert others to do the same. If evacuation is for only a part of the building or campus grounds, immediately vacate the side in question and relocate as directed.
- Faculty should clear their classrooms and close the door.
- Assist any disabled persons exiting the building. Remember that elevators are reserved for disabled persons. **DO NOT USE ELEVATORS IN CASE OF FIRE OR EARTHQUAKE.** In the event of a fire or earthquake notify Campus Safety to assist a disabled person exiting the building.
- Once outside, proceed to a clear area that is at least 100 feet away from the affected building. Security should keep streets, fire lanes, hydrant areas and walkways clear for emergency vehicles and personnel. (If possible, headcounts should be taken.)
- **DO NOT RETURN TO AN EVACUATED BUILDING UNLESS TOLD TO DO SO BY A CAMPUS SAFETY OFFICER OR THE LOCAL FIRE DEPARTMENT.** Security should assist in preventing individuals from returning to the building. (Do not dismiss employees or students unless told to do so by university administrators. In most cases, we will return to the building.)
- If you can hear the fire alarm you should evacuate whether it is in your building or not. This is because when there is a fire you can also have an explosion which can affect surrounding areas very quickly. It is always better to act with caution during any alarm or emergency situation that happens on campus.

## Fire Response

In all cases of fire, Campus Safety must be notified **IMMEDIATELY**. Dial 911 or 524-5999 or extension 5999.

- Know the location of fire extinguishers, fire exits and alarm systems in your area and know how to use them.
- If a minor fire appears controllable, **IMMEDIATELY** activate the building alarm and contact Campus Safety. Then promptly direct the charge of the fire extinguisher toward the base of the flame.
- If an emergency exists, activate the building alarm and also report the fire by phone.
- In the case of large fires that do not appear controllable, **IMMEDIATELY** notify the Office of Campus Safety, then evacuate all rooms, closing all doors to confine the fire and reduce oxygen — **DO NOT LOCK DOORS!**
- When the building evacuation order is given, follow the Building Evacuation Procedures. Smoke is the greatest danger in a fire, so stay near the floor where air will be less toxic.

## Emergency Notification System

Notification of an emergency and the response can occur by 2 means; either individually or in conjunction with one another:

- Visual / Audible Fire Alarms
- Telephone with In-Person Check

- When the visual and audio signals of the Fire Alarm Systems sound, all occupants should follow the evacuation procedures as outlined.

Campus Safety shall make telephone or In-Person notification if the emergency is minor and affects a very small area.

The University provides students and employees with an Emergency Preparedness Guide, which provides the following guidelines to follow before, during and after specific types of emergencies. While the guide does not cover every conceivable situation, it does supply basic guidelines and direction necessary to cope with most campus emergencies. This Guide is designed to assist the university staff [and students?] in knowing the proper steps to take when a response is needed to an emergency situation and to coordinate the activities of the Campus Safety staff and other staff members in dealing with emergencies.

### **Earthquake**

During an earthquake remain calm and quickly follow the steps outlined below.

- If indoors, seek refuge in a hallway or under a desk or table. Stay away from glass windows, shelves and heavy equipment.
- If outdoors, move quickly away from buildings, utility poles and other structures.
- If in an automobile, stop in the safest place available, preferably away from power lines and trees. Stop as quickly as safety permits, but stay in your vehicle for the shelter it offers.
- After the initial shock, evaluate the situation, and if emergency help is necessary call Campus Safety. Protect yourself at all times and be prepared for after-shocks.
- Damaged facilities should be reported to Campus Safety and Physical Plant. **NOTE:** Gas leaks and power failures create special hazards. Please refer to the section on Utility Failures.

When the building evacuation order is given, follow the Building Evacuation Procedure.

### **Violent or Criminal Behavior**

Campus Safety is located on the first floor of the parking Garage, and provides the campus with 24-hour help and protection. This service is provided 7 days a week and 365 days a year. For on-campus emergencies, dial 911 from any campus phone.

- Everyone is asked to assist in making the campus a safe place by being alert to suspicious situations and promptly reporting them.
- If you are a victim or witness to any on-campus offense, **AVOID RISKS.**
- Promptly notify Campus Safety at 524-5999 or at extension 5999 as soon as possible and report the incident including the following:
  - Nature of the incident
  - Location of the incident
  - Description of the person(s) involved
  - Description of the property involved
- If you observe a criminal act or you observe a person behaving in a threatening manner on campus, immediately notify Campus Safety and report the incident.
- Assist Campus Safety staff when they arrive by supplying them with all additional information and ask others to cooperate.
- Should gunfire or discharged explosives be heard on campus, you should take cover immediately. After the disturbance, seek emergency first aid, if necessary.

### **Responding to an Active Shooter on Campus**

An active shooter is a person who is actively threatening lives or is prepared to threaten lives in a populated area. In most cases, active shooters use firearms, and there is no pattern or method to their selection of victims. These dynamic situations evolve rapidly, demanding immediate deployment of law enforcement

resources to stop the shooting and mitigate harm to innocent victims. Below are guidelines for faculty, staff and students who may be caught in an active shooter situation.

The main goals are to remain calm and use these guidelines to help you plan a strategy for survival.

If an active shooter is outside your building:

1. Proceed to a room that can be locked.
2. Close and lock all the windows and doors, and turn off all of the lights.
3. If possible, get everyone down on the floor where no one is visible from outside the room.
4. Have one person in the room call 911, advise the dispatcher of what is taking place and inform the dispatcher of your location.
5. Remain in place until the police, or a campus administrator known to you, gives the "all clear."

If an active shooter is in the same building with you:

1. If possible, safely exit the building.
2. If escape is not possible, lock the room you are in.
3. Turn off all of the lights.
4. If possible, get everyone down on the floor where no one is visible from outside the room.
5. Have one person in the room call 911, advise the dispatcher of what is taking place, and inform the dispatcher of your location.
6. Remain in place until the police, or a campus administrator known to you, gives the "all clear."

If an active shooter enters your office or classroom:

1. If possible, get out of the room.
2. If escape is not possible, try to remain calm and seek cover.
3. If possible, dial 911 from any phone and alert police to the shooter's location. If you cannot speak, leave the line open so the dispatcher can listen to what is taking place because 911 can often determine a location from the call.
4. If there is absolutely no opportunity to escape or hide, it might be possible to negotiate with the shooter; attempting to overpower the shooter with force should be considered a last resort, after all other options have been exhausted.
5. If the shooter leaves the area, proceed immediately to a safer place and do not touch anything that was near the shooter.

No matter what the circumstances, if you decide to flee during an active shooter situation

1. Do not attempt to carry anything while fleeing.
2. Move quickly, keep your hands visible and follow the instructions of any police officers you may encounter.
3. Do not attempt to remove injured people. Instead, leave wounded victims where they are and notify authorities of their location as soon as possible.

**IMPORTANT:** Before any emergency occurs, become familiar with the buildings you frequent. Make sure you have an escape route and plan for how you could respond.

## **BOMB THREAT**

If you observe a suspicious object or potential bomb on campus, **DO NOT HANDLE THE OBJECT.** Clear the area and **IMMEDIATELY** call Campus Safety at 524-5999 or at extension 5999.

- Telephone Bomb Threat: Any person receiving a telephone call bomb threat should ask the caller:
  - When is the bomb going to explode?
  - Where is the bomb located?
  - What kind of bomb is it?
  - What does it look like?
  - Why did you place the bomb?
- Keep talking to the caller as long as possible and record the following:
  - Time of call.
  - Age and sex of caller.
  - Speech pattern or detectable accent.
  - Emotional state of caller.
  - Background noise.

Immediately notify Campus Safety and report the incident.

- Law enforcement personnel and Campus Safety Officers will conduct a detailed bomb search. Employees are requested to make a cursory inspection of their area for suspicious objects and report the location to Campus Safety. **DO NOT TOUCH THE OBJECT!** Do not open drawers, cabinets, or turn lights on or off.  
**NOTE: DO NOT USE THE RADIO COMMUNICATIONS. USE OF RADIOS MAY ACTIVATE SOME TYPES OF EXPLOSIVES.**
- If the building evacuation order is given, follow the evacuation procedure outlined in Building Evacuation Procedure.

### **Tornado Response**

In the Village of River Forest, the civil alert siren sounds for severe weather. You should proceed to an interior portion of the building, away from glass or other such debris that could cause injury, and crouch under a sturdy object for safety. If you happen to be in a building with a basement, you should proceed to that location (if the basement is accessible). Depending on the severity of the situation, personnel from Security may or may not be available to assist you in this process. As a rule, if the weather looks ominous, take it upon yourself to relocate to a safe area and do not wait for university personnel to notify you.

**NOTE:** A Tornado Watch means conditions are favorable for a tornado to exist.

**NOTE:** A Tornado Warning means that a funnel cloud was sighted in the sky or has actually touched down on the ground.

**NOTE:** If the campus sustains damage, where occupants are no longer safe, building evacuation procedures as already related will be enacted and followed.

For your information, the Village of River Forest sounds the civil alert siren as a test on the first Tuesday of the month at 10:30 a.m.

### **Utility Failure**

In the event of a major utility failure occurring immediately notify Campus Safety at 524-5999 or at extension 5999.

- If there is potential danger to building occupants notify Campus Safety at 524-5999 or at extension 5999.
- When the building evacuation order is given, follow the Building Evacuation Procedure.

## **ADDITIONAL INFORMATION AND PROCEDURES**

**Electrical / Light Failure:** At present time there is minimal emergency lighting to provide sufficient illumination in corridors and stairs for safe exiting. Do not evacuate or dismiss employees or students unless told to do so and if no other danger exists. In most cases, power will be restored or classes will be relocated to another section with power.

**Elevator Failure:** If you are trapped in an elevator, press the emergency alarm located on the front panel which will signal for help. **NOTE: REMAIN CALM.**

**Plumbing Failure / Flooding:** Do not use any electrical equipment. Notify Campus Safety at 524-5999 or at extension 5999. If necessary, evacuate the area.

**Gas Leak:** Cease all operations. **DO NOT TURN ON LIGHTS OR ANY ELECTRICAL EQUIPMENT.** Remember, electrical arcing can trigger an explosion. Notify Campus Safety immediately.

**Ventilation Problems:** If smoke odors come from the ventilation system, immediately notify Campus Safety at 524-5999 or at extension 5999. If necessary, cease all operations and evacuate the area.

**Water Supply Failure:** In the event of water supply failure notify Campus Safety immediately at 524-5999 or at extension 5999.

### **Chemical / Radiation Spill**

- Any spillage of a hazardous chemical or radioactive material is to be reported IMMEDIATELY to the Office of Campus Safety at 524-5999 or at extension 5999.
- When reporting, be specific about the nature of the involved material and the exact location. Campus Safety will contact the necessary specialized authorities and medical personnel.
- They key person on site should vacate the affected area at once and seal it off to prevent further contamination of other areas until the arrival of Campus Safety personnel.
- Anyone who may be contaminated by the spill is to avoid contact with others as much as possible, remain in the vicinity and give their name to Campus Safety. Required first aid and clean up by specialized authorities should be started at once.
- If the building evacuation order is given, follow the Building Evacuation Procedures.

### **Explosion or Aircraft Crash**

In the event a mishap occurs such as an explosion or a downed aircraft (crash) on campus, take the following action:

- Immediately take cover under tables, desk and other objects, which will give protection against falling glass or debris.
- After the effects of the explosion and/or fire have subsided, notify the Campus Safety Office. Give your name and the location and nature of the emergency.

When the building evacuation is given, follow the Building Evacuation Procedure.

The Immediate Emergency Procedure guides are posted in classrooms, offices, and near all public access phones around campus.

# IMMEDIATE EMERGENCY PROCEDURES

## EMERGENCY CONTACT PHONE NUMBERS

Campus Safety: (708) 524-5999

All Emergencies Needing  
Immediate Response: 911

### WHEN AN ALARM SOUNDS

- Leave via nearest marked exit.
- Alert others to do the same.
- Faculty: clear classrooms and close the door upon exiting.
- Do not use elevators in case of fire or earthquake.
- Assist disabled persons. Call x5999 for help.
- Proceed to a clear area at least 100 feet away. Do not return inside until directed to do so.

### FIRE

- Call 911
- Activate the building alarm.
- Evacuate building using nearest FIRE EXIT.
- Close but do not lock doors to confine the fire.
- Do not re-enter building until given "all clear."

### EARTHQUAKE

- Seek refuge in a hallway or under desk or table.
- Stay away from glass windows, heavy shelves, or equipment.
- After the initial shock, evaluate the situation. Call 911 for help.
- Report damaged facilities to Campus Safety at x5999.

### TORNADO

- If tornado sirens are heard, go to the building's basement.
- If no basement, go to lowest floor and an interior portion of the building away from glass.
- Report damaged facilities by calling x5999.

### UTILITY FAILURE

- If failed electric, plumbing, or gas systems create an unsafe situation, call x5999 immediately. If lights fail without clear danger, do not evacuate unless directed.
- Report non-emergency utility failures to Campus Safety at x5999.

#### Plumbing Failure/Flooding

- Do not use electronic equipment in area. Report incident by calling x5999.

#### Suspected Gas Leak

- Stop operations. Evacuate.
- DO NOT turn on lights or any other electric equipment as this may cause an explosion.

### CHEMICAL/HAZARDOUS SPILL

- Report potentially hazardous spills by calling 911.
- Vacate the affected area.
- Report location details.
- Avoid contact with others if you have been contaminated.

### VIOLENT OR CRIMINAL BEHAVIOR

- If you witness violent or criminal behavior, move to a safe area and then call 911.
- If possible, report the nature and location of the incident and describe the persons involved.
- Report gunfire or explosive sounds by calling 911.
- If someone is behaving in a threatening manner, call 911.

### BOMB THREAT

- If you observe a potential bomb, DO NOT HANDLE IT. Clear the area and call 911.
- If you receive a bomb threat by phone, ask the caller when the bomb will explode, where it is located, what it looks like, and why they placed it.
- Keep them talking and record the age, emotional state, accent and gender of the caller.
- Immediately call 911.
- Evacuate the building.

### ACTIVE SHOOTER

- If possible, evacuate building; have an escape route and plan in mind.
- Hide in an area out of shooter's view.
- Lock or block doors to prevent entry, and turn off lights.
- Assign one person to call 911, advise operator of shooter's location and description, silence all other cell phones.
- As a last resort, and only when your life is in imminent danger, attempt to incapacitate shooter.
- Remain in place until police give you the "all clear".

### NON EMERGENCY NUMBERS

- Campus Safety: (708) 524-5999
- Wellness Center: (708) 524-6229
- River Forest Police Department: (708) 366-7125
- River Forest Fire Department: (708) 366-7629
- Illinois Poison Center: (312) 906-6136

For more helpful information, visit the [Campus Safety website accessible from Campus News](#).



## **Missing Student Policy & Procedure**

This policy, with its accompanying procedures, establishes a framework for cooperation among members of the Dominican University community aimed at locating and assisting students who are reported missing. A student shall be deemed missing when they are absent from the University for more than 24 hours without any known reason. All reports of missing students shall be directed to Campus Safety, which shall investigate each report and make a determination whether the student is missing in accordance with this policy.

All students shall have the opportunity to identify an individual to be contacted by the University in case a student is determined to be missing. If a specific Missing Person contact is not identified, the University will contact the Emergency Contact. This information is maintained confidentially, will be accessible only to authorized campus officials, and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. If a missing student is under the age of 18 and is not an emancipated individual, Student Success and Engagement is required to notify the parent or guardian of the missing student, as well as any additional contact person designated by the student, no later than 24 hours after the determination by Campus Safety that the student is missing. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated individual, Campus Safety will notify the River Forest Police no later than 24 hours after it determines that any student is missing.

Student Success and Engagement shall have the responsibility to make provisions of this policy and the procedures set forth below available to students.

### *Procedure*

Any report of a missing student, from whatever source, should immediately be directed to the Campus Safety.

When a student is reported missing Campus Safety shall:

- Initiate an investigation to determine the validity of the missing person report.
- Contact Student Success and Engagement
- Make a determination as to the status of the missing student.
- Notify the individual identified by the missing student as the Missing Person contact, or Emergency Contact if a Missing Person contact is not identified, within 24 hours of making a determination that the student is missing.
- If the missing student is under the age of 18 and is not an emancipated individual, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours of the determination that the student is missing.
- Notify the River Forest Police within 24 hours after determining that the student is missing.

The SSE case manager will notify the Incident Management and Assessment Team (IMAT). The IMAT shall initiate whatever action deemed appropriate under the circumstances in the best interest of the missing student.



## **Alcohol, Drug and Weapons Policies**

### **Alcoholic Beverages**

#### *Legal alcohol consumption*

The university observes and upholds local, state and federal drug and alcohol laws as they pertain on campus. Possession, use and sale of alcohol is permitted for students who are 21 years of age or older. Consumption is limited to that student's residence hall room or the room of another student who is also at least 21 years of age. Alcohol may be served at some special events on campus with approval from the SSE.

#### *Approval system*

The approval system will ensure that proper alcohol-serving guidelines are followed. Students found in violation of any aspect of the alcohol policy are subject to university conduct action.

### **Drugs**

The university observes and upholds local, state and federal drug laws as they pertain on campus. The purchase, sale, growing, manufacturing, use, possession or distribution without prescription of any controlled substance, drugs or narcotics, sedative-hypnotic drugs such as barbiturates; psychedelic drugs such as LSD; sympathy mimetic drugs such as amphetamine and codeine; marijuana and paraphernalia, on university property, in university-owned vehicles or at off-campus university-sponsored events is strictly prohibited. Misuse or abuse of prescription medications is also prohibited.

### **Education and Prevention**

Dominican University provides drug and alcohol-abuse education programs and prevention services for the entire university community. These services include:

- Option to live on alcohol-free residence hall floor
- Drug and alcohol information and educational materials from Dominican's Wellness Center
- Alcohol and drug abuse prevention materials, along with awareness and education displays are posted throughout the residence halls
- Programs on drug and alcohol topics are provided to students each year

Dominican's Wellness Center offers assessment, treatment, aftercare and referral services. Students may access complete information regarding alcohol, tobacco and drug abuse from the Wellness Center website <https://dom.campuswell.com/category/self/substance-use/> <https://www.dom.edu/campus-life/wellness-center> More detail is provided in the university's biennial report prepared in compliance with the Drug Free Schools and Communities Act. That report is available from the SSE office.

### **Weapons**

Dominican University is a gun free zone. The **Gun-Free School Zones Act of 1990** is a federal United States law that prohibits any unauthorized individual from knowingly possessing a firearm at a place that the individual knows, or has reasonable cause to believe, is a school zone as defined by 18 U.S.C. § 921(a)(25).

Campus Safety officers are issued flashlights that do have strobe light capabilities. They do not carry any other weapon in their official capacity. Outside law enforcement personnel who are authorized to possess weapons may do so within the scope of their authority. No other persons are permitted to possess weapons on University property.

Weapons and ammunition are potential safety hazards. The purchase, sale, manufacturing, use, possession or distribution of fireworks, firearms, ammunition, weapons or explosive devices is strictly prohibited.

Definitions of Weapons and Ammunition: A weapon is defined as: an instrument of offensive or defensive combat, something to fight with, and is generally any device capable of projecting a ball, pellet, arrow, bullet, missile, shell, or other material. Ammunition is any material capable of being projected by a weapon and makes the weapon operational.

### **Violation**

Any employee, faculty, staff, student, or other representative of the University who violates this policy shall be notified of the violation and subject to disciplinary sanctions under the applicable discipline process.

Any member of the public who violates this policy shall be notified of the violation and asked to comply. If the public member will not comply, the individual shall be removed from campus and subject to all legal penalties, including the criminal trespass from University property.

### **Weapons:**

Defined as any weapon as described in the Illinois Criminal Code. This definition also refers to any weapon described in other provisions of the Illinois Criminal Code of 2012, including but not limited to the following:

- any gun, bow, crossbow or other weapon designed or intended to propel a missile or projectile of any kind, including any pistol, revolver, rifle, musket, long gun or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material;
- any air gun, air pistol, spring gun, spring pistol, B-B gun, paint ball gun, pellet gun or any implement that is not a firearm which impels a breakable paint ball containing washable marking colors or, a pellet constructed of hard plastic, steel, lead or other hard materials with a force that reasonably is expected to cause bodily harm.
- any stun weapon, including any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person;
- any knife, including any dirk, bowie knife, switchblade knife, ballistic knife, machete or razor, except a pocket knife having a folding metal blade of less than three inches;
- any slingshot, spring stick, metal knucks or blackjack;
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken or fighting chain;
- any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart;
- any frame, receiver, muffler, silencer, missile, projectile or ammunition designed for use with a dangerous weapon, including any cartridge, pellet, ball, missile or projectile adapted for use in a firearm;
- any explosive substance or explosive device, if such substance or device is intended to be used as a weapon;
- any tear gas, mustard gas, phosgene gas or other noxious or nauseating gases or mixtures of chemicals designed to, and capable of, producing vile, injurious or nauseating odors or gases, if such gas or chemical is intended to be used as a weapon; and
- any weapon of like kind as those stated.

### **Procedures:**

- Dominican University employees, students, visitors, independent contractors and vendors are prohibited from bringing or harboring firearms or dangerous weapons of any kind on the property.

- Authorized individuals of law enforcement agencies of local, state or federal government may maintain personal weapons in their possession while on the property only in the course of official business. Such weapons may not be used or un-holstered except in extreme cases where public safety or human life may be endangered.
- Security Officers who observe individual(s) with a firearm or dangerous weapons shall call 911

## Bias-Motivated and Non-Title IX Sexual Harassment Policy

### 1.0. PHILOSOPHY OF ONE PROCESS

#### 1.1. Introduction

Dominican University is committed to ensuring a just and humane campus where all community members have the capacity to thrive. The Title IX Coordinator/one Process Coordinator and work in partnership with community stakeholders to support the culture of equity and inclusion that is critical to the University's mission and identity. When the behavior of some community members challenge the well-being of others, the One Process team determines, to the extent possible, whether the University's policies related to Title IX and gender-based misconduct, ADA and disability, race discrimination, bias, and other forms of sexual harassing conduct were violated.

To ensure the University's ability to foster a just and humane campus for all, violations of these policies will not be tolerated. As such, the University community is asked to report incidents that may violate University anti-discrimination and sexual misconduct policies so that efforts can be made to end discriminatory and harassing conduct based on protected characteristics, prevent its reoccurrence, and, where possible, address its effects. The University takes these reports seriously and is therefore committed to following up on reports of sexual assault, sexual harassment, and discrimination.

#### 1.2. Investigations of Bias-Related Policy Violations are based on a Civil Rights Model

Dominican University has chosen to utilize a model based on procedures for investigating alleged violations of civil rights. Civil Rights violations are highly sensitive and emotional, and require sound and thorough investigations to properly and effectively address them. Any investigation of civil rights violations must be responsive to specific contexts and individual circumstances and must maintain rigorous standards. A civil rights model is based on an active gathering of information by trained investigators. Investigations are designed to be fair, impartial, thorough, and timely. In the civil rights investigation model, it is not the job of the parties to prove whether a policy was violated. It is the job of Dominican University to determine whether there is a preponderance of evidence that a University policy was violated. Investigations involve an active accumulation of information from all relevant sources. Investigators must objectively and impartially collect the pertinent information, confirm its veracity, and analyze the information to understand violations, their causes and effects, and, when necessary, to take corrective action. The duration and scope of investigations can vary, as well as the content of final investigative reports. However, all findings determine the extent to which the parties involved are responsible for violating University policy. Findings may include recommendations on ways to rectify violations for complainants, promote accountability for respondents found to have violated University policy, stop ongoing abuses, and prevent their reoccurrence. Findings may also include recommendations to the University to address issues found to have contributed to a policy violation.

The standard used to determine whether the Bias-Motivated Offensive Conduct Policy has been violated is whether it is more likely than not that the respondent violated the policy. This evidentiary standard is often referred to as a preponderance of the evidence.

The complaint resolution process is outlined below.

#### 1.3. Overview of the Investigation Process

There are stages to the process: Receipt of Incident Reports, Intake, and determination of Interim measures, including an option for mediation or other options for alternative dispute resolution (ADR) of the complainant. When appropriate, a notice of a One Process Concern is issued in lieu of a full investigation or alternatively, a Notice of Investigation is issued when a full investigation is warranted. (Stage 1), In cases where a full investigation occurs, Deputy Coordinators manage the case and investigators complete the investigative report, the One Process /Title IX Coordinator issues letters of findings to relevant parties (Stage 2). Once findings have been issued, the complainant may request an appeal. A Review of a request for appeal is completed by the One Process/Title IX Coordinator. If approved, the One Process/Title IX Coordinator convenes a Review Board (Stage 3). Following the decision of the Review Board, an appeal may result in approval of the Right to Further Review (Stage 4). In any full investigation, the complainant's and respondent's rights in the investigation and resolution process are provided to each party in writing (see Appendix A for a statement of rights).

In general, the investigation and initial resolution of any alleged violation of University Bias-Motivated Offensive Conduct Policy (Stages 1 and 2) will be completed as soon as possible after a Notice of Investigation is issued.

#### **1.4. Community Based Process**

Members of the Dominican University community (faculty/staff/student) are trained to implement this process for a just and humane campus and to offer support. Confidential Resources, Mediators, Investigators, and Investigation Advocates may be faculty and staff members of the community trained by the One Process/Title IX Coordinator or the Committee on Climate, Equity, and Inclusion. Each of the One Process roles is specialized and members of the Dominican University community should serve in only one capacity during an academic year. The roles of One Process stakeholders are defined below:

**Mediators:** Mediation is a resolution process by which both parties agree to meet with an impartial trained mediator. Impartial and trained mediators from the Dominican University community (faculty/staff/student) develop a resolution process to discuss the incident and attempt to resolve it amicably.

**Investigators:** Trained investigators from the Dominican University community (faculty/staff) will interview the complainant, respondent, any witnesses, and any other relevant persons and determine the appropriate order for the interviews. Investigators are trained members of the community including faculty, staff, and external investigators who are appointed and trained by the Chief Diversity Officer. To the extent possible, one investigator will be the note taker and one will be the interviewer. The University, at its discretion, can contract with external investigators to ensure timely and impartial completion of investigations. It is the responsibility of the investigators to determine the facts of the situation under investigation.

**Investigation Advocates:** A trained investigation advocate from the Dominican University community (faculty/staff) can be present for the investigation and/or resolution process. Investigation advocates are trained in investigation protocols. They may advise the complainant or respondent on the proceedings and communicate expectations about the process of investigation.

**Other Advisors:** Each party has the right to choose and consult with an advisor; the advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. While advisors may provide support at any meeting or proceeding, they may not speak on behalf of the parties or otherwise participate in or in any manner disrupt such meetings and proceedings. Investigators may terminate interviews when advisors violate these terms and conditions for participation in the interviews or proceedings.

**Confidential Advisors:** A Confidential Advisor is a person who has received 40 hours of training and 6 hours of training updates each year. The Confidential Advisor is trained in sexual assault counseling and

may have privileged communications with students related to sexual assault. Confidential Advisors are exempt from full disclosure.

**Responsible employees:** Responsible employees are University employees who have the authority to redress sexual violence or who otherwise have the duty to report such incidents. All University employees and contracted staff are **responsible employees** except licensed mental health professionals, and confidential advisors. The following groups of student employees are designated as responsible employees: Resident Advisors, Student Security, Welcome Desk Workers, Circulation Desk Attendants, Peer Advisors, and University Ministry student staff. A report to a responsible employee constitutes a report to the University and generally obligates Dominican University to document the incident and take appropriate steps to address the situation.

**Campus Security Authority/Mandatory Reporters:** All University employees, contracted staff, designated student employees, and Trustees are required to report concerning behaviors, including threats or crimes by employees. In addition, state law requires the reporting of suspected cases of child abuse and neglect. When an employee or trustee becomes aware of an alleged employee crime, child abuse or neglect, the employee must promptly contact Campus Safety. In cases of child abuse or neglect, the employee must contact the Title IX Coordinator and the Department of Children and Family Services hotline. If child abuse or neglect is suspected or disclosed, the reporter should not delay a call to the hotline, even if all the information about the victim or the incident is not readily available. The Illinois Child Abuse Hotline is 1-800-25-ABUSE or 1-800-252-2873.

When reporting abuse or neglect, reporters should be prepared to provide a phone number where they can be reached in case the Hotline needs to contact the reporter for additional information.

### **1.5. Confidentiality**

No identifying information will be reported to the community (i.e., name, relationship to the University, and details about the incident) unless the University determines that disclosure of such information is legally required or necessary to address a threat to the campus community.

The University will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, or audio recordings, etc.). To the extent permitted by law, the confidentiality of all parties involved in the resolution of alleged or suspected violations of University policy will be observed, provided that it does not interfere with the University's ability to conduct an investigation and take any corrective action deemed appropriate by the University.

In no event will the complainant be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome.

### **1.6. Prohibition against Retaliation**

Dominican University strictly prohibits any adverse action against any individual for reporting incidents, providing information, or exercising their rights under this policy. No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation is defined as conduct that 1) adversely affects the individual's employment or their opportunity to access or benefit from the University's programs or activities; and 2) is motivated in whole or in part by the individual's participation in the complaint process. Retaliation exists when action is taken against a complainant or participant during the complaint process or after the resolution of a complaint.

Retaliatory actions include threats or actual violence against a person or that person's property or threats on social media. Retaliation may involve engaging in ridicule, intimidation, bullying, or inciting adverse educational or employment consequences, or colluding with others to embarrass or punish an individual who filed a complaint or participated in an investigation, or hearing. Retaliation is not limited to the complainant

or respondent— any individual or group of individuals involved in an investigation can engage in or be affected by retaliatory conduct.

The University retains discretion to consolidate a Formal Complaint of Retaliation with a Formal Complaint of Bias for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

Any acts of retaliation shall be grounds for disciplinary action, up to and including dismissal from the University for students and termination of employment for faculty and staff.

### **1.7. Free Expression and Academic Freedom**

The University will construe and apply this Policy consistent with the principles of academic freedom specified in the Faculty Handbook. In no case will a Respondent be found to have committed Title IX Sexual Harassment based on expressive conduct that is protected by the principles of academic freedom specified in the Faculty Handbook.

### **1.8. Immunity**

To encourage reporting, the University pursues a policy of offering witnesses and individuals who wish to report incidents limited immunity from being charged for policy violations, such as alcohol or drug use. While violations cannot be completely overlooked, the University will provide educational rather than punitive responses in such cases. The seriousness of discrimination and/or sexual misconduct is a major concern and the University does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of discrimination and/or sexual misconduct. However, the University reserves the right to require counseling, education, or other preventative measures to help prevent alcohol or drug violations in the future. The University's commitment to immunity in these situations does not prevent action by police or other legal authorities against an individual who has illegally consumed alcohol or drugs.

### **1.9. Clery Act/Federal Statistical Reporting Obligations**

All information will be considered confidential to the greatest extent possible. For federal reporting purposes, all personally identifiable information will be kept confidential, but statistical information must be reported to the relevant authorities. Such reporting protects the identity of the complainant and the respondent.

### **1.10. Other Grievances**

The University community benefits from formal and informal procedures that encourage prompt resolution of complaints and concerns regarding the implementation of policies and procedures that govern the institution. All grievances not involving discrimination and/or gender-based misconduct will be addressed through academic procedures in the Faculty Handbook, employee policies in the Employee Handbook or student conduct procedures in the Student Code of Conduct. These procedures are governed by the Faculty Senate, Human Resources, and SSE.

## **2.0. REPORTING OPTIONS AND LEVELS OF CONFIDENTIALITY**

### **2.1. Who must Report and What Information Must they disclose?**

Dominican's One Process policy makes students, faculty, and staff aware of the various reporting and confidential disclosure options available to them – so they can make informed choices. Dominican University encourages anyone who experiences any kind of misconduct or discrimination to talk to someone identified in one or more of these groups but to be aware that different employees on campus have different abilities to maintain a complainant's confidentiality.

**Licensed mental health professionals** and employees functioning within the scope of their employment and who are supervised by University employees with a professional license cannot disclose confidential information. These employees can maintain near complete confidentiality regarding bias, including sexual

assault, dating violence, domestic violence and stalking to them is sometimes called a “privileged communication.”

**Confidential Advisors** may or may not be a licensed mental health professional but they must have 40 hours of training and 6 hours of updates each year in sexual assault counseling. Confidential Advisors may have confidential communications with students related to sexual assault. They can also help the complainant access other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

**All other Dominican employees** – including faculty, staff, contracted employees, and designated student employees; i.e. Circulation Desk Attendants, Peer Advisors, Resident Advisors, Student Security, Welcome Desk Workers, and University Ministry student staff are required to report all the details of an incident (including the identities of both the complainant and respondent) to the One Process/Title IX Coordinator.

## **2.2. Confidentiality Requests**

Complainants have the right to request confidentiality. When deciding how they want to proceed, complainants must weigh the fact that maintaining confidentiality can impact the University’s ability to adequately investigate a particular incident or to pursue appropriate action against the respondent.

A complainant who at first requests confidentiality may later decide to file a complaint with the University or report the incident to local law enforcement, and thus have the incident fully investigated. The One Process/Title IX Coordinator will provide the complainant with assistance if the complainant decides to file a complaint.

### **2.2.1. Requesting Confidentiality from the University**

If a complainant discloses an incident to an employee but wishes to maintain confidentiality or requests that no investigation be conducted or disciplinary action taken, Dominican University must weigh that request against the University’s obligation to provide a safe, non-discriminatory environment for all. The employee must report to the Title IX Coordinator and the Title IX Coordinator will assess the request for confidentiality.

If Dominican University honors the request for confidentiality, a complainant must understand that the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the respondent(s) may be limited.

Dominican University has designated the One Process/Title IX Coordinator to evaluate requests for confidentiality. When weighing a complainant’s request for confidentiality or request that no investigation or discipline be pursued, the One Process/Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of sexual or other violence, such as:
- whether there have been other sexual violence complaints about the same respondent;
- whether the respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the respondent threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple respondents;
- whether violence was perpetrated with a weapon;
- whether the complainant is a minor;
- whether the University possesses other means to obtain relevant evidence of the violence (e.g., security cameras or personnel, physical evidence);

- whether the complainant's report reveals a pattern of inappropriate conduct (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 University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the complainant's request for confidentiality.

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

Dominican University will remain mindful of the complainant's well-being, and will take ongoing steps to protect the complainant from retaliation or harm and work with the complainant to create a safety plan. The University will partner with community organizations as appropriate to protect the complainant's welfare.

Dominican University will also:

- assist the complainant in accessing other available advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the respondent pending the outcome of an investigation) or adjustments for assignments or tests;
- inform the complainant of the right to report a crime to campus or local law enforcement (or not to do so) – and provide the complainant with assistance if the complainant wishes to do so.

### **2.3. Community Alerts**

If the University determines that the alleged respondents(s) pose a serious and immediate threat to the University community, the One Process/Title IX Coordinator, SSE, or Campus Safety may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the complainant to the extent permitted by the law. Dominican University may have other reporting obligations under state, federal or local laws. Complainants will be notified whenever these reporting obligations apply to the complaint.

### **2.4. Maintaining a Healthy, Safe Campus**

How do I report an incident?

Reporting an incident can be done by: by contacting Confidential Resource persons, or any representative of the campus (e.g., the SSE Office, Campus Safety, Student Life, Human Resources, the Provost's Office, University Ministry, a faculty member or a staff member)

or [https://dom.pharos360.com/anonymous\\_referral/choose\\_form.php](https://dom.pharos360.com/anonymous_referral/choose_form.php) through the incident management system.

Title IX and Bias Reports can be submitted using the Maxient System

[https://cm.maxient.com/reportingform.php?DominicanUniv&layout\\_id=201](https://cm.maxient.com/reportingform.php?DominicanUniv&layout_id=201)

A complainant may choose to make a report to the University and may also choose to make a report to law enforcement. A Complainant may pursue either or both of these options at the same time.

Can I report anonymously?

To help ensure a prompt and thorough investigation, complainants are encouraged to provide as much information as possible when they report an incident.



## **2.5. Confidentiality within the Roman Catholic Sacrament of Reconciliation and Penance**

As a Catholic, Dominican institution, Dominican University believes that the dignity of the human person and her or his restoration of right relationship with God and others is central to the profession and practice of any faith. In Roman Catholicism, the Sacrament of Reconciliation or Penance is a moment of sacred grace through healing. For Roman Catholic faculty, staff and students Reconciliation is made available by request or through general pastoral offerings of the University Ministry Center. For baptized Roman Catholics, the information shared within the confessional space of the Sacrament are completely confidential and remain under what the Church calls the sacramental seal. The seal prevents the confessor from sharing any information because it is “sacred, and cannot be violated under any pretext” (Catechism of the Catholic Church 2490). As such, a Roman Catholic priest in good standing serving as a confessor on Dominican University’s campus shall not be required to report any information disclosed in the confessional space.

## **3.0. STAGES OF THE ONE PROCESS COMPLAINT RESOLUTION**

What follows are the procedures that are intended to comply with federal, state, and local laws, and to be deeply grounded in Dominican’s identity and culture of commitment to social justice and the common good. The University’s intention, at every stage of the process, is to effectively investigate and resolve violations of University policy while also providing support and affirming the rights and humanity of complainants and respondents.

### **3.0.1. Stage 1: Receipt of Incident Reports, In-Take, Engagement in Interim Supportive Measures, Determinations Regarding Mediation or Alternative Dispute Resolution**

The One Process/Title IX Coordinator will receive incident reports, conduct an intake process, as appropriate, consult with the Student Success and Engagement and the Department of Campus Safety in cases where conduct violations or threats to individual or campus safety are concerned, consult with the ADA Coordinator(s), when appropriate, and assign designated Deputy Coordinator(s). The One Process/Title IX Coordinator will also appoint investigators. The Deputy Coordinator(s) will be appointed on a rotating basis by the One Process/Title IX Coordinator.

Parties to the complaint have the right to request supportive measures pending the disposition of the complaint. The University also reserves the right to take interim measures the University deems appropriate to protect the complainant, the respondent and other members of the community that may be adversely affected. Such interim measures may include but are not limited to removing a student or employee from campus; modifying course or work schedules; changing housing assignments; issuing “no contact” or “appropriate contact” orders, providing referrals for medical, mental health, rape crisis or academic support services; and notifying area law enforcement, when requested. Any such interim steps will be taken in a manner that minimizes the burden on the complainant and respondent to the extent possible.

Campus Safety, Student Life, the One Process/Title IX Coordinator and designated Deputy Coordinator(s) will provide the complainant and respondent with a list of campus and community resources.

The One Process/Title IX Coordinator, the Intake Panel and/or Deputy Coordinator(s) will gather information to understand the circumstances of the incident and assess whether resolution is only possible through a full investigation or whether mediation or other alternative dispute resolution options may be offered to resolve the dispute. If mediation or an alternative way of resolving the complaint is an option and if both the complainant and respondent agree to mediation or to an alternative dispute resolution process, or if the respondent agrees to a resolution agreement; these approaches will be initiated in lieu of a full investigation, if an investigation is underway and the parties agree to mediation, the investigation can be halted or suspended pending the outcome of the mediation. Alternative methods of resolution include combinations of interventions that may involve professional development, educational programming, workplace modifications, a settlement agreement or restorative justice measures; such as, peace or racial

healing circles, or actions by the respondent that are tailored to achieve the goals of the policy and the needs of the parties to the dispute.

### 3.0.2. Intake Panel

The University will act on all reports of alleged discrimination and harassment. Complaints will be investigated unless the intake process determines that the following conditions apply: 1) alleged conduct is not a violation under One Process, 2) another adjudicatory process has jurisdiction over the alleged conduct, 3) the case could be resolved through mediation, 3) there is not enough information to proceed with the case, 4) there are extenuating circumstances that might affect the need for a full investigation of the case. In the case of an anonymous report, if the allegations may violate community standards or institutional norms, or affect the campus climate or safety of the community, the University may act as the complainant in the case.

- The Intake Panel consists of a Deputy Coordinator and a mediator or Investigation Advocate. The Panel will be designated from the individuals serving through the One Process system and appointed by the One Process/Title IX Coordinator to a renewable term not to exceed 3 years.
- The Intake Panel: 1) determines whether the complaint is a One Process concern (jurisdiction), and whether it should proceed to investigation or be resolved informally; meaning without a formal investigation. Efforts to resolve the complaint may include: **mediation, referral to another adjudicatory process, a notice of One Process Concern or alternative dispute resolution.**
- The intake panel will determine whether there is enough information to proceed to investigation, in cases where more information is needed, the complainant will be asked to provide the information within 14 days of the original complaint. The panel may request an *initial threat assessment* to assess the threat and determine if interim measures or other support needs to be provided or if referrals need to be made based on concerns about harm to self or others.
- If a report is anonymous, the Intake Panel may recommend no immediate action but advise the One Process/Title IX Coordinator to monitor the complaint. If monitoring results in a pattern of discrimination or bias, the One Process/Title IX Coordinator can initiate an investigation of the conduct.
- In third party reports, the intake panel must attempt to contact the individual on whose behalf the complaint is filed to ensure that the named individual subject to the conduct wishes to pursue allegations raised on their behalf. If the person subject to the conduct does not wish to pursue allegations, the file will be noted, the allegation will be shared with the respondent, and the case closed.

### 3.0.3. Mediation and Alternative Resolution

Mediation is a resolution process by which both parties agree to meet with an impartial trained mediator to discuss the incident and attempt to resolve it amicably. In mediation, the complainant and the respondent will not be required to deal directly with one another without the University's involvement.

Mediation is not appropriate for allegations of domestic and dating violence, stalking, and allegations of non-consensual sexual penetration or other kinds of sexual violence. Mediation is successful when the parties have reached a consensus about the details of the incident and how it will be resolved. Mediation is about restoration and reconciliation of relationships. Any party may request that mediation be terminated at any time, in which case an Investigation would commence or proceed. In addition, any party can request an Investigation if he or she is dissatisfied with the mediation resolution.

If appropriate, restorative justice practices can be used to solve problems in ways that allow complainants to reconcile the complaint, respondents to take responsibility for their actions and the community to practice healing and support for both parties to the dispute. A Settlement agreement allows for the resolution of a

complaint that does not involve issuing a letter of finding. Settlement agreements are negotiated in lieu of a complete investigation. Settlement agreements may be offered at any stage of the process prior to the issuance of a formal letter of finding. The resolution agreement option is offered to the respondent with the terms governed by the facts of the case. If the respondent agrees to a settlement, the complainant will be offered three working days to review the agreement and consider its terms. If the complainant agrees to the terms of the resolution agreement, the investigation is halted; if the respondent fails to comply with the settlement agreement; an investigation of the initial complaint will commence or continue.

The University reserves the right to investigate any case it deems appropriate. However, other alleged violations of University policy, including some allegations of sexual misconduct, may be resolved using mediation; if all parties agree to participate. In its discretion, the University may not commence an investigation, if it determines that its ability to determine violations of University policy is hampered by requests for confidentiality, or if the reporter chooses to remain anonymous or if one or more parties involved in the case are not students of the University.

### **3.1. Stage Two: Investigation**

The One Process/Title IX Coordinator, in cooperation with the assigned Deputy Coordinator(s), will assign trained investigators to conduct the investigation.

Investigators will be selected from a pool of faculty, staff, and external investigators who have been trained to serve in this capacity. The One Process/Title IX Coordinator and Deputy Coordinator(s) will also determine a preliminary timeline for the investigation. In the investigation process, it is the role of the Deputy Coordinator to keep the parties to the investigation and the One Process/Title IX Coordinator updated on the investigation process.

The investigators will interview the complainant, respondent, any witnesses, and any other relevant persons and determine the appropriate order for the interviews. Interviews may be recorded with the consent of the interviewee. The investigators may also review any relevant records; including documents, electronic texts, social media, and other information relevant to understanding the facts of the case.

Although, in campus investigations, legal terms like “guilt,” “innocence” and “burdens of proof” are not applicable, the University never assumes a respondent is in violation of University policy. The investigation and subsequent hearings on appeal are conducted to consider the totality of all evidence available, from all relevant sources.

It is the responsibility of the investigators to determine the outcome of the investigation based on the preponderance of the evidence. There are two possible outcomes:

**Finding of Responsibility** – the respondent is found to have violated University policy

**Finding of Not Responsible** – the respondent individual is found to not have violated University policy, or there is insufficient evidence to determine whether or not the respondent violated University policy

The investigators will share the outcome of the investigation (i.e., whether a violation of University policy has occurred and any proposed recommendations or other corrective actions) with the Deputy Coordinators and the One Process/Title IX Coordinator. Within ten (10) business days of the conclusion of the investigation, the One Process/Title IX Coordinator will issue a letter of finding to the complainant and the respondent explaining the outcome of the investigation, the rationale for the findings, the sanctions or recommendations involved, and the right to appeal. If the University determines that additional time is required to complete the report, a notice of extension shall be issued contemporaneously/ simultaneously to all parties to the extent practicable.

#### **3.1.1. Timeline for Investigation**

The investigation and initial resolution of any alleged violation of University policy will be completed as soon as possible upon issuance of a Notice of Investigation. The One Process/Title IX Coordinator is responsible to keep the parties informed about the progress of the investigation.

### **3.1.2. Investigative Report**

The investigators will submit a draft investigative report to the investigative team e.g. Deputy Coordinators and investigators. The team will review the report and request clarification. *A preliminary report is then made available to the complainant and the respondent.* Any statements of fact that need to be addressed in the preliminary report are discussed with the team prior to the final report being issued.

### **3.1.3. Letters of Finding**

The investigative team issues a final report, a letter of finding is issued to all parties. Letters of finding are statements regarding outcome of the investigation and sanctions as appropriate. The letters include summaries of the charges, explanations of the policies involved, and remedial or corrective administrative action; i.e., procedures or practices uncovered during the investigation that should be addressed because they pose a risk to the University. Findings take into account the following situations and circumstances:

- Incidents known to have occurred
- Incidents that are more likely than not to have occurred
- Incidents that are likely not to have occurred
- Incidents that are alleged but could not be substantiated
- False or malicious allegations

### **3.1.4. Sanctioning**

If there is a finding of responsibility, the investigators will make recommendations regarding sanctions and other corrective action to the One Process/Title IX Coordinator and the assigned Deputy Coordinator(s). In making the final determination on sanctions and other corrective actions, a history of the respondent's conduct/policy violations may be considered. The range of potential sanctions or corrective actions that may be imposed against a student, faculty or staff person includes but is not limited to: written or verbal apology, discrimination or harassment education, verbal or written warning, probation, suspension, termination, or dismissal from the University. Employees are advised to consult any relevant handbooks for additional information regarding disciplinary action. Guests and other third parties who are found to have violated this policy are subject to corrective action as deemed appropriate by the University, which may include removal from the University and termination of any applicable contractual or other arrangements.

If the complainant and the respondent both accept the finding of responsibility and proposed sanctions or other corrective action, the violation is referred to the Deputy Coordinator for the implementation of the sanctions or other corrective actions. If the complainant or the respondent do not accept a finding, a request for appeal must be made to the One Process/Title IX Coordinator in writing (letter, email, etc.) within fourteen (14) business days of the letter of finding. The appeal will be reviewed and approved if significant errors in procedure are identified, if the sanction is inappropriate, given the offense, or if new information is provided that could change the outcome of the investigation.

## **3.2. Stage 3: Review Board**

The Review Board will be comprised of a minimum of three (3) trained investigators from the community who were not involved in the investigation described above in Stage 2. The Review Board will evaluate the existing evidence and the investigators' recommendations (from Stage 2). Upon review of the evidence, the Review Board will determine by majority vote whether to conduct a hearing in the case. During the hearing, the investigators (from Stage 2) will present their findings to the Board. The Board may call the complainant, the respondent, and any or all witnesses or other persons relevant to the investigation. The Review Board shall determine all matters of procedure, evidence, relevance and admissibility it deems helpful and fair in the total decision process.

The Review Board will share the outcome of the hearing (i.e., whether a violation of University policy has occurred and any proposed sanctions or other corrective actions) in writing with the complainant and the respondent within seven (7) business days of the conclusion of the hearing unless the University determines that additional time is required. This notice shall be issued contemporaneously/ simultaneously to all parties.

### **3.3. Stage 4: Right to Further Review**

The complainant and the respondent have the right to request further review of the Board's finding and proposed sanctions or other corrective action, if the following conditions apply:

- (1) there was a significant procedural error during the investigation or during the initial appeal;
- (2) that there is new information that would substantially change the outcome of the finding, or
- (3) the sanction is disproportionate to the violation of the policy.

This request must be made in writing within fourteen (14) business days of being notified of the outcome and must set forth the grounds upon which the request for further review is based. Further review will be conducted by the President and/or designee(s) who will review the Board's decision.

## **4.0 GENDER-BASED AND SEXUAL MISCONDUCT POLICY**

Dominican University's mission is to "prepare students to pursue truth, to give compassionate service, and to participate in the creation of a more just and humane world." Translating Dominican's twin values of *veritas* and *caritas* into practice requires that each person who studies, teaches, works, or lives within the University community, as well as all those with whom we interact, be respected and cared for as a unique individual within an environment that affirms our shared humanity and pursues the common good.

This requirement includes creating and maintaining an environment that is free of gender-based and sexual misconduct. We are committed to supporting the dignity of every human person and the development of a community marked by truth, love, and justice. Gender-based and sexual misconduct compromise the integrity of human relationships and threaten the security and well-being of all individuals. Not only are gender-based and sexual misconduct unlawful but they also undermine the atmosphere of trust and respect that is essential to creating an authentic, supportive community. The Dominican community expects that interpersonal relationships and interactions will be grounded in mutual respect, open communication, and clear consent. Through these policies, the University strives to eliminate all forms of gender-based and sexual misconduct as well as prevent their recurrence, and address their effects on individuals and our entire community.

- Members of the University community, guests and visitors have the right to be free from all forms of gender based and sexual misconduct. This includes the right to be free from discrimination and harassment based on gender identity and expression.
- Harassment or discrimination against LGBTQ or gender non-conforming students or employees is prohibited under this policy.
- Illinois law prohibits schools from discriminating against students based on sexual orientation, gender identity or expression; Dominican treats transgender students according to their gender identity.

In order to foster a campus environment that is safe space for all, Dominican University has a responsibility to investigate and resolve allegations of gender-based and sexual misconduct. When an allegation of such behavior emerges from the community or from any individual making a complaint, the University will take prompt action to maintain the safety of its community members and will act to protect all parties. If an investigation reveals violations of the gender-based and sexual misconduct policy, the University will impose sanctions and/or other corrective actions to address the violation and prevent its recurrence.

#### **4.0.1. Relationship Between the Bias-Motivated and Non-Title IX Sexual Harassment Policy and the Sexual Assault, Intimate Partner Violence, Stalking and Sexual Harassment Title IX Policy**

Please see the University's Title IX Sexual Harassment Policy. Recent changes to federal regulations have broadened the scope of conduct covered under Title IX. However, the University continues to prohibit certain conduct now falling outside of Title IX. The vast majority of sexual misconduct cases will fall under the University's Title IX Sexual Harassment Policy.

The following types of cases will follow the Bias-Motivated Offensive Conduct Policy and not the Title IX Sexual Harassment Policy:

- private conduct occurring in private location that is not part of education program/activity;
- conduct occurring outside the geographic boundaries of the United States (i.e., Study Abroad); and
- certain conduct leading to hostile environment sexual harassment (see below).

The Title IX Sexual Harassment Policy covers “unwelcome conduct determined by a reasonable person to be so severe, pervasive, or objectively offensive”. The Bias-Motivated Offensive Conduct Policy covers “unwelcome conduct determined by a reasonable person to be so severe, pervasive, or objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.”

#### **4.1.0. Definitions and Dimensions of Gender-Based Misconduct**

Gender-based misconduct is the umbrella term for a wide range of behaviors that violate community standards and are therefore, inappropriate. We use the term sexual misconduct when actions are gender-based, but manifest themselves in sexual actions.

#### **4.1.1. Gender-Based Discrimination**

Gender-Based Discrimination is defined as actions that deprive members of the community of educational or employment access, benefits or opportunities on the basis of gender.

#### **4.1.2. Gender identity**

*Gender identity* is defined as a person's identification with masculine, feminine, or other gender characteristics. These characteristics need not correspond to the sex assigned to that person at birth. A person's expression of gender identity may include manners of dress, styles, tones of speech, or physical gestures.

#### **4.1.3. Gender identity discrimination**

Gender identity discrimination is defined as denying access to University educational programs, services or employment opportunities, determining opportunities for advancement and pay increases, or creating a hostile institutional environment for someone because of that person's gender identity.

### **5.0. DEFINITIONS AND DIMENSIONS OF CONSENT**

Consent is an informed, freely given, and mutually understood agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation or coercion—or any kind of physical force or weapon—and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.

#### **5.0.1. What is Consent?**

- Silence or lack of physical or verbal resistance does not imply consent.
- If coercion, intimidation, threats, and/or physical force are used, there is no consent.

- Consent cannot be inferred from a person's manner of dress.
  - Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
  - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
  - Consent to past sexual activity does not constitute consent to future sexual activity.
  - Consent can be withdrawn at any time. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent. When consent is withdrawn, sexual activity must immediately stop.
  - Being in a romantic relationship with someone does not imply consent to sexual activity. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act.
  - Effective consent may not exist when there is a disparity in power between the parties (e.g., faculty/student, supervisor/employee).
- 
- 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 individual is incapacitated due to drug or alcohol consumption, either voluntarily or involuntarily;
    - The individual is unconscious, asleep, or otherwise unaware that sexual activity is occurring;
    - The individual is below the minimum age of consent in the applicable jurisdiction (17 years in Illinois); or
    - The individual has a mental disability that impairs his or her ability to provide consent.
    - The victim is intoxicated, but the accused did not provide or administer the intoxicating substance.

### **5.0.2. Communicating consent**

While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sex helps to clarify consent. Communicating verbally before engaging in sexual activity is imperative. A person who is passive, unresponsive or actively resists is demonstrating defective or withdrawn consent.

### **5.0.3. Persons who are unable to give consent:**

- Persons who are asleep or unconscious
- Persons who are incapacitated due to the influence of drugs, alcohol or medication
- Persons who are unable to communicate consent due to mental or physical conditions.
- Persons who have not reached the age of consent. The age of consent in Illinois is 17 but rises to 18 if the accused is a family member or holds a position of trust, authority or supervision in relation to the victim/survivor.

### **5.1. Coercion and Force**

Consent must happen without force or coercion. Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Proving the use of physical force is not necessary to show that sexual activity was coerced or non-consensual. Coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity.

Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop,

or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Examples of coercion include but are not limited to:

- threatening to “out” someone based on sexual orientation, gender identity, or gender expression
- threatening to harm oneself if the other party does not engage in the sexual activity
- threatening to harm the person who does not engage in the sexual activity
- threatening to tell others private or intimate information one has shared, or information about sexual activities, if one does not engage in certain sexual behaviors

## **5.2. Definitions and Dimensions of Sexual Misconduct**

Title IX of the Education Amendments of 1972 prohibits sex discrimination—which includes sexual violence—in educational programs and activities. All public and private schools, school districts, colleges and universities receiving federal funds must comply with Title IX. Title IX prohibits all types of sex discrimination, including sexual assault and other forms of sexual misconduct.

Sexual Misconduct includes, but is not limited to:

- Sexual Harassment
- Sexual Assault which can be divided into two different categories:
  - Non-Consensual Sexual Contact (or attempts to commit same)
  - Non-Consensual Sexual Penetration (or attempts to commit same)
- Sexual Exploitation
- Relationship Violence including Domestic Violence and Dating Violence (Intimate Partner Violence)
  - Physical Assault
- Stalking
- Retaliation

### **5.2.1. Sexual Harassment**

Sexually harassing behaviors differ in type and severity and can range from subtle verbal harassment to unwelcome physical contact. Although there are a wide range of behaviors that fall within the general definition of sexual harassment, such harassment does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents. Key determining factors under this policy involve determining whether the behavior is unwelcome, is gender-based, is sexual in nature, and is perceived as offensive and objectionable by the target and, if known, could be perceived as offensive by others.

Sexual Harassment is unwelcome, sexual, verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the University’s educational program and/or activities. Sexual harassment is also defined as:

- harassment based on power differentials or involving a quid pro quo; meaning that a person in a position of authority links the receipt of some employment or educational benefit to another person’s submission to unwanted sexual advances.
- harassment by the creation of a hostile environment or retaliating against a person for reporting an incident.



Whether conduct constitutes sexual harassment may depend on how the conduct is viewed by the person who is subject to the conduct – the subjective view of the victim is important to determining the offense regardless of the intent of the accused.

A single, isolated incident of sexual harassment alone may create a hostile environment. The more severe the conduct, the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.

Examples of sexual harassment include: sexual assault; sexual exploitation; an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexually-based request; to condition a benefit on submitting to sexual advances; sexual violence; domestic violence or stalking that is sexual in nature; gender-based bullying that is sexual in nature.

Sexual harassment can take many forms. For example, sexual harassment:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships; harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship.
- May be committed by or against an individual or may be a result of the actions of an organization or group.
- May occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.
- May occur in the classroom, in the workplace, in residential settings, over electronic media (including the internet, telephone, and text), or in any other setting.
- May be a one-time event or part of a pattern of behavior.
- May be committed in the presence of others or when the parties are alone.
- May be communication-based involving sexually graphic, threatening or vulgar images, text messages, videos or social media posts.
- May affect the complainant and/or third parties who witness or observe harassment.

### **5.2.2. Sexual Assault**

The term "sexual assault" covers behavior from unwanted touching to non-consensual penetration/rape. These definitions are gender neutral because sexual assault can happen to any gender. Dominican University considers both non-consensual sexual contact and non-consensual sexual penetration as sexual assault.

Non-Consensual Sexual Contact is: any intentional sexual touching, however slight, with any object that is without consent and/or by force.

Sexual Contact includes, but is not limited to: Intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch him- or herself with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Non-Consensual Sexual Penetration is: any sexual penetration, however slight, with any object that is without consent and/or by force.

Penetration includes: vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

### **5.2.3. Sexual Exploitation**

Sexual Exploitation is an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for purposes including, but not limited to: sexual gratification, financial gain, personal benefit or advantage. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another individual;
- Non-consensual video or audio-taping of genitals, sexual activity or nudity;
- Engaging in voyeurism without consent from all parties involved;
- Knowingly transmitting an STI or HIV to another;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Possession, use, distribution or administration to another of substances that diminish or remove a person's capacity for conscious decision-making about sex. For example, the use of drugs including Rohypnol, Ketamine, GHB, Burundanga, etc. to incapacitate a person.
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

### **5.2.4. Relationship Violence**

Relationship violence occurs when one partner attempts to dominate or exploit another, including but not limited to physical, psychological, financial, and sexual domination. Relationship violence includes multiple dimensions such as domestic violence, dating violence, and intimate partner violence.

Domestic violence occurs when a family member, household member, partner or ex-partner attempts to dominate or exploit another. Domestic violence often refers to violence between spouses, or spousal abuse but can also include cohabitants and non-married intimate partners. Domestic violence occurs in all cultures; people of all races, ethnicities, religions, sexes, and classes can be perpetrators of domestic violence. Domestic violence is perpetrated by both men and women. Child abuse and elder abuse can also be considered domestic violence.

Intimate partner violence is also referred to as dating violence, domestic violence, and relationship violence. Intimate partner violence includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic, or other intimate relationship with that person.

It may involve one act or an ongoing pattern of behavior. Intimate partner violence can encompass a broad range of behavior, including, but not limited to, physical violence, sexual violence, emotional violence, and economic abuse. Intimate partner violence may take the form of threats, assault, property damage, or violence or threat of violence to one's self, one's sexual or romantic partner, friends or acquaintances of a sexual or romantic partner, family members or pets of the sexual or romantic partner.

Intimate partner violence affects individuals of all genders, gender identities, gender expressions, sexual orientations, races, ethnicities, religions, ages, and social and economic backgrounds.

### **5.2.5. Physical Assault**

Physical Assault is purposeful action meant to hurt another person, which includes, but is not limited to, threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person.

Examples include, but are not exclusive to kicking, punching, hitting with or throwing an object, or biting. When these acts occur in the context of intimate partner violence or when the behavior is perpetrated on the basis of sex or gender, the conduct will be resolved under the Gender-Based and Sexual Misconduct Policy.

### **5.2.6. Stalking**

Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family or members of the community. Stalking occurs when a person engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority and under circumstances that demonstrate either of the following:

- Placing the person in fear of bodily injury; or
- Causing substantial emotional distress to the person.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Examples of stalking include:

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

### **5.3.1. Other Misconduct Offenses (Fall under This Policy When Sex or Gender-Based)**

- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the University community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
- Bullying means written, verbal or physical conduct that adversely affects the ability of one or more members of the community to participate in or benefit from the school's education programs or activities. Such conduct places an individual in reasonable fear of physical harm. Workplace bullying is repeated mistreatment of one or more persons by one or more individuals. The conduct is abusive because it threatens, humiliates, intimidates, interferes with or sabotages an individual's work. Workplace bullying results in stress-related, physical, emotional, economic or psychological harm.

Bullying in violation of the University's Bias-Motivated Offensive Conduct Policy means that the harassing conduct is based on an individual's actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity or expression.

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## **6.0. BIAS-MOTIVATED OFFENSIVE CONDUCT, DISCRIMINATION, AND HATE CRIMES**

### **6.0.1. Introduction**

The University is committed to fostering a work and educational environment free of racial harassment, discrimination, and hateful conduct. Our community is called by mission, values, and law to reject all forms of racial and/or ethnic harassment, discrimination, hate, and violence. The University prohibits any member of the community, including faculty, staff, administration, students or visitors to campus whether they are guests, patrons, independent contractors or clients, from discriminating against another person or member of the University community. The policy of non-discrimination aligns with federal and state laws including Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, and the Illinois Human Rights Act.

All members of the University community should be aware that whether any conduct constitutes harassment or bias motivated conduct may depend, in part, on how that conduct is viewed by the person who is subject to the conduct. Any person who initiates or persists in this type of prohibited conduct assumes the risk that the person who is the object of the conduct may view such behavior as unwelcome or offensive. Thus, a person who initiates or persists in this type of conduct could be subject to discipline even if such behavior might not have been intended to be offensive, provided that the conduct meets the definitions of prohibited discrimination, harassment or bias-motivated conduct as defined in these policies.

The University's Bias-Motivated Offensive Conduct Policy covers employees, students, vendors and outside guests. The policy as applied to employees prohibits discrimination based on race, color religion, sex, gender, national origin, disability or gender identity. These policies apply equally to all members of our community regardless of sex, gender, sexual orientation, gender identity, race, ethnicity, nationality, disability or age of any of the individuals involved.

### **6.0.2. Definitions**

Bias-motivated offensive conduct is an umbrella term for unjustified or inappropriate conduct against an individual or group of individuals based on their perceived or actual personal characteristics protected by law. Bias-motivated offensive conduct is a verbal or physical action that negatively affects the work or educational environment in a way that makes the treatment of the affected party unequal with respect to their proper functioning in the educational program or in the work environment. Bias-motivated offensive conduct may involve ethnic and/or racial harassment and may lead or contribute to discriminatory treatment against an individual or group of individuals such that the person subject to the conduct is effectively denied access to University-sponsored educational programs, services or employment opportunities.

Whether the conduct described in this policy is considered to be motivated by bias may depend, in part, on how that conduct is viewed by the person who is subjected to the behavior. Any person who initiates or persists in conduct that insults or demeans a person because of their race, color, ethnicity, gender identity, national origin, sexual orientation, religion, citizenship status could be subject to discipline even if such behavior was not intended to be offensive.

Discrimination is any distinction, advantage or detriment to an individual compared to others that is based on an individual's actual or perceived gender, race, color, age, creed, national or ethnic origin, physical or mental disability, religion or sexual orientation. Under this policy, discrimination is defined as conduct that

is so severe, persistent or pervasive that it unreasonably interferes with or limits a person's ability to participate in or benefit from the University's educational program, activities or work obligations.

Discrimination may also involve a supervisor or person in authority making employment decisions related to hiring, firing, transferring, promoting, demoting, changing benefits, compensation or other terms and conditions of employment because of an employees' protected class status.

Racial and/or ethnic harassment, including hate crimes and racial/ethnic discrimination, is conduct directed against any person or group of persons based on race, ethnicity, color or national origin that harms or creates an offensive, demeaning, intimidating or hostile environment for that person or group of persons. Harassment may be oral, written, and/or physical conduct. Such conduct includes but is not limited to objectionable epithets, demeaning depictions or treatment, and threatened or actual abuse or harm.

Hate Crimes are criminal offenses that are motivated in whole or in part by the offender's bias toward the victim's actual or perceived race, religion, disability, sexual orientation, nationality, gender or ethnicity. Hate crimes are not limited to actual crimes but may also be threatened or attempted crimes; and may include assault and battery, vandalism, or other destruction of property, or verbal threats of physical harm. Harassment or intimidation may also be a hate crime when intended to deprive or interfere with a person's civil rights. A person who initiates or persists in this type of conduct could be subject not only to disciplinary proceeding of the University, but also to criminal prosecution.

Racial and/or ethnic discrimination is conduct that serves to limit the social, political, economic, employment or educational opportunities of particular groups or individuals solely on the basis of their race and/or ethnicity.

Racial and/or ethnic harassment is further defined as conduct that:

- Is directed at an identifiable person or persons, and insults or demeans the person or persons to whom the conduct is directed, or abuses a power or authority relationship with that person on the basis of race, color, ethnicity, or national origin by the use of slurs, epithets, hate words, demeaning jokes, derogatory stereotypes, and similar action; and/or
- Is intended to inflict direct injury on that person or persons to whom the conduct is directed; and/or
- Is sufficiently abusive or demeaning so severe or pervasive as to create a hostile environment; and/or
- Occurs in any context or location such that an intent to inflict direct injury may reasonably be inferred; and/or
- Is intended to affect negatively the work or educational environment in a way that makes the treatment of the affected party unequal with respect to his or her proper functioning, opportunities for promotion and development because of his or her race, color, ethnicity, or national origin; and/or
- Is intended to damage or destroy, or damages or destroys private property of any member of the University community or guest because of that person's race or ethnicity with the purpose of making the educational, work or living environment hostile for the person whose property was damaged or destroyed.

The following examples illustrate but do not exhaust the types of conduct referred to:

- A person would be in violation if causing bodily harm to an individual because of that person's race and/or ethnicity.
- A person would be in violation by making a demeaning remark based on a person's race or ethnicity, or by using racial slurs or "jokes", and those remarks created a hostile work, educational or living environment for a person or persons hearing the remark, or for a person to whom the demeaning remark may have been specifically addressed.

- A person would be in violation if intentionally placing visual or written material demeaning the race and/or ethnicity of an individual in that person's work, study or living area; and such material made the work, educational, or living environment hostile for the person in whose work or study area the material was placed.
- A person would be in violation when that person's conduct resulted in making hostile the work, educational or living environment for a person subject to such conduct.
- A person would be in violation if they misuse grades, evaluations or promotion procedures to adversely affect a person on the basis of race or ethnicity.
- A person would be in violation if intentionally not hiring a person on the basis of race or ethnicity.

### **6.1.0. Notification of One Process Concern**

Following 2024 regulations notifications are no longer required. All reports will go through an intake process and notice of investigations will be delivered to the appropriate parties should there be a determination that an investigation is needed.

## **7.0. STUDENTS WITH DISABILITIES: REASONABLE ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES**

The American with Disabilities Act, as amended and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination based on ability. Dominican University strives to create an environment that is accessible to its entire community and does not discriminate against individuals on the basis of physical or mental disability. Accessibility is not limited to physical spaces but includes the following basic rights:

- access to services, programs, and any events and activities organized by Dominican University
- access to information from Dominican University as readily as others are able to access it
- the expectation of the same level and quality of service from Dominican University that others receive

To ensure equal access, and realizing that equal does not always mean the same, the University is committed to providing reasonable accommodations, including appropriate auxiliary aids and services, academic adjustments (inside or outside the classroom), and/or modification to the University's policies and procedures, to qualified individuals with disabilities, unless providing such accommodations would result in an undue burden or fundamentally alter the nature of the relevant program or activity.

Requests for supports and information may be directed to [ADA@dom.edu](mailto:ADA@dom.edu).

## **8.0. COORDINATION WITH LAW ENFORCEMENT**

When necessary and appropriate, the University may contact any law enforcement agency that is conducting its own investigation to inform them that a University investigation is also in progress. The One Process/Title IX Coordinator may seek to ascertain the status of the criminal investigation and to ascertain the extent to which any evidence collected by law enforcement may be available to the University in its investigation.

## **9.0. FILING AND RECORD KEEPING**

The One Process/Title IX Coordinator will maintain complaint files, electronic files and complaint log. Reports will be maintained in a locked filed cabinet for a period not to exceed seven years. Files will then be stored in a secure location. Reports will be issued to One Process stakeholders and President's Cabinet. Summary reports will be filed to comply with state, local and federal laws.

## **10.0. PERIODIC REVIEW OF ONE PROCESS POLICY**

To ensure that enforcement of University standards governing discrimination and sexual misconduct are fair, reasonable, available to all members of the community and in compliance with relevant federal, state, and local laws, these policies will be reviewed annually by the One Process/Title IX Coordinator and every three years by the One Process/Title IX Coordinator, the Climate, Equity Inclusion Committee, and the Staff Committee on Inclusion. Changes to the policy must be reviewed and approved by the President's Cabinet.

## **APPENDIX A: RIGHTS OF COMPLAINANTS AND RESPONDENTS**

One Process seeks to balance the rights, needs and privacy of those who may have been victimized as well as those who have been accused. The University shall provide any individual suspected or accused of violating this policy with the opportunity to review a written explanation of the suspected or alleged violations of University policy.

Complainants and respondents have rights, including:

- The opportunity to speak on their own behalf.
- The opportunity to request interim measures which may include but are not limited to: removing a student or employee from campus; modifying course schedules; changing housing assignments; providing medical, mental health or academic support services; issuing a “no contract” or an “appropriate” contact order; and notifying area Police, when requested by the complainant.
- To the extent possible, any such interim steps will be taken in a manner that minimizes the burden on the complainant and respondent.
- The right to be informed about and request services available on campus and in the community.
- The right to request information about the case and the right to be kept informed about the status of an on-going process.
- In an investigation of sexual misconduct, the prior sexual history of the complainant or the respondent will not be relevant. However, the sexual history between the complainant and respondent is relevant and within the scope of the investigation.
- The opportunity to identify witnesses who can provide information about the alleged conduct at issue.
- The opportunity to submit other information on their behalf.
- The opportunity to have a trained investigation advocate from the Dominican University community (faculty/staff/student) or other advisor present for the investigation and/or resolution process. The investigation advocate from the Dominican University community will be trained in investigation protocols, advise the complainant or respondent on the proceedings, and communicate expectations about the process of investigation.
- The opportunity to review documentation offered by the other party in support of the other party's position (to the greatest extent possible and consistent with the Family Educational Rights and Privacy Act (FERPA) or other applicable law).
- The right to be informed of the outcome of the investigation (to the greatest extent possible and consistent with FERPA or other applicable law).
- The opportunity to appeal the outcome of the investigation.

## **APPENDIX B: INTERVIEW PROTOCOL FOR THE INVESTIGATION**

### **Interview of Complainant**

- Describe the purpose of the investigation and interview.
- Review University policy(s).
- Explain the process for the investigation.
- Do not promise confidentiality.

- Ask the complainant for their account of the incident. Ask questions for clarification and further detail as necessary. In cases where complainant is unavailable for an interview. The investigators can ask for a written statement, signed and dated.
- Ask for any witnesses from the complainant.
- Ask the complainant of the desired outcome, but do not promise any specific outcome.
- Request that the complainant refrain from sharing details of the interview with others.
- Inform the complainant that they will be kept up to date on the progress of the investigation.
- Thank the complainant for coming forward.
- The written summary of their interview should be shared with the complainant for verification and editing.

### **Interview of Respondent**

- Describe the purpose of the investigation and interview.
- Review University policy(s).
- Describe the alleged behaviors and by whom.
- Ask if the described behaviors happened as a direct question. Provide a copy of the complaint to the respondent for review, redacting any names/identifying information that are not necessary, or from whom written permission to share information has not been obtained.
- Ask the respondent for any additional witnesses.
- Review the Retaliation and Privacy Policies.
- The written summary of their interview should be shared with the respondent for verification and editing.

### **Interview of Witnesses**

- Ask the witnesses whether they had been contacted by the complainant or respondent, and what, if anything, was discussed.
- Only share with witnesses the details of the complaint needed in order to provide information.
- Ask the witnesses to share information related to the report.
- Ask the witnesses for any additional witnesses.
- If a witness cannot be interviewed; allow the witnesses to provide answers to written questions; have the witness sign and date their statement.
- Review the Retaliation and Privacy Policies.

## **APPENDIX C: ONE PROCESS STAKEHOLDERS**

The Title IX Coordinator has the primary responsibility for coordinating the University's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent Sex-Based Discrimination prohibited under this Policy.

### **Title IX/One Process Coordinator**

Karolina Staros

Assistant Director of One Process (Bias and Title IX)

Office of Justice Equity, and Inclusion

RCL 345B

7900W. Division Street

(708) 366-2490

[Kstaros@dom.edu](mailto:Kstaros@dom.edu)

<https://www.dom.edu/diversity>



***For discrimination and harassment allegations [not based on sex] and for disability-based allegations:***

Precious Porras  
Office of Justice, Equity, and Inclusion  
RCL 345  
7900 W. Division Street  
[PPorras@dom.edu](mailto:PPorras@dom.edu)

**Investigators**

TNG Consultants

**APPENDIX D. INTAKE PROCEDURAL GUIDANCE**

**Procedural Guidance**

**Resolution of complaints through the Intake process.** The One Process/Title IX Coordinator convenes or notifies the Intake panel. A satisfactory informal resolution that does not involve a full investigation should, to the extent possible, adequately address the needs of the complainant, the respondent, and the University. At any point in the proceedings, the University or the parties involved may terminate any informal proceeding. The University reserves the right to act as the complainant and initiate a formal complaint.

**Notice of the Complaint.** Both parties will be notified regarding the complaint. The notice will summarize the allegations and provide an opportunity for the respondent to issue a response. A second complaint provides notice to both parties, the Department chair/program director/Dean as determined by the Intake Panel according to the facts of the case.

**Protocol**

Under One Process, the following protocol is considered to determine if the allegations are relevant to the policy. These questions should be asked in conversation with the Complainant. The purpose is to determine whether the behavior experienced by the Complainant violates the One Process.

The Intake panel will use the following questions to determine if a full investigation is warranted.

**Title VI**

- What is the reason for your claim of discrimination?
- What acts occurred that you consider discriminatory?
- Why do you believe the treatment you received was discriminatory?
- Can you describe someone who was in the same or similar situation as you and how they were treated?
- What material harm did you suffer as the result of the conduct?
- Have you sought assistance with this situation from a supervisor, faculty, staff, security, etc.?
- What is your idea of a just resolution of the complaint?

**Title VII**

- What is the reason for your claim of discrimination?; i.e., age, race, color, ethnicity, disability, religion, national origin, retaliation, sex, sexual orientation, gender, pregnancy,
- What happened that you believe was discriminatory? Why?
- What reasons were given to you for the acts that you consider discriminatory, By whom?
- Are there any witnesses to the alleged discriminatory incidents?
- Describe who was in the same of a similar situation as you and how they were treated?
- Describe a situation where a person in the same or similar situation as you was treated better than you?

- Describe a situation where a person in the same or similar situation as you was treated worse than you?

## **ADA**

- What does your disability prevent or limit you from doing?
- Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability; if so, what do you use?
- What is the disability that you believe is the reason for the adverse action taken against you?
- Did you ask your supervisor for any changes or assistance to do your job because of your disability?
- Are there any witnesses to the alleged discriminatory incidents?

## **APPENDIX E. RESOURCES**

### **DU Campus Security**

(708) 524-5999 (non emergency)

911 (emergency)

### **Pillars 24-hour hotline**

Domestic Violence Hotline (708) 485-5354

Sexual Violence Hotline: (708) 482-9600

### **DU On-Campus Confidential Advisors**

DU Wellness Center

Students Only: Professional Counselors and health care professionals in the [Wellness Center](#) can offer services confidentially.

Employees Only: For eligible employees, *EmployeeConnect Services* offers confidential guidance and resources for you or an immediate household family member at [metlifeep.lifeworks.com](http://metlifeep.lifeworks.com) or (888) 319-7819.

### **Confidential Resources**

Confidential Resources are available to talk to any member of the Dominican community. Confidential Resources provide support for individuals who are unsure about whether to report prohibited conduct or are seeking information about the process without making a report to the University. Confidential Resources are listed on our website.

### **The Federal Campus Sex Crimes Prevention Act**

The Federal Campus Sex Crimes Prevention Act, which became effective October 28, 2002, requires Dominican University to inform the campus community where to find information on registered sex offenders. Illinois law requires sex offenders to register with their local police or sheriff, which places the names in a statewide database. The State of Illinois Registered Sex Offenders database can be accessed at <https://isp.illinois.gov/Sor>. For more information, contact the River Forest Police Department at 708-366-7125 for non-emergencies.

# Sexual Assault, Intimate Partner Violence, Stalking & Sexual Harassment Title IX Policy

Dominican University is committed to ensuring a just and humane campus where all community members have the capacity to thrive. The Title IX Coordinator<sup>1</sup> works in partnership with community stakeholders to support the culture of equity and inclusion that is critical to the University's mission and identity. When the behavior of some community members challenges the well-being of others, the Title IX team determines, to the extent possible, whether the University's policies related to Title IX and gender-based misconduct, and other forms of sexual harassing conduct were violated.

To ensure the University's ability to foster a just and humane campus for all, violations of these policies will not be tolerated. As such, the University community is asked to report incidents that may violate University anti-discrimination and sexual misconduct policies so that efforts can be made to end discriminatory and harassing conduct based on protected characteristics, prevent its reoccurrence, and, where possible, address its effects. The University takes these reports seriously and is therefore committed to following up on reports of sexual assault, sexual harassment, and discrimination.

## I. POLICY STATEMENT

Consistent with the University's Non-Discrimination Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972, the University prohibits Title IX Sexual Harassment that occurs within its Education Programs or Activities pursuant to this Sexual Assault, Intimate Partner Violence, Stalking & Sexual Harassment Title IX Policy (hereinafter the Policy).

For purposes of this Policy and as defined by federal regulations, Title IX Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Administrators, faculty, staff, students, contractors, guests, and other members of the University community who commit Title IX Sexual Harassment are subject to the full range of University discipline including verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; fines; permanent separation from the institution (that is, termination or dismissal);

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<sup>1</sup> References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.

physical restriction from University property; cancellation of contracts; and any combination of the same.

The University will provide persons who have experienced Title IX Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's Education Programs or Activities.

## **II. SCOPE**

This Policy applies to Title IX Sexual Harassment that occurs within the University's Education Programs or Activities and that is committed by an administrator, faculty, staff, or student.

This Policy does not apply to Title IX Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs and Activities. This Policy does not apply to Title IX Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Title IX Sexual Harassment occurs in the University's Education Programs and Activities, such as a study abroad program. Title IX Sexual Harassment that occurs either off-campus, in a private setting, and outside the geographic boundaries of the United States is governed by the Non-Title IX Sex-Based Discrimination Policy.

## **III. DEFINITIONS**

- A.** "Title IX Sexual Harassment" is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.
- B.** "Quid Pro Quo Sexual Harassment" is an employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual contact.
- C.** "Hostile Environment Sexual Harassment" is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the University's Education Programs and Activities.
- D.** "Sexual Assault" includes the sex offenses of Rape, Fondling, Incest, and Statutory Rape<sup>2</sup>:

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<sup>2</sup> The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

1. "Rape" is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. There is "carnal knowledge" if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted Rape is included.
  2. "Sodomy" is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  3. "Sexual Assault with an Object" is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.
  4. "Fondling" is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  5. "Incest" is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Illinois law.
  6. "Statutory Rape" is sexual intercourse with a person who is under the statutory age of consent as defined by Illinois law.
- E. "Domestic Violence" is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Illinois, or 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 Illinois.

- F.** “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 Complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
    - 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.
- G.** “Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- Fear for their safety or the safety of others; or
  - Suffer substantial emotional distress.
- For the purposes of this definition—
- Course of conduct means two or more acts, including, but not limited to acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
  - § Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
  - § Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.
- H.** “Retaliation” includes intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.
- I.** “Complainant” means an individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment.
- J.** “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute Title IX Sexual Harassment.

- K.** “Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Title IX Sexual Harassment in accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University’s Education Programs or Activities. A “document filed by a Complainant” means a document or electronic submission (such as an email) that contains the Complainant’s physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.
- L.** “Supportive Measures” are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University’s Education Programs or Activities without unreasonably burdening another party, including measures designed to protect the safety of all parties implicated by a report or the University’s education environment, or to deter Title IX Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, other changes to academic, living, dining, transportation, and working situations, honoring an order of protection or no contact order entered by a State civil or criminal court, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.
- M.** “Education Programs or Activities” refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Title IX Sexual Harassment occurs, including Title IX Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University.

#### **IV. UNDERSTANDING HOSTILE ENVIRONMENT SEXUAL HARASSMENT**

In determining whether a hostile environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the

conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

The University encourages members of the University community to report any and all instances of Title IX Sexual Harassment, even if they are unsure whether the conduct rises to the level of a Policy violation.

Some specific examples of conduct that may constitute Title IX Sexual Harassment if unwelcome include, but are not limited to:

- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact
- Unwelcome kissing, hugging, or massaging
- Sexual innuendos, jokes, or humor
- Displaying sexual graffiti, pictures, videos, or posters
- Using sexually explicit profanity
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities
- E-mail, internet, or other electronic use that violates this Policy
- Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin
- Sending sexually explicit emails, text messages, or social media posts
- Commenting on a person's dress in a sexual manner
- Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship
- Insulting, demeaning, or degrading another person based on gender or gender stereotypes.

## **V. UNDERSTANDING CONSENT AND INCAPACITATION**

### **A. Consent**

Lack of consent is a critical factor in determining whether Title IX Sexual Harassment has occurred. Consent is an informed, freely given, and mutually understood agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation or coercion—or any kind of physical force or weapon—and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts.



- A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.
- Silence or lack of physical or verbal resistance does not imply consent.
- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- Consent cannot be inferred from a person’s manner of dress.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent to past sexual activity does not constitute consent to future sexual activity.
- Consent can be withdrawn at any time. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after they withdraw consent. When consent is withdrawn, sexual activity must immediately stop.
- Being in a romantic relationship with someone does not imply consent to sexual activity. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act.
- Effective consent may not exist when there is a disparity in power between the parties (e.g., faculty/student, supervisor/employee).

While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sex helps to clarify consent. Communicating verbally before engaging in sexual activity is imperative. A person who is passive, unresponsive, or actively resists is demonstrating defective or withdrawn consent.

## **B. Incapacitation**

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. 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 individual is incapacitated due to drug or alcohol consumption, either voluntarily or involuntarily;
- The individual is unconscious, asleep, or otherwise unaware that sexual activity is occurring;
- The individual is below the minimum age of consent in the applicable jurisdiction (17 years in Illinois); or
- The individual has a mental disability that impairs his or her ability to provide consent.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One's own intoxication is not an excuse for failure to recognize another person's incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling, vomiting, and unconsciousness. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual's:

- Decision-making ability
- Awareness of consequences
- Ability to make informed judgments
- Capacity to appreciate the nature of circumstances of the act.

### **C. Coercion**

Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

### **D. Force**

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," which elicits the response, "Okay, don't hit me. I'll do what you want.>").

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

## **VI. REPORTING TITLE IX SEXUAL HARASSMENT**

### **A. Reporting to the University**

Any person may report Title IX Sexual Harassment to the Title IX Coordinator, any University employee, including cabinet members, deans, department heads, unit supervisors, and other

employees who must promptly forward such report of Title IX Sexual Harassment to the Title IX Coordinator. Some student workers, including Resident Assistants, Peer Leaders, Welcome and Information Desk workers, Circulation Desk workers, University Ministry, and Campus Safety staff, are required to report any alleged Title IX Sexual Harassment to the Title IX Coordinator.

Reports may be made by complainants, third parties, witnesses, or bystanders, and may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

**To report to the Title IX Coordinator** directly, email: [titleix@dom.edu](mailto:titleix@dom.edu)

**To report to Campus Safety:**

- **Non-Emergencies (24 hours):** 708-524-5999
- **Email:** [safety@dom.edu](mailto:safety@dom.edu)
- **Emergencies:** 911 to be connected to local law enforcement

**To File a Report Electronically and/or Anonymously:**

Individuals, including third parties and bystanders, can submit a report at [https://cm.maxient.com/reportingform.php?DominicanUniv&layout\\_id=201](https://cm.maxient.com/reportingform.php?DominicanUniv&layout_id=201) This form can be completed anonymously.

Upon filing an electronic report, the electronic reporter will receive an electronic response within 12 hours. These reports will be sent to the Title IX Coordinator for a prompt initial assessment to determine next steps. The Title IX Coordinator will contact the Complainant to offer supportive measures, resources, and determine whether the Complainant wishes to file a Formal Complaint.

**VII. SPECIAL ADVICE FOR INDIVIDUALS REPORTING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING**

Once a report of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is made, the Complainant has several options such as, but not limited to:

- obtaining Supportive Measures
- reporting to law enforcement
- seeking legal advice
- seeking a medical exam
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- filing a Formal Complaint
- requesting that no further action be taken

## A. Reporting to Law Enforcement

Individuals who feel they have experienced Sexual Assault, Domestic Violence, Dating Violence, or Stalking have the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue a complaint with the University through its Complaint Resolution Procedures or to pursue both processes consecutively or concurrently. Complainants also have the right not to pursue any complaint to either the University or law enforcement.

For more information regarding the option to pursue a criminal complaint, contact:

- **Police/Fire/Ambulance (Emergency):** 911
- **Village of River Forest Police/Fire/Ambulance (non-Emergency):** 708-366-7125

The Title IX Coordinator and the Campus Safety Department are available to assist students with making contact with appropriate law enforcement authorities. For more information on the extent of a particular law enforcement agency's reporting obligations to other entities or its ability to protect an individual's privacy or have confidential communications during the criminal complaint process, contact the appropriate law enforcement agency.

In addition to having the option of pursuing a criminal complaint, individuals also have the right to request that law enforcement issue emergency protective restraining orders or to pursue such orders through the court process. The University can assist parties who wish to do so. Individuals who receive emergency or permanent protective or restraining orders through a criminal or civil process should notify the Title IX Coordinator so that the University can work with the individual and the subject of the restraining order to manage compliance with the order on campus. For more information about such orders see:

<https://illinoisattorneygeneral.gov/Safer-Communities/Violence-Prevention-and-Community-Safety/Orders-of-Protection/>

The Campus Safety Department will assist individuals with transportation to a hospital if they so request, with making contact with appropriate law enforcement authorities upon request, and with accessing all appropriate resources and support, including on- and off-campus confidential victim services and Sexual Assault crisis support.

Whether or not criminal charges are filed, the University will initiate an investigation as provided in this Policy where appropriate. The "Requesting Confidentiality to a Non-Confidential Source" (p. 14) Section below includes additional information regarding requests for confidentiality or requests that no investigation be conducted. Any pending criminal investigation or criminal proceeding may have some impact on the timing of the University's investigation, but the University will commence or resume its own investigation as soon as is practicable under the circumstances. The University reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding. The University also may, in some circumstances, be required by law enforcement to defer the fact-finding portion of its investigation for a limited time while law enforcement

gathers evidence. In such cases, the Title IX Coordinator shall inform the parties of the need to defer the University's fact-finding, provide regular updates on the status of the investigation, and notify the parties when the University's fact-finding resumes. During this time period, the University will take any additional measures necessary to protect and support the parties and the University community. The University's authority to sanction members of the University community applies only to the violation of University rules, policies, and procedures.

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of Sexual Assault, Dating Violence, Domestic Violence, or Stalking under this Policy, criminal investigations or reports are not determinative of whether Sexual Assault, Dating Violence, Domestic Violence, or Stalking, for purposes of this Policy, has occurred. In other words, conduct may constitute Sexual Assault, Dating Violence, Domestic Violence, or Stalking under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to investigate or prosecute.

## **B. Medical Assistance and Preserving Evidence**

If you believe you are the victim of Sexual Assault, Domestic Violence, Dating Violence, or Stalking get to safety and do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. The University also encourages all individuals who feel they have been victims of Sexual Assault, Domestic Violence, Dating Violence, or Stalking to seek immediate assistance from a medical provider for emergency services, including treatment of any injury.

Seeking medical attention and preserving evidence helps preserve the full range of options for an individual, including the options of working through the University's Complaint Resolution Procedures and/or legal options including obtaining a protective order from a court, pursuing a civil action, and/or participating in a law enforcement investigation and criminal prosecution.

Even if an individual has not been physically hurt, a timely medical examination is recommended so that forensic evidence can be collected and preserved. An individual may choose to allow the collection of evidence by medical personnel even if they choose not to make a report to the police.

Local medical assistance can be obtained at:

- **Rush Oak Park Hospital:** 708-383-9300
- **Loyola Medical Center:** 888-584-7888
- **Gottlieb Hospital:** 708-681-3200
- **Westlake Hospital:** 708-681-3000

The University recommends the following for individuals who believe they are victims of Sexual Assault, Dating Violence, Domestic Violence or Stalking:

- Get to a safe place as soon as possible.

- Try to preserve all physical evidence of the crime – avoid showering, bathing, using the toilet, rinsing one’s mouth, smoking, or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding or otherwise clean the area where the assault occurred. Preserve for law enforcement.
- Preserve all forms of electronic communication that occurred before, during, or after the assault.
- Contact law enforcement by calling 911.
- Seek medical attention as soon as possible – all medical injuries are not immediately apparent. This is necessary to help collect evidence that may be needed in case the individual decides to pursue criminal charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member for support.
- Talk with a professional licensed counselor or Dominican University confidential resource who can help explain reporting options, provide information, and provide emotional support. Or contact **Pillars’ 24-hour hotlines**:
  - **Domestic Violence Hotline**: 708-485-5254
  - **Sexual Violence Hotline**: 708-482-9600
- Make a report to the Title IX Coordinator by emailing [titleix@dom.edu](mailto:titleix@dom.edu) or completing the [https://cm.maxient.com/reportingform.php?DominicanUniv&layout\\_id=201](https://cm.maxient.com/reportingform.php?DominicanUniv&layout_id=201).
- Explore this Policy and avenues for resolution under this Policy.

It is also important to take steps to preserve evidence in cases of Stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, electronic images, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of Title IX Sexual Harassment investigations.

Under Illinois law, forensic medical examinations (i.e., evidence collection) sought subsequent to instances of sexual violence are free of charge to the patient. Victims can obtain a free forensic medical examination at:

- **Gottlieb Hospital**: 708-681-3200
- **Rush Oak Park Hospital**: 708-383-9300

Medical personnel may be covered by federal and/or state privacy laws, such as the Health Insurance Portability and Accountability Act. Under Illinois law, medical personnel are required to alert police when it reasonably appears that the individual requesting the treatment has received an injury sustained as a victim of a criminal offense, including Sexual Assault. However, it is the individual’s choice whether they want to speak to the police.

## VIII. Confidential Reporting

The University recognizes that individuals who feel they have been victims of Sexual Assault, Dating Violence, Domestic Violence, or Stalking may require time and support in considering whether or how to participate in any University or law enforcement process. The University also recognizes that individuals who have been accused of Sexual Assault, Dating Violence, Domestic Violence, or Stalking may also require support. There are confidential resources on campus and in the community available to any individual who needs support or assistance.

### A. On-Campus Confidential Resources

Individuals wishing to obtain confidential assistance without making a report to the University may speak with one of the University's Wellness Center counselors. For **Counseling Services at the Wellness Center**, call: 708-524-6229. The Wellness Center staff does not need to report identified cases of sexual assault, dating violence, domestic violence, or stalking to the Title IX Coordinator.

Wellness Center counselors are available to discuss incidents or accusations of Title IX Sexual Harassment with Complainants and Respondents in confidence and provide emergency and ongoing support in a safe and confidential space. Counselors generally only report to the University that an incident is alleged to have occurred without revealing any personally identifying information. Disclosures to counselors **will not** trigger the University's investigation into an incident.

Per [Illinois State Law](#), confidential advisors shall receive 40 hours of initial training regarding sexual violence and participate in six hours of annual continuing education thereafter.

### B. Confidential Resources in the Community

The following off-campus agencies also employ individuals available to assist members of the University community with issues relating to Title IX Sexual Harassment in confidence. Disclosures to these entities **will not** trigger a report to the University or an investigation into an incident. Please note that limitations of confidentiality may exist for individuals under the age of 18.

- **National Sexual Assault Telephone Hotline:** 800-656-HOPE (4673)
- **National Domestic Violence Hotline:** 800-799-7223
- **State of Illinois Domestic Violence Hotline:** 877-863-6338
- **Pillars 24-hour Hotlines:**
  - **Domestic Violence Hotline:** 708-485-5254
  - **Sexual Violence Hotline:** 708-482-9600
- **Mujeres Latinas En Acción:** 708-890-7676
- **Life Span Center for Legal Services & Advocacy:** 312-408-1210

### **C. Requesting Confidentiality to a Non-Confidential Source**

In some cases, an individual may disclose an incident of Title IX Sexual Harassment to a non-confidential source but wish to maintain confidentiality or request that no investigation into a particular incident be conducted or disciplinary action be taken. The non-confidential source will be required to report to the Title IX Coordinator. The University has designated the Title IX Coordinator to evaluate requests for confidentiality or that no formal action be taken and oversee the University's response to reports of alleged Title IX Sexual Harassment.

If a Complainant discloses an incident, but requests confidentiality or is unwilling to participate in any investigation or adjudication process, the Title IX Coordinator, in consultation with other University administrators, will weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all community members, including the Complainant and the Respondent. When weighing a Complainant's request for confidentiality or that no investigation or resolution be pursued, the Title IX Coordinator will consider a range of factors, which may include, whether:

- The Respondent is likely to commit additional acts of Title IX Sexual Harassment, such as:
  - Whether there have been other Title IX Sexual Harassment complaints about the same Respondent;
  - Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
  - Whether the Respondent threatened further Title IX Sexual Harassment against the Complainant or others;
  - Whether the alleged Title IX Sexual Harassment was committed by multiple Respondents.
- The Title IX Sexual Harassment was perpetrated with a weapon;
- The Complainant is a minor;
- The University possesses other means to obtain relevant evidence of the Title IX Sexual Harassment (e.g., security cameras or personnel, physical evidence);
- The Complainant'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.

If none of these factors are present, the University is more likely to respect the Complainant's request. If the University honors a Complainant's request for confidentiality or request that no investigation or resolution be pursued, the University's ability to investigate the incident comprehensively or pursue disciplinary action against the Respondent(s) may potentially be limited.

The presence of one or more of the above factors could lead the Title IX Coordinator to file a Formal Complaint on behalf of the University, if doing so is not unreasonable, as set forth below. If the Title IX Coordinator determines that the University cannot maintain a Complainant's confidentiality, the Title IX Coordinator will inform the Complainant before filing the Formal Complaint.



#### **D. Confidentiality within the Roman Catholic Sacrament of Reconciliation and Penance**

As a Catholic, Dominican institution, Dominican University believes that the dignity of the human person and her or his restoration of right relationship with God and others is central to the profession and practice of any faith. In Roman Catholicism, the Sacrament of Reconciliation or Penance is a moment of sacred grace through healing. For Roman Catholic faculty, staff, and students, Reconciliation is made available by request or through general pastoral offerings of the University Ministry Center. For baptized Roman Catholics, the information shared within the confessional space of the Sacrament is completely confidential and remains under what the Church calls the sacramental seal. The seal prevents the confessor from sharing any information because it is “sacred and cannot be violated under any pretext” (Catechism of the Catholic Church 2490). As such, a Roman Catholic priest in good standing serving as a confessor on Dominican University’s campus shall not be required to report any information disclosed in the confessional space.

#### **IX. AMNESTY**

To encourage reporting, the University pursues a policy of offering witnesses and individuals who wish to report incidents limited amnesty from being charged for policy violations, such as alcohol or drug use. While violations cannot be completely overlooked, the University will provide educational rather than punitive responses in such cases. The seriousness of discrimination and/or sexual misconduct is a major concern, and the University does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of discrimination and/or sexual misconduct. However, the University reserves the right to require counseling, education, or other preventative measures to help prevent alcohol or drug violations in the future. The University’s commitment to immunity in these situations does not prevent action by police or other legal authorities against an individual who has illegally consumed alcohol or drugs.

#### **X. PRELIMINARY ASSESSMENT**

After receiving a report under “Reporting Title IX Sexual Harassment” (p. 8), the Title IX Coordinator will conduct a preliminary assessment to determine whether the conduct, as reported, falls or could fall within the scope of this Policy.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of this Policy, and/or could not constitute Title IX Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter under this Policy and may notify the Complainant if doing so is consistent with the Family Educational Rights and Privacy Act (FERPA). The Title IX Coordinator may refer the report to other University offices, as appropriate, including for potential assessment under the Non-Title IX Sexual Misconduct Policy or the Student Code of

Conduct in the case of students and other University policies and standards, as applicable, for other persons.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this Policy, and/or could constitute Title IX Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if it is not apparent from the report.

## **XI. CONTACTING THE COMPLAINANT**

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator will promptly contact the Complainant to:

- Discuss the availability of Supportive Measures;
- Discuss and consider the Complainant's wishes with respect to Supportive Measures;
- Inform the Complainant about the availability of Supportive Measures with or without filing a Formal Complaint;
- Explain the process for filing and pursuing a Formal Complaint.
- Provide options for filing complaints with the local police and information about resources that are available on campus and in the community.

## **XII. SUPPORTIVE MEASURES**

The University will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University's ability to provide the Supportive Measures in question.

### **XIII. EMERGENCY REMOVAL**

At any time after receiving a report of Title IX Sexual Harassment, the Title IX Coordinator may remove a student Respondent from one or more of the University's Education Programs and Activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX Sexual Harassment justifies removal.

When an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon as reasonably possible thereafter, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested, in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this Policy to implement or modify an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

The University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to, removing a student from a residence hall, restricting a student's or employee's access to or use of facilities, allowing a student to withdraw or take incomplete grades without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural/club athletics.

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

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Title IX Sexual Harassment, including during the pendency of the investigation and adjudication process.

#### **XIV. FORMAL COMPLAINT**

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Title IX Sexual Harassment in accordance with the provisions outlined in the “Informal Resolution” (p. 21), “Investigation” (p. 22), and “Formal Resolution” (p. 24) Sections of this Policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University’s Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in “Reporting Title IX Sexual Harassment” (p. 8). No person may submit a Formal Complaint on the Complainant’s behalf unless the Complainant is a minor.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include:

- The Respondent is likely to commit additional acts of Title IX Sexual Harassment, such as:
  - Whether there have been other Title IX Sexual Harassment complaints about the Respondent;
  - Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
  - Whether the Respondent threatened further Title IX Sexual Harassment against the Complainant or others;
  - Whether the Title IX Sexual Harassment was committed by multiple Respondents
- The Title IX Sexual Harassment was perpetrated with a weapon
- The Complainant is a minor
- The University possesses other means to obtain relevant evidence of the Title IX Sexual Harassment (e.g., security cameras or personnel, physical evidence)
- The Complainant’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.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation as specified in “Investigation” (p. 22) and proceed to adjudicate the

matter as specified in “Formal Resolution” (p. 24) below. In all cases where a Formal Complaint is filed, the Complainant will be treated as a party, irrespective of their level of participation.

In a case where the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator will not act as a Complainant or otherwise as a party for purposes of the investigation and adjudication processes.

If neither the Complainant nor the Title IX Coordinator files a Formal Complaint, the complaint resolution provisions of this Policy will not be applied, but the Title IX Coordinator may refer the report to other University offices as appropriate.

#### **XV. CONSOLIDATION OF FORMAL COMPLAINTS**

The University may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this Policy to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable. A Formal Complaint of Retaliation may be consolidated with a Formal Complaint of Title IX Sexual Harassment.

#### **XVI. DISMISSAL PRIOR TO COMMENCEMENT OF INVESTIGATION, DURING INVESTIGATION, OR ADJUDICATION**

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of the Policy specified in “Scope” (p. 2). (i.e., because the alleged conduct did not occur in the University’s Education Programs and Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by the University, as the case may be; or

- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal the dismissal as specified in “Appeal” (p. 29). The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this Policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal or the dismissal is overturned on appeal.

## **XVII. NOTICE OF FORMAL COMPLAINT**

Within five (5) days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy or hyperlink of this Policy, including Appendix A (p. 40);
- Sufficient details known at the time so that the parties may prepare for an initial interview with the Investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Title IX Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice, as specified in “Advisor of Choice” (p. 31).
- Notifying the Complainant and Respondent of their right to inspect and review evidence as specified in “Access to Evidence” (p. 23).
- Notifying the Complainant and Respondent of the University’s prohibitions on retaliation and false statements specified in Sections “Bad Faith Complaints and False Information” and “Retaliation” (p. 34).
- Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated. The procedures outlined in this policy may be used to address alleged collateral misconduct by the Respondent arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another), when alleged violations of the Policy are being addressed at the same time. In such cases, the Title IX Coordinator may consult with the institution officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs, etc.) to provide input as needed. All other allegations of misconduct unrelated to incidents covered by

the Policy will be addressed through procedures described in the student, faculty, and staff handbooks.

### **XVIII. INFORMAL RESOLUTION**

At any time after the parties are provided written notice of the Formal Complaint as specified in “Notice of Formal Complaint” (p. 20), and before the completion of the determination of responsibility specified in “Formal Resolution” (p. 24) the parties may voluntarily consent, with the Title IX Coordinator’s approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process to be used;
- Identifies the trained individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party’s ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the facilitator will put the terms of the agreed resolution in writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or appeal by the University, except as otherwise provided in the resolution itself.

A party may withdraw their consent to participate in informal resolution at any time before a final determination has been rendered by the Hearing Officer.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 21 days. If an informal resolution process does not result in a resolution within 21 days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

Other language in this Section notwithstanding, informal resolution will not be permitted if the Respondent is an employee accused of committing Title IX Sexual Harassment against a student.

## **XIX. INVESTIGATION**

### **A. Commencement and Timing**

After the written notice of Formal Complaint is transmitted to the parties, an Investigator selected by the Title IX Coordinator or his/her designee will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the parties. The investigation will culminate in a written investigation report, specified in "Investigation Report" (p. 23), that will be submitted to the Hearing Officer during the selected adjudication process specified in "Formal Resolution" (p. 24). Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 60 to 90 days of the transmittal of the written notice of Formal Complaint.

### **B. Equal Opportunity**

During the investigation, the Investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the Investigator retains discretion to limit the number of witness interviews the Investigator conducts if the Investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant, as specified in "Sexual History" (p. 32). The Investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.



The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

### **C. Documentation of Investigation**

The Investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the Investigator's notes, audio/video recording conducted by the University, or transcribed. The particular method used to record the interviews of parties and witnesses will be determined by the investigator in the Investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

### **D. Access to the Evidence**

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the Investigating Officer will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have 10 days in which to submit to the Investigator a written response, which the Investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

### **E. Investigation Report**

After the period for the parties to provide any written response as specified "Access to Evidence" (p. 23) has expired, the Investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the Investigator will transmit a copy to the Title IX Coordinator. The Investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

## **XX. FORMAL RESOLUTION**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing. The Title IX Coordinator will select an appropriate Hearing Officer and provide a copy of the investigation report and the file of directly related evidence.

### **A. Hearing Officer and Hearing Notice**

The Hearing Officer will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Hearing Officer will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Description of any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Hearing Officer and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator as soon as possible, preferably at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Hearing Officer based on demonstrated bias or conflict of interest. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and how the parties can access the recording after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Hearing Officer may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they wish to conduct cross-examination and do not have an Advisor, and the University will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
- A copy of all the materials provided to the Hearing Officer about the complaint unless they have already been provided.

- An invitation to each party to submit to the Hearing Officer an impact and/or mitigation statement pre-hearing that the Hearing Officer will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University and remain within the 60-90 business-day goal for resolution. Employees who do not have 12-month contracts are still expected to participate in Resolution Proceedings that occur during months between contracts.

## **B. Parties' Response to the Investigation Report**

A party's written response to the investigation report may include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in "Sexual History" (p. 32), or for any other reason;
- A list of any witnesses that the party contends should be requested to attend the hearing pursuant to an attendance notice issued by the Title IX Coordinator or designee;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the Title IX Coordinator or designee;
- Any objection that the party has to the University's Hearing Procedures;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;
- If the party does not have an advisor who will accompany the party at the hearing, a request that the University provide an advisor for purposes of conducting questioning as specified in "Hearing Office and Hearing Notice" (p. 24).
- Any argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
- Any argument regarding whether any of the allegations in the Formal Complaint constitute Title IX Sexual Harassment.

### **C. Pre-Hearing Conference**

Prior to the hearing, the Hearing Officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the Hearing Officer, the parties, the advisors, and other necessary University personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the Hearing Officer's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the Hearing Officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the Hearing Officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the Hearing Officer determines, in the Hearing Officer's discretion, should be resolved before the hearing.

### **D. Issuance of Notices of Attendance**

After the pre-hearing conference, the Title IX Coordinator will transmit notices of attendance to any person whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the Hearing Officer immediately if there is a material and unavoidable conflict.

Upon request, an attendance notice may be issued to notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

### **E. Hearing**

After the pre-hearing conference, the Hearing Officer will convene and conduct a hearing pursuant to the University's Hearing Procedures. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. At the discretion of the Hearing Officer, the hearing will be

conducted with the Hearing Officer, the parties, the advisors, witnesses, and other necessary University personnel together either in the same physical location or virtually. When the hearing is conducted with participants in the same physical location, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

When the hearing is conducted virtually, video and audio technology will be used where all participants may participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the Hearing Officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to address the Hearing Officer directly and to respond to questions posed by the Hearing Officer;
- Opportunity for each party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the Hearing Officer and a reason for the ruling provided;
- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each party to make a brief opening and closing statement.

Except as otherwise permitted by the Hearing Officer, the hearing will be closed to all persons except the parties, their advisors, the Investigator, the Hearing Officer, the Title IX Coordinator, and other necessary University personnel. With the exception of the Investigator and the parties, witnesses will be sequestered until such time as their testimony is complete. The parties will not be permitted to question the other party directly.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them pursuant to "Access to Evidence" (p. 23).

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the Hearing Officer.

Subject to the minimum requirements specified in this Section, the Hearing Officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The Hearing Officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The Hearing Officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this Section are met.

#### **F. Subjection to Questioning**

All parties and any witnesses called shall be asked to submit to live questioning by the Hearing Officer and parties' advisors. Other statements that may be considered by the Hearing Officer includes:

- Statements made by the parties and witnesses during the investigation;
- Emails or text exchanges between the parties leading up to or after the alleged violation;
- Statements about the alleged violation that satisfy the regulation's relevance rules, regardless of whether the parties or witnesses submit to cross-examination at the live hearing; and
- Police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing.

In applying this Section, the Hearing Officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the Hearing Officer or parties' advisors.

#### **G. Deliberation and Determination**

After the hearing is complete, the Hearing Officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The Hearing Officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or by operation of "Subjection to Questioning" (p. 28). The Hearing Officer will resolve disputed facts using a preponderance of the evidence (that is, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the Policy as alleged in the Formal Complaint.

#### **H. Sanctions and Remedies**

In the event the Hearing Officer determines that the Respondent is responsible for violating this Policy, the Hearing Officer with the Title IX Coordinator will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the Respondent to determine any discipline to be imposed. This will be the Executive Director of Human Resources for employees, with consultation with the Provost for Faculty and the Dean of Students for students. The Hearing Officer will also, prior to issuing a written decision, consult

with the Title IX Coordinator who will determine whether and to what extent ongoing supportive measures or other remedies will be provided to the Complainant.

### **I. Written Determination**

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required by “Sanctions and Remedies” (p. 28), the Hearing Officer will prepare a written decision that will include:

- Identification of the allegations potentially constituting Title IX Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Articulate findings of fact, made under a preponderance of the evidence standard (i.e., more likely than not), that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Title IX Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- Any sanction(s) issued;
- Whether the Complainant will receive any ongoing supportive measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University’s process and grounds for appeal, as specified in “Appeal” (p. 29).

The Hearing Officer’s written determination, which will include information regarding appeal rights, will be transmitted simultaneously to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in “Appeal” (p. 29).

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the Hearing Officer’s written determination within 10 business days of the decision.

### **XXI. APPEAL**

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

- The Title IX Coordinator, Investigator, Hearing Officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within 7 business days of the date they receive notice of dismissal or determination. The appeal must be submitted in writing to the Title IX Coordinator, who will share the appeal with a trained appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the Appeal Officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the Appeal Officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the Appeal Officer will dismiss the appeal and provide written notice of the same to the parties.

If the Appeal Officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the Appeal Officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within five business days. The Appeal Officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the Appeal Officer will promptly decide the appeal and transmit a written decision within 10 business days to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the Appeal Officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.



## **XXII. POTENTIAL OUTCOMES FOLLOWING A FINDING OF A POLICY VIOLATION**

### **A. Sanctions**

When a final determination is made that an individual has violated this Policy, the appropriate sanctions are determined based on several factors, including the severity of the conduct and any prior policy violations. Sanctions and corrective actions may include: written or verbal apology, discrimination or harassment education, verbal or written warning, probation, suspension, termination, or dismissal from the University. Employees are advised to consult any relevant handbooks for additional information regarding disciplinary action.

### **B. Remedies**

After a final decision is made that an individual has violated this Policy, the University may also offer additional measures, and/or take other action, to eliminate any hostile environment caused by the Title IX Sexual Harassment, prevent the recurrence of any Title IX Sexual Harassment, and remedy the effects of the Title IX Sexual Harassment on the Complainant and the University community. Remedies that may be offered or provided to a Complainant may include the same individualized services described as Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

## **XXIII. ADVISOR OF CHOICE**

The Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing specified in “Hearing” (p. 26), the advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with the University about the matter without the party being included in the communication. In the event a party’s advisor of choice engages in material violation of the parameters specified in this Section and “Hearing” (p. 26), the University may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing specified in “Hearing” (p. 26), and requests the University to provide an advisor, the University will provide the party an advisor, without fee or charge, who will conduct questioning on behalf of the party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.

The University is not required to provide a party with an advisor in any circumstance except where the party does not have an advisor present at the hearing specified in “Hearing” (p. 26).

#### **XXIV. TREATMENT RECORDS AND OTHER PRIVILEGED INFORMATION**

During the investigation and adjudication processes, the Investigator and Hearing Officer, as the case may be, are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- A party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; or
- Information or records protected from disclosure by any other legally-recognized privilege, such as the attorney client privilege; unless the University has obtained the party’s voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the Investigator and/or Hearing Officer, as the case may be, may consider any such records or information otherwise covered by this Section if the party holding the privilege affirmatively discloses the records or information to support their allegation or defense, as the case may be.

#### **XXV. SEXUAL HISTORY**

During the investigation and adjudication processes, questioning regarding a Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.

#### **XXVI. PRESUMPTION OF NON-RESPONSIBILITY**

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

## **XXVII. RESOURCES**

Any individual affected by or accused of Title IX Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University identified resources. The Title IX Coordinator is available to provide information about the University's Policy and procedure and to provide assistance. A list of existing counseling, health, mental health, victim advocacy, visa and immigration assistance, student financial aid, and other services and resources available is located at the following link: <https://www.dom.edu/diversity/resources-and-services>.

## **XXVIII. CONFLICTS OF INTEREST, BIAS, AND PROCEDURAL COMPLAINTS**

The Title IX Coordinator, Investigator, Hearing Officer, Informal Resolution Facilitator, Appeal Officer, and any other Title IX Official will be free of any material conflicts of interest or material bias. Any party who believes one or more of these officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The parties will be notified of the identities of the Hearing Officer and Appeal Officer for their proceeding before those individual(s) initiate contact with either party.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Title IX Coordinator, contact the Vice President of Justice, Equity, & Inclusion. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Title IX Official should be raised with the Title IX Coordinator.

## **XXIX. OBJECTIONS GENERALLY**

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it, if appropriate.

## **XXX. ACADEMIC FREEDOM**

The University will construe and apply this Policy consistent with the principles of academic freedom specified in the Faculty Handbook. In no case will a Respondent be found to have committed Title IX Sexual Harassment based on expressive conduct that is protected by the principles of academic freedom specified in the Faculty Handbook.

### **XXXI. RECORDINGS**

Wherever this Policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a party may have under this Policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this Policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this Policy is strictly prohibited.

### **XXXII. BAD FAITH COMPLAINTS AND FALSE INFORMATION**

It is a violation of this Policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this Policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this Policy. Violations of this Section are not subject to the investigation and adjudication processes in this Policy; instead, they will be addressed under the Code of Student Conduct in the case of students and other University policies and standards, as applicable, for employees.

### **XXXIII. RETALIATION**

Dominican University strictly prohibits any adverse action against any individual for reporting incidents, providing information, or exercising their rights under this Policy. No individual who makes a complaint alleging a violation of this Policy or who participates in the investigation or resolution of a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation is defined as conduct that 1) adversely affects the individual's employment or their opportunity to access or benefit from the University's programs or activities; and 2) is motivated in whole or in part by the individual's participation in the complaint process. Retaliation exists when action is taken against a complainant or participant during the complaint process or after the resolution of a complaint.

Retaliatory actions include threats or actual violence against a person or that person's property or threats on social media. Retaliation may involve engaging in ridicule, intimidation, bullying, or inciting adverse educational or employment consequences, or colluding with others to embarrass or punish an individual who filed a complaint or participated in an investigation, or hearing. Retaliation is not limited to the Complainant or Respondent— any individual or group of individuals involved in an investigation can engage in or be affected by retaliatory conduct.

The University retains discretion to consolidate a Formal Complaint of Retaliation with a Formal Complaint of Title IX Sexual Harassment for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

Any acts of retaliation shall be grounds for disciplinary action, up to and including dismissal from the University for students and termination of employment for faculty and staff.

#### **XXXIV. CONFIDENTIALITY**

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

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

Only a small group of officials who need to know will typically be told about the complaint. Information will be shared as necessary with Investigators, Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The University may contact parents/guardians of students to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically in sections "Confidential Reporting" (p.13).

For the purpose of this Policy, privacy and confidentiality have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of University employees who "need to know" in order to assist in the assessment, investigation, and resolution of the complaint. All employees who are involved in the University's response to notice under this Policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), as outlined in the University's Student Records Policy. The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws (including Title IX) that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients,

parishioners, and spouses. The University has designated individuals who have the ability to have privileged communications as Confidential Resources. For more information about Confidential Resources, see “Confidential Reporting” (p.13). When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the individual will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clery Act. Other information may be shared as required by law.

#### **XXXV. SIGNATURES AND FORM OF CONSENT**

For purposes of this Policy, either a physical signature or digital signature will be sufficient to satisfy any obligation that a document be signed. Where this policy provides that written consent must be provided, consent in either physical or electronic form, containing a physical or digital signature, as the case may be, will suffice.

#### **XXXVI. DEADLINES, TIME, NOTICES, AND METHOD OF TRANSMITTAL**

All deadlines and other time periods specified in this Policy are subject to modification by the University where, in the University’s sole discretion, good cause exists. Good cause may include, but is not limited to, the unavailability of parties or witnesses; the complexities of a given case; extended holidays or closures; sickness of the Investigator, Hearing Officer, or the parties; the need to consult with the University’s legal counsel; unforeseen weather events; and the like.

Any party who wishes to seek an extension of any deadline or other time period may do so by filing a request with the Title IX Coordinator depending on the phase of the process. Such request must state the extension sought and explain what good cause exists for the requested extension. The Title IX Coordinator may, but is not required to, give the other party an opportunity to object. Whether to grant such a requested extension will be in the sole discretion of the Title IX Coordinator.

The parties will be provided written notice of the modification of any deadline or time period specified in this Policy, along with the reasons for the modification.

Where this Policy refers to notice being given to parties “simultaneously,” notice will be deemed simultaneous if it is provided in relative proximity on the same day. It is not necessary that notice be provided at exactly the same hour and minute.

Unless otherwise specified in this Policy, the default method of transmission for all notices, reports, responses, and other forms of communication specified in this Policy will be email using University email addresses.

A party is deemed to have received notice upon transmittal of an email to their University email address. In the event notice is provided by mail, a party will be deemed to have received notice three days after the notice in question is postmarked.

Any notice inviting or requiring a party or witness to attend a meeting, interview, or hearing will be provided with sufficient time for the party to prepare for the meeting, interview, or hearing as the case may be, and will include relevant details such as the date, time, location, purpose, and participants. Unless a specific number of days is specified elsewhere in this Policy, the sufficient time to be provided will be determined in the sole discretion of the University, considering all the facts and circumstances, including, but not limited to, the nature of the meeting, interview, or hearing; the nature and complexity of the allegations at issue; the schedules of relevant University officials; approaching holidays or closures; and the number and length of extensions already granted.

#### **XXXVII. OTHER FORMS OF DISCRIMINATION**

This Policy applies only to Title IX Sexual Harassment as defined herein. Complaints of other forms of sex discrimination are governed by the University's Non-Title IX Sexual Misconduct Policy.

#### **XXXVIII. EDUCATION**

Because the University recognizes that the prevention of Title IX Sexual Harassment, including Sexual Assault, Domestic Violence, Dating Violence, and Stalking, is important, it offers educational programming to a variety of groups such as: campus personnel; incoming students and new employees participating in orientation; and members of student organizations. Among other elements, such training will cover relevant definitions, procedures, and sanctions; will provide safe and positive options for bystander intervention; and will provide risk reduction information, including recognizing warning signs of abusive behavior and how to avoid potential attacks. The University's educational programming will comply with the Illinois Preventing Sexual Violence in Higher Education Act and any other applicable federal or state law. To learn more about education resources, please contact the Title IX Coordinator.

### **XXXIX. OUTSIDE APPOINTMENTS, DUAL APPOINTMENTS, AND DELEGATIONS**

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this Policy, including, but not limited to, the Investigator, Hearing Officer, Informal Resolution Facilitator, and/or Appeals Officer.

The University also retains discretion to appoint two or more persons to jointly fulfill the role of Investigator, Hearing Officer, Informal Resolution Facilitator, and/or Appeal Officer.

The functions assigned to a given University official under this Policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Hearing Officer, Informal Resolution Facilitator, and Appeal Officer, may, in the University's discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

### **XL. TRAINING**

The University will ensure that University officials acting under this Policy, including but not limited to the Title IX Coordinator, Investigators, Hearing Officers, Informal Resolution Facilitators, University provided advisors, and Appeals Officers receive training in compliance with 34 C.F.R. § 106.45(b)(1)(iii), the Illinois Preventing Sexual Violence in Higher Education Act, and any other applicable federal or state law.

### **XLI. RECORDKEEPING**

The University will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of at least seven (7) years after which point in time they may be destroyed, or continue to be retained, in the University's sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.

### **XLII. DEFINITIONS**

Words used in this Policy will have those meanings defined herein and if not defined herein will be construed according to their plain and ordinary meaning.



### **XLIII. DISCRETION IN APPLICATION**

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the parties.

Despite the University's reasonable efforts to anticipate all eventualities in drafting this Policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express Policy language, in which case the University retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this Policy and the Hearing Procedures referenced in "Formal Resolution" (p. 24) are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this Policy and the Hearing Procedures at any time, and for any reason. The University may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.

## **APPENDIX A: STATEMENT OF RIGHTS OF THE PARTIES**

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to University officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by the University regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by the University to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University officials.
- The right to have University policy and these procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the University in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by University law enforcement and/or other University officials.

- The right to be informed of available supportive measures on campus and in the community.
- The right to a University-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to have the University maintain such actions for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair the University's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any University meeting or interview involving another party, when possible.
- The right to identify and have the Investigator(s), Advisors, and/or Decision-maker(s) question relevant available witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Decision-maker(s), may be asked of any party or witness.
- The right to have inadmissible sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-maker(s).
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained during the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10) business day period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received relevant annual training.

- The right to preservation of confidentiality/privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding and written determination after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- The right to be promptly informed of the finding(s) and sanction(s) (if any) of the Resolution Process and a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written determination letter delivered simultaneously (without undue delay) to the parties.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the Resolution Process, and the procedures for doing so in accordance with the standards for appeal established by the University.
- The right to a fundamentally fair resolution as defined in these procedures.

## Sexual Assault, Intimate Partner Violence, Stalking & Sexual Harassment Title IX Policy

Dominican University is committed to ensuring a just and humane campus where all community members have the capacity to thrive. The Title IX Coordinator<sup>1</sup> works in partnership with community stakeholders to support the culture of equity and inclusion that is critical to the University's mission and identity. When the behavior of some community members challenges the well-being of others, the Title IX team determines, to the extent possible, whether the University's policies related to Title IX and gender-based misconduct, and other forms of sexual harassing conduct were violated.

To ensure the University's ability to foster a just and humane campus for all, violations of these policies will not be tolerated. As such, the University community is asked to report incidents

that may violate University anti-discrimination and sexual misconduct policies so that efforts can be made to end discriminatory and harassing conduct based on protected characteristics, prevent its reoccurrence, and, where possible, address its effects. The University takes these reports seriously and is therefore committed to following up on reports of sexual assault, sexual harassment, and discrimination.

## **I. POLICY STATEMENT**

Consistent with the University's Non-Discrimination Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972, the University prohibits Title IX Sexual Harassment that occurs within its Education Programs or Activities pursuant to this Sexual Assault, Intimate Partner Violence, Stalking & Sexual Harassment Title IX Policy (hereinafter the Policy).

For purposes of this Policy and as defined by federal regulations, Title IX Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Administrators, faculty, staff, students, contractors, guests, and other members of the University community who commit Title IX Sexual Harassment are subject to the full range of University discipline including verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; fines; permanent separation from the institution (that is, termination or dismissal);

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<sup>1</sup> References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.

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physical restriction from University property; cancellation of contracts; and any combination of the same.

The University will provide persons who have experienced Title IX Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's Education Programs or Activities.

## **II. SCOPE**

This Policy applies to Title IX Sexual Harassment that occurs within the University's Education Programs or Activities and that is committed by an administrator, faculty, staff, or student.

This Policy does not apply to Title IX Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs and Activities. This Policy does not apply to Title IX Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Title IX Sexual Harassment occurs in the University's Education Programs and Activities, such as a study abroad program. Title IX Sexual Harassment that occurs either off-campus, in a private setting, and outside the geographic boundaries of the United States is governed by the Non-Title IX Sex-Based Discrimination Policy.

## **III. DEFINITIONS**

- A.** "Title IX Sexual Harassment" is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.
- B.** "Quid Pro Quo Sexual Harassment" is an employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual contact.
- C.** "Hostile Environment Sexual Harassment" is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the University's Education Programs and Activities.
- D.** "Sexual Assault" includes the sex offenses of Rape, Fondling, Incest, and Statutory Rape<sup>2</sup>:

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<sup>2</sup> The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

1. "Rape" is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. There is "carnal knowledge" if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted Rape is included.
  2. "Sodomy" is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  3. "Sexual Assault with an Object" is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.
  4. "Fondling" is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  5. "Incest" is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Illinois law.
  6. "Statutory Rape" is sexual intercourse with a person who is under the statutory age of consent as defined by Illinois law.
- E. "Domestic Violence" is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Illinois, or 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 Illinois.

- F.** “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 Complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
    - 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.
- G.** “Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- Fear for their safety or the safety of others; or
  - Suffer substantial emotional distress.
- For the purposes of this definition—
- Course of conduct means two or more acts, including, but not limited to acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
  - § Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
  - § Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.
- H.** “Retaliation” includes intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.
- I.** “Complainant” means an individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment.
- J.** “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute Title IX Sexual Harassment.



- K.** “Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Title IX Sexual Harassment in accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University’s Education Programs or Activities. A “document filed by a Complainant” means a document or electronic submission (such as an email) that contains the Complainant’s physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.
- L.** “Supportive Measures” are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University’s Education Programs or Activities without unreasonably burdening another party, including measures designed to protect the safety of all parties implicated by a report or the University’s education environment, or to deter Title IX Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, other changes to academic, living, dining, transportation, and working situations, honoring an order of protection or no contact order entered by a State civil or criminal court, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.
- M.** “Education Programs or Activities” refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Title IX Sexual Harassment occurs, including Title IX Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University.

#### **IV. UNDERSTANDING HOSTILE ENVIRONMENT SEXUAL HARASSMENT**

In determining whether a hostile environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the

conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

The University encourages members of the University community to report any and all instances of Title IX Sexual Harassment, even if they are unsure whether the conduct rises to the level of a Policy violation.

Some specific examples of conduct that may constitute Title IX Sexual Harassment if unwelcome include, but are not limited to:

- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact
- Unwelcome kissing, hugging, or massaging
- Sexual innuendos, jokes, or humor
- Displaying sexual graffiti, pictures, videos, or posters
- Using sexually explicit profanity
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities
- E-mail, internet, or other electronic use that violates this Policy
- Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin
- Sending sexually explicit emails, text messages, or social media posts
- Commenting on a person's dress in a sexual manner
- Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship
- Insulting, demeaning, or degrading another person based on gender or gender stereotypes.

## **V. UNDERSTANDING CONSENT AND INCAPACITATION**

### **A. Consent**

Lack of consent is a critical factor in determining whether Title IX Sexual Harassment has occurred. Consent is an informed, freely given, and mutually understood agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation or coercion—or any kind of physical force or weapon—and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts.

- A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.
- Silence or lack of physical or verbal resistance does not imply consent.
- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- Consent cannot be inferred from a person’s manner of dress.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent to past sexual activity does not constitute consent to future sexual activity.
- Consent can be withdrawn at any time. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after they withdraw consent. When consent is withdrawn, sexual activity must immediately stop.
- Being in a romantic relationship with someone does not imply consent to sexual activity. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act.
- Effective consent may not exist when there is a disparity in power between the parties (e.g., faculty/student, supervisor/employee).

While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sex helps to clarify consent. Communicating verbally before engaging in sexual activity is imperative. A person who is passive, unresponsive, or actively resists is demonstrating defective or withdrawn consent.

## **B. Incapacitation**

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. 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 individual is incapacitated due to drug or alcohol consumption, either voluntarily or involuntarily;
- The individual is unconscious, asleep, or otherwise unaware that sexual activity is occurring;
- The individual is below the minimum age of consent in the applicable jurisdiction (17 years in Illinois); or
- The individual has a mental disability that impairs his or her ability to provide consent.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One's own intoxication is not an excuse for failure to recognize another person's incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol of other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling, vomiting, and unconsciousness. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual's:

- Decision-making ability
- Awareness of consequences
- Ability to make informed judgments
- Capacity to appreciate the nature of circumstances of the act.

### **C. Coercion**

Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

### **D. Force**

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," which elicits the response, "Okay, don't hit me. I'll do what you want.>").

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

## **VI. REPORTING TITLE IX SEXUAL HARASSMENT**

### **A. Reporting to the University**

Any person may report Title IX Sexual Harassment to the Title IX Coordinator, any University employee, including cabinet members, deans, department heads, unit supervisors, and other

employees who must promptly forward such report of Title IX Sexual Harassment to the Title IX Coordinator. Some student workers, including Resident Assistants, Peer Leaders, Welcome and Information Desk workers, Circulation Desk workers, University Ministry, and Campus Safety staff, are required to report any alleged Title IX Sexual Harassment to the Title IX Coordinator.

Reports may be made by complainants, third parties, witnesses, or bystanders, and may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

**To report to the Title IX Coordinator** directly, email: [titleix@dom.edu](mailto:titleix@dom.edu)

**To report to Campus Safety:**

- **Non-Emergencies (24 hours):** 708-524-5999
- **Email:** [safety@dom.edu](mailto:safety@dom.edu)
- **Emergencies:** 911 to be connected to local law enforcement

**To File a Report Electronically and/or Anonymously:**

Individuals, including third parties and bystanders, can submit a report of Title IX Sexual Harassment electronically by completing [Title IX/Bias Reporting Form](#). This form can be completed anonymously.

Upon filing an electronic report, the electronic reporter will receive an electronic response within 12 hours. These reports will be sent to the Title IX Coordinator for a prompt initial assessment to determine next steps. The Title IX Coordinator will contact the Complainant to offer supportive measures, resources, and determine whether the Complainant wishes to file a Formal Complaint.

**VII. SPECIAL ADVICE FOR INDIVIDUALS REPORTING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING**

Once a report of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is made, the Complainant has several options such as, but not limited to:

- obtaining Supportive Measures
- reporting to law enforcement
- seeking legal advice
- seeking a medical exam
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- filing a Formal Complaint
- requesting that no further action be taken

## A. Reporting to Law Enforcement

Individuals who feel they have experienced Sexual Assault, Domestic Violence, Dating Violence, or Stalking have the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue a complaint with the University through its Complaint Resolution Procedures or to pursue both processes consecutively or concurrently. Complainants also have the right not to pursue any complaint to either the University or law enforcement.

For more information regarding the option to pursue a criminal complaint, contact:

- **Police/Fire/Ambulance (Emergency):** 911
- **Village of River Forest Police/Fire/Ambulance (non-Emergency):** 708-366-7125

The Title IX Coordinator and the Campus Safety Department are available to assist students with making contact with appropriate law enforcement authorities. For more information on the extent of a particular law enforcement agency's reporting obligations to other entities or its ability to protect an individual's privacy or have confidential communications during the criminal complaint process, contact the appropriate law enforcement agency.

In addition to having the option of pursuing a criminal complaint, individuals also have the right to request that law enforcement issue emergency protective restraining orders or to pursue such orders through the court process. The University can assist parties who wish to do so. Individuals who receive emergency or permanent protective or restraining orders through a criminal or civil process should notify the Title IX Coordinator so that the University can work with the individual and the subject of the restraining order to manage compliance with the order on campus. For more information about such orders see:

<https://illinoisattorneygeneral.gov/Safer-Communities/Violence-Prevention-and-Community-Safety/Orders-of-Protection/>

The Campus Safety Department will assist individuals with transportation to a hospital if they so request, with making contact with appropriate law enforcement authorities upon request, and with accessing all appropriate resources and support, including on- and off-campus confidential victim services and Sexual Assault crisis support.

Whether or not criminal charges are filed, the University will initiate an investigation as provided in this Policy where appropriate. The "Requesting Confidentiality to a Non-Confidential Source" (p. 14) Section below includes additional information regarding requests for confidentiality or requests that no investigation be conducted. Any pending criminal investigation or criminal proceeding may have some impact on the timing of the University's investigation, but the University will commence or resume its own investigation as soon as is practicable under the circumstances. The University reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding. The University also may, in some circumstances, be required by law enforcement to defer the fact-finding portion of its investigation for a limited time while law enforcement

gathers evidence. In such cases, the Title IX Coordinator shall inform the parties of the need to defer the University's fact-finding, provide regular updates on the status of the investigation, and notify the parties when the University's fact-finding resumes. During this time period, the University will take any additional measures necessary to protect and support the parties and the University community. The University's authority to sanction members of the University community applies only to the violation of University rules, policies, and procedures.

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of Sexual Assault, Dating Violence, Domestic Violence, or Stalking under this Policy, criminal investigations or reports are not determinative of whether Sexual Assault, Dating Violence, Domestic Violence, or Stalking, for purposes of this Policy, has occurred. In other words, conduct may constitute Sexual Assault, Dating Violence, Domestic Violence, or Stalking under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to investigate or prosecute.

## **B. Medical Assistance and Preserving Evidence**

If you believe you are the victim of Sexual Assault, Domestic Violence, Dating Violence, or Stalking get to safety and do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. The University also encourages all individuals who feel they have been victims of Sexual Assault, Domestic Violence, Dating Violence, or Stalking to seek immediate assistance from a medical provider for emergency services, including treatment of any injury.

Seeking medical attention and preserving evidence helps preserve the full range of options for an individual, including the options of working through the University's Complaint Resolution Procedures and/or legal options including obtaining a protective order from a court, pursuing a civil action, and/or participating in a law enforcement investigation and criminal prosecution.

Even if an individual has not been physically hurt, a timely medical examination is recommended so that forensic evidence can be collected and preserved. An individual may choose to allow the collection of evidence by medical personnel even if they choose not to make a report to the police.

Local medical assistance can be obtained at:

- **Rush Oak Park Hospital:** 708-383-9300
- **Loyola Medical Center:** 888-584-7888
- **Gottlieb Hospital:** 708-681-3200
- **Westlake Hospital:** 708-681-3000

The University recommends the following for individuals who believe they are victims of Sexual Assault, Dating Violence, Domestic Violence or Stalking:

- Get to a safe place as soon as possible.

- Try to preserve all physical evidence of the crime – avoid showering, bathing, using the toilet, rinsing one’s mouth, smoking, or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding or otherwise clean the area where the assault occurred. Preserve for law enforcement.
- Preserve all forms of electronic communication that occurred before, during, or after the assault.
- Contact law enforcement by calling 911.
- Seek medical attention as soon as possible – all medical injuries are not immediately apparent. This is necessary to help collect evidence that may be needed in case the individual decides to pursue criminal charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member for support.
- Talk with a professional licensed counselor or Dominican University confidential resource who can help explain reporting options, provide information, and provide emotional support. Or contact **Pillars’ 24-hour hotlines**:
  - **Domestic Violence Hotline**: 708-485-5254
  - **Sexual Violence Hotline**: 708-482-9600
- Make a report to the Title IX Coordinator by emailing [titleix@dom.edu](mailto:titleix@dom.edu) or completing the [Title IX/Bias Reporting Form](#).
- Explore this Policy and avenues for resolution under this Policy.

It is also important to take steps to preserve evidence in cases of Stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, electronic images, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of Title IX Sexual Harassment investigations.

Under Illinois law, forensic medical examinations (i.e., evidence collection) sought subsequent to instances of sexual violence are free of charge to the patient. Victims can obtain a free forensic medical examination at:

- **Gottlieb Hospital**: 708-681-3200
- **Rush Oak Park Hospital**: 708-383-9300

Medical personnel may be covered by federal and/or state privacy laws, such as the Health Insurance Portability and Accountability Act. Under Illinois law, medical personnel are required to alert police when it reasonably appears that the individual requesting the treatment has received an injury sustained as a victim of a criminal offense, including Sexual Assault. However, it is the individual’s choice whether they want to speak to the police.



## VIII. Confidential Reporting

The University recognizes that individuals who feel they have been victims of Sexual Assault, Dating Violence, Domestic Violence, or Stalking may require time and support in considering whether or how to participate in any University or law enforcement process. The University also recognizes that individuals who have been accused of Sexual Assault, Dating Violence, Domestic Violence, or Stalking may also require support. There are confidential resources on campus and in the community available to any individual who needs support or assistance.

### A. On-Campus Confidential Resources

Individuals wishing to obtain confidential assistance without making a report to the University may speak with one of the University's Wellness Center counselors. For **Counseling Services at the Wellness Center**, call: 708-524-6229. The Wellness Center staff does not need to report identified cases of sexual assault, dating violence, domestic violence, or stalking to the Title IX Coordinator.

Wellness Center counselors are available to discuss incidents or accusations of Title IX Sexual Harassment with Complainants and Respondents in confidence and provide emergency and ongoing support in a safe and confidential space. Counselors generally only report to the University that an incident is alleged to have occurred without revealing any personally identifying information. Disclosures to counselors **will not** trigger the University's investigation into an incident.

Per [Illinois State Law](#), confidential advisors shall receive 40 hours of initial training regarding sexual violence and participate in six hours of annual continuing education thereafter.

### B. Confidential Resources in the Community

The following off-campus agencies also employ individuals available to assist members of the University community with issues relating to Title IX Sexual Harassment in confidence. Disclosures to these entities **will not** trigger a report to the University or an investigation into an incident. Please note that limitations of confidentiality may exist for individuals under the age of 18.

- **National Sexual Assault Telephone Hotline:** 800-656-HOPE (4673)
- **National Domestic Violence Hotline:** 800-799-7223
- **State of Illinois Domestic Violence Hotline:** 877-863-6338
- **Pillars 24-hour Hotlines:**
  - **Domestic Violence Hotline:** 708-485-5254
  - **Sexual Violence Hotline:** 708-482-9600
- **Mujeres Latinas En Acción:** 708-890-7676
- **Life Span Center for Legal Services & Advocacy:** 312-408-1210

### **C. Requesting Confidentiality to a Non-Confidential Source**

In some cases, an individual may disclose an incident of Title IX Sexual Harassment to a non-confidential source but wish to maintain confidentiality or request that no investigation into a particular incident be conducted or disciplinary action be taken. The non-confidential source will be required to report to the Title IX Coordinator. The University has designated the Title IX Coordinator to evaluate requests for confidentiality or that no formal action be taken and oversee the University's response to reports of alleged Title IX Sexual Harassment.

If a Complainant discloses an incident, but requests confidentiality or is unwilling to participate in any investigation or adjudication process, the Title IX Coordinator, in consultation with other University administrators, will weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all community members, including the Complainant and the Respondent. When weighing a Complainant's request for confidentiality or that no investigation or resolution be pursued, the Title IX Coordinator will consider a range of factors, which may include, whether:

- The Respondent is likely to commit additional acts of Title IX Sexual Harassment, such as:
  - Whether there have been other Title IX Sexual Harassment complaints about the same Respondent;
  - Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
  - Whether the Respondent threatened further Title IX Sexual Harassment against the Complainant or others;
  - Whether the alleged Title IX Sexual Harassment was committed by multiple Respondents.
- The Title IX Sexual Harassment was perpetrated with a weapon;
- The Complainant is a minor;
- The University possesses other means to obtain relevant evidence of the Title IX Sexual Harassment (e.g., security cameras or personnel, physical evidence);
- The Complainant'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.

If none of these factors are present, the University is more likely to respect the Complainant's request. If the University honors a Complainant's request for confidentiality or request that no investigation or resolution be pursued, the University's ability to investigate the incident comprehensively or pursue disciplinary action against the Respondent(s) may potentially be limited.

The presence of one or more of the above factors could lead the Title IX Coordinator to file a Formal Complaint on behalf of the University, if doing so is not unreasonable, as set forth below. If the Title IX Coordinator determines that the University cannot maintain a Complainant's confidentiality, the Title IX Coordinator will inform the Complainant before filing the Formal Complaint.

#### **D. Confidentiality within the Roman Catholic Sacrament of Reconciliation and Penance**

As a Catholic, Dominican institution, Dominican University believes that the dignity of the human person and her or his restoration of right relationship with God and others is central to the profession and practice of any faith. In Roman Catholicism, the Sacrament of Reconciliation or Penance is a moment of sacred grace through healing. For Roman Catholic faculty, staff, and students, Reconciliation is made available by request or through general pastoral offerings of the University Ministry Center. For baptized Roman Catholics, the information shared within the confessional space of the Sacrament is completely confidential and remains under what the Church calls the sacramental seal. The seal prevents the confessor from sharing any information because it is “sacred and cannot be violated under any pretext” (Catechism of the Catholic Church 2490). As such, a Roman Catholic priest in good standing serving as a confessor on Dominican University’s campus shall not be required to report any information disclosed in the confessional space.

#### **IX. AMNESTY**

To encourage reporting, the University pursues a policy of offering witnesses and individuals who wish to report incidents limited amnesty from being charged for policy violations, such as alcohol or drug use. While violations cannot be completely overlooked, the University will provide educational rather than punitive responses in such cases. The seriousness of discrimination and/or sexual misconduct is a major concern, and the University does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of discrimination and/or sexual misconduct. However, the University reserves the right to require counseling, education, or other preventative measures to help prevent alcohol or drug violations in the future. The University’s commitment to immunity in these situations does not prevent action by police or other legal authorities against an individual who has illegally consumed alcohol or drugs.

#### **X. PRELIMINARY ASSESSMENT**

After receiving a report under “Reporting Title IX Sexual Harassment” (p. 8), the Title IX Coordinator will conduct a preliminary assessment to determine whether the conduct, as reported, falls or could fall within the scope of this Policy.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of this Policy, and/or could not constitute Title IX Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter under this Policy and may notify the Complainant if doing so is consistent with the Family Educational Rights and Privacy Act (FERPA). The Title IX Coordinator may refer the report to other University offices, as appropriate, including for potential assessment under the Non-Title IX Sexual Misconduct Policy or the Student Code of

Conduct in the case of students and other University policies and standards, as applicable, for other persons.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this Policy, and/or could constitute Title IX Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if it is not apparent from the report.

## **XI. CONTACTING THE COMPLAINANT**

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator will promptly contact the Complainant to:

- Discuss the availability of Supportive Measures;
- Discuss and consider the Complainant's wishes with respect to Supportive Measures;
- Inform the Complainant about the availability of Supportive Measures with or without filing a Formal Complaint;
- Explain the process for filing and pursuing a Formal Complaint.
- Provide options for filing complaints with the local police and information about resources that are available on campus and in the community.

## **XII. SUPPORTIVE MEASURES**

The University will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University's ability to provide the Supportive Measures in question.

### **XIII. EMERGENCY REMOVAL**

At any time after receiving a report of Title IX Sexual Harassment, the Title IX Coordinator may remove a student Respondent from one or more of the University's Education Programs and Activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX Sexual Harassment justifies removal.

When an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon as reasonably possible thereafter, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested, in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this Policy to implement or modify an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

The University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to, removing a student from a residence hall, restricting a student's or employee's access to or use of facilities, allowing a student to withdraw or take incomplete grades without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural/club athletics.

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

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Title IX Sexual Harassment, including during the pendency of the investigation and adjudication process.

#### **XIV. FORMAL COMPLAINT**

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Title IX Sexual Harassment in accordance with the provisions outlined in the “Informal Resolution” (p. 21), “Investigation” (p. 22), and “Formal Resolution” (p. 24) Sections of this Policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University’s Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in “Reporting Title IX Sexual Harassment” (p. 8). No person may submit a Formal Complaint on the Complainant’s behalf unless the Complainant is a minor.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include:

- The Respondent is likely to commit additional acts of Title IX Sexual Harassment, such as:
  - Whether there have been other Title IX Sexual Harassment complaints about the Respondent;
  - Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
  - Whether the Respondent threatened further Title IX Sexual Harassment against the Complainant or others;
  - Whether the Title IX Sexual Harassment was committed by multiple Respondents
- The Title IX Sexual Harassment was perpetrated with a weapon
- The Complainant is a minor
- The University possesses other means to obtain relevant evidence of the Title IX Sexual Harassment (e.g., security cameras or personnel, physical evidence)
- The Complainant’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.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation as specified in “Investigation” (p. 22) and proceed to adjudicate the

matter as specified in “Formal Resolution” (p. 24) below. In all cases where a Formal Complaint is filed, the Complainant will be treated as a party, irrespective of their level of participation.

In a case where the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator will not act as a Complainant or otherwise as a party for purposes of the investigation and adjudication processes.

If neither the Complainant nor the Title IX Coordinator files a Formal Complaint, the complaint resolution provisions of this Policy will not be applied, but the Title IX Coordinator may refer the report to other University offices as appropriate.

#### **XV. CONSOLIDATION OF FORMAL COMPLAINTS**

The University may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this Policy to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable. A Formal Complaint of Retaliation may be consolidated with a Formal Complaint of Title IX Sexual Harassment.

#### **XVI. DISMISSAL PRIOR TO COMMENCEMENT OF INVESTIGATION, DURING INVESTIGATION, OR ADJUDICATION**

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of the Policy specified in “Scope” (p. 2). (i.e., because the alleged conduct did not occur in the University’s Education Programs and Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by the University, as the case may be; or

- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal the dismissal as specified in “Appeal” (p. 29). The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this Policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal or the dismissal is overturned on appeal.

## **XVII. NOTICE OF FORMAL COMPLAINT**

Within five (5) days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy or hyperlink of this Policy, including Appendix A (p. 40);
- Sufficient details known at the time so that the parties may prepare for an initial interview with the Investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Title IX Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice, as specified in “Advisor of Choice” (p. 31).
- Notifying the Complainant and Respondent of their right to inspect and review evidence as specified in “Access to Evidence” (p. 23).
- Notifying the Complainant and Respondent of the University’s prohibitions on retaliation and false statements specified in Sections “Bad Faith Complaints and False Information” and “Retaliation” (p. 34).
- Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated. The procedures outlined in this policy may be used to address alleged collateral misconduct by the Respondent arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another), when alleged violations of the Policy are being addressed at the same time. In such cases, the Title IX Coordinator may consult with the institution officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs, etc.) to provide input as needed. All other allegations of misconduct unrelated to incidents covered by



the Policy will be addressed through procedures described in the student, faculty, and staff handbooks.

### **XVIII. INFORMAL RESOLUTION**

At any time after the parties are provided written notice of the Formal Complaint as specified in “Notice of Formal Complaint” (p. 20), and before the completion of the determination of responsibility specified in “Formal Resolution” (p. 24) the parties may voluntarily consent, with the Title IX Coordinator’s approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process to be used;
- Identifies the trained individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party’s ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the facilitator will put the terms of the agreed resolution in writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or appeal by the University, except as otherwise provided in the resolution itself.

A party may withdraw their consent to participate in informal resolution at any time before a final determination has been rendered by the Hearing Officer.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 21 days. If an informal resolution process does not result in a resolution within 21 days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

Other language in this Section notwithstanding, informal resolution will not be permitted if the Respondent is an employee accused of committing Title IX Sexual Harassment against a student.

## **XIX. INVESTIGATION**

### **A. Commencement and Timing**

After the written notice of Formal Complaint is transmitted to the parties, an Investigator selected by the Title IX Coordinator or his/her designee will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the parties. The investigation will culminate in a written investigation report, specified in "Investigation Report" (p. 23), that will be submitted to the Hearing Officer during the selected adjudication process specified in "Formal Resolution" (p. 24). Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 60 to 90 days of the transmittal of the written notice of Formal Complaint.

### **B. Equal Opportunity**

During the investigation, the Investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the Investigator retains discretion to limit the number of witness interviews the Investigator conducts if the Investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant, as specified in "Sexual History" (p. 32). The Investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

### **C. Documentation of Investigation**

The Investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the Investigator's notes, audio/video recording conducted by the University, or transcribed. The particular method used to record the interviews of parties and witnesses will be determined by the investigator in the Investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

### **D. Access to the Evidence**

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the Investigating Officer will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have 10 days in which to submit to the Investigator a written response, which the Investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

### **E. Investigation Report**

After the period for the parties to provide any written response as specified "Access to Evidence" (p. 23) has expired, the Investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the Investigator will transmit a copy to the Title IX Coordinator. The Investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

## **XX. FORMAL RESOLUTION**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing. The Title IX Coordinator will select an appropriate Hearing Officer and provide a copy of the investigation report and the file of directly related evidence.

### **A. Hearing Officer and Hearing Notice**

The Hearing Officer will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Hearing Officer will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Description of any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Hearing Officer and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator as soon as possible, preferably at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Hearing Officer based on demonstrated bias or conflict of interest. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and how the parties can access the recording after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Hearing Officer may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they wish to conduct cross-examination and do not have an Advisor, and the University will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
- A copy of all the materials provided to the Hearing Officer about the complaint unless they have already been provided.

- An invitation to each party to submit to the Hearing Officer an impact and/or mitigation statement pre-hearing that the Hearing Officer will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University and remain within the 60-90 business-day goal for resolution. Employees who do not have 12-month contracts are still expected to participate in Resolution Proceedings that occur during months between contracts.

## **B. Parties' Response to the Investigation Report**

A party's written response to the investigation report may include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in "Sexual History" (p. 32), or for any other reason;
- A list of any witnesses that the party contends should be requested to attend the hearing pursuant to an attendance notice issued by the Title IX Coordinator or designee;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the Title IX Coordinator or designee;
- Any objection that the party has to the University's Hearing Procedures;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;
- If the party does not have an advisor who will accompany the party at the hearing, a request that the University provide an advisor for purposes of conducting questioning as specified in "Hearing Office and Hearing Notice" (p. 24).
- Any argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
- Any argument regarding whether any of the allegations in the Formal Complaint constitute Title IX Sexual Harassment.

### **C. Pre-Hearing Conference**

Prior to the hearing, the Hearing Officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the Hearing Officer, the parties, the advisors, and other necessary University personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the Hearing Officer's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the Hearing Officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the Hearing Officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the Hearing Officer determines, in the Hearing Officer's discretion, should be resolved before the hearing.

### **D. Issuance of Notices of Attendance**

After the pre-hearing conference, the Title IX Coordinator will transmit notices of attendance to any person whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the Hearing Officer immediately if there is a material and unavoidable conflict.

Upon request, an attendance notice may be issued to notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

### **E. Hearing**

After the pre-hearing conference, the Hearing Officer will convene and conduct a hearing pursuant to the University's Hearing Procedures. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. At the discretion of the Hearing Officer, the hearing will be

conducted with the Hearing Officer, the parties, the advisors, witnesses, and other necessary University personnel together either in the same physical location or virtually. When the hearing is conducted with participants in the same physical location, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

When the hearing is conducted virtually, video and audio technology will be used where all participants may participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the Hearing Officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to address the Hearing Officer directly and to respond to questions posed by the Hearing Officer;
- Opportunity for each party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the Hearing Officer and a reason for the ruling provided;
- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each party to make a brief opening and closing statement.

Except as otherwise permitted by the Hearing Officer, the hearing will be closed to all persons except the parties, their advisors, the Investigator, the Hearing Officer, the Title IX Coordinator, and other necessary University personnel. With the exception of the Investigator and the parties, witnesses will be sequestered until such time as their testimony is complete. The parties will not be permitted to question the other party directly.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them pursuant to "Access to Evidence" (p. 23).

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the Hearing Officer.

Subject to the minimum requirements specified in this Section, the Hearing Officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The Hearing Officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The Hearing Officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this Section are met.

#### **F. Subjection to Questioning**

All parties and any witnesses called shall be asked to submit to live questioning by the Hearing Officer and parties' advisors. Other statements that may be considered by the Hearing Officer includes:

- Statements made by the parties and witnesses during the investigation;
- Emails or text exchanges between the parties leading up to or after the alleged violation;
- Statements about the alleged violation that satisfy the regulation's relevance rules, regardless of whether the parties or witnesses submit to cross-examination at the live hearing; and
- Police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing.

In applying this Section, the Hearing Officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the Hearing Officer or parties' advisors.

#### **G. Deliberation and Determination**

After the hearing is complete, the Hearing Officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The Hearing Officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or by operation of "Subjection to Questioning" (p. 28). The Hearing Officer will resolve disputed facts using a preponderance of the evidence (that is, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the Policy as alleged in the Formal Complaint.

#### **H. Sanctions and Remedies**

In the event the Hearing Officer determines that the Respondent is responsible for violating this Policy, the Hearing Officer with the Title IX Coordinator will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the Respondent to determine any discipline to be imposed. This will be the Executive Director of Human Resources for employees, with consultation with the Provost for Faculty and the Dean of Students for students. The Hearing Officer will also, prior to issuing a written decision, consult



with the Title IX Coordinator who will determine whether and to what extent ongoing supportive measures or other remedies will be provided to the Complainant.

### **I. Written Determination**

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required by “Sanctions and Remedies” (p. 28), the Hearing Officer will prepare a written decision that will include:

- Identification of the allegations potentially constituting Title IX Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Articulate findings of fact, made under a preponderance of the evidence standard (i.e., more likely than not), that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Title IX Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- Any sanction(s) issued;
- Whether the Complainant will receive any ongoing supportive measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University’s process and grounds for appeal, as specified in “Appeal” (p. 29).

The Hearing Officer’s written determination, which will include information regarding appeal rights, will be transmitted simultaneously to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in “Appeal” (p. 29).

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the Hearing Officer’s written determination within 10 business days of the decision.

### **XXI. APPEAL**

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

- The Title IX Coordinator, Investigator, Hearing Officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within 7 business days of the date they receive notice of dismissal or determination. The appeal must be submitted in writing to the Title IX Coordinator, who will share the appeal with a trained appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the Appeal Officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the Appeal Officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the Appeal Officer will dismiss the appeal and provide written notice of the same to the parties.

If the Appeal Officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the Appeal Officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within five business days. The Appeal Officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the Appeal Officer will promptly decide the appeal and transmit a written decision within 10 business days to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the Appeal Officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

## **XXII. POTENTIAL OUTCOMES FOLLOWING A FINDING OF A POLICY VIOLATION**

### **A. Sanctions**

When a final determination is made that an individual has violated this Policy, the appropriate sanctions are determined based on several factors, including the severity of the conduct and any prior policy violations. Sanctions and corrective actions may include: written or verbal apology, discrimination or harassment education, verbal or written warning, probation, suspension, termination, or dismissal from the University. Employees are advised to consult any relevant handbooks for additional information regarding disciplinary action.

### **B. Remedies**

After a final decision is made that an individual has violated this Policy, the University may also offer additional measures, and/or take other action, to eliminate any hostile environment caused by the Title IX Sexual Harassment, prevent the recurrence of any Title IX Sexual Harassment, and remedy the effects of the Title IX Sexual Harassment on the Complainant and the University community. Remedies that may be offered or provided to a Complainant may include the same individualized services described as Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

## **XXIII. ADVISOR OF CHOICE**

The Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing specified in “Hearing” (p. 26), the advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with the University about the matter without the party being included in the communication. In the event a party’s advisor of choice engages in material violation of the parameters specified in this Section and “Hearing” (p. 26), the University may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing specified in “Hearing” (p. 26), and requests the University to provide an advisor, the University will provide the party an advisor, without fee or charge, who will conduct questioning on behalf of the party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.

The University is not required to provide a party with an advisor in any circumstance except where the party does not have an advisor present at the hearing specified in “Hearing” (p. 26).

#### **XXIV. TREATMENT RECORDS AND OTHER PRIVILEGED INFORMATION**

During the investigation and adjudication processes, the Investigator and Hearing Officer, as the case may be, are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- A party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; or
- Information or records protected from disclosure by any other legally-recognized privilege, such as the attorney client privilege; unless the University has obtained the party’s voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the Investigator and/or Hearing Officer, as the case may be, may consider any such records or information otherwise covered by this Section if the party holding the privilege affirmatively discloses the records or information to support their allegation or defense, as the case may be.

#### **XXV. SEXUAL HISTORY**

During the investigation and adjudication processes, questioning regarding a Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.

#### **XXVI. PRESUMPTION OF NON-RESPONSIBILITY**

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

## **XXVII. RESOURCES**

Any individual affected by or accused of Title IX Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University identified resources. The Title IX Coordinator is available to provide information about the University's Policy and procedure and to provide assistance. A list of existing counseling, health, mental health, victim advocacy, visa and immigration assistance, student financial aid, and other services and resources available is located at the following link: <https://www.dom.edu/diversity/resources-and-services>.

## **XXVIII. CONFLICTS OF INTEREST, BIAS, AND PROCEDURAL COMPLAINTS**

The Title IX Coordinator, Investigator, Hearing Officer, Informal Resolution Facilitator, Appeal Officer, and any other Title IX Official will be free of any material conflicts of interest or material bias. Any party who believes one or more of these officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The parties will be notified of the identities of the Hearing Officer and Appeal Officer for their proceeding before those individual(s) initiate contact with either party.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Title IX Coordinator, contact the Vice President of Justice, Equity, & Inclusion. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Title IX Official should be raised with the Title IX Coordinator.

## **XXIX. OBJECTIONS GENERALLY**

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it, if appropriate.

## **XXX. ACADEMIC FREEDOM**

The University will construe and apply this Policy consistent with the principles of academic freedom specified in the Faculty Handbook. In no case will a Respondent be found to have committed Title IX Sexual Harassment based on expressive conduct that is protected by the principles of academic freedom specified in the Faculty Handbook.

### **XXXI. RECORDINGS**

Wherever this Policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a party may have under this Policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this Policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this Policy is strictly prohibited.

### **XXXII. BAD FAITH COMPLAINTS AND FALSE INFORMATION**

It is a violation of this Policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this Policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this Policy. Violations of this Section are not subject to the investigation and adjudication processes in this Policy; instead, they will be addressed under the Code of Student Conduct in the case of students and other University policies and standards, as applicable, for employees.

### **XXXIII. RETALIATION**

Dominican University strictly prohibits any adverse action against any individual for reporting incidents, providing information, or exercising their rights under this Policy. No individual who makes a complaint alleging a violation of this Policy or who participates in the investigation or resolution of a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation is defined as conduct that 1) adversely affects the individual's employment or their opportunity to access or benefit from the University's programs or activities; and 2) is motivated in whole or in part by the individual's participation in the complaint process. Retaliation exists when action is taken against a complainant or participant during the complaint process or after the resolution of a complaint.

Retaliatory actions include threats or actual violence against a person or that person's property or threats on social media. Retaliation may involve engaging in ridicule, intimidation, bullying, or inciting adverse educational or employment consequences, or colluding with others to embarrass or punish an individual who filed a complaint or participated in an investigation, or hearing. Retaliation is not limited to the Complainant or Respondent— any individual or group of individuals involved in an investigation can engage in or be affected by retaliatory conduct.

The University retains discretion to consolidate a Formal Complaint of Retaliation with a Formal Complaint of Title IX Sexual Harassment for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

Any acts of retaliation shall be grounds for disciplinary action, up to and including dismissal from the University for students and termination of employment for faculty and staff.

#### **XXXIV. CONFIDENTIALITY**

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

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

Only a small group of officials who need to know will typically be told about the complaint. Information will be shared as necessary with Investigators, Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The University may contact parents/guardians of students to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically in sections "Confidential Reporting" (p.13).

For the purpose of this Policy, privacy and confidentiality have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of University employees who "need to know" in order to assist in the assessment, investigation, and resolution of the complaint. All employees who are involved in the University's response to notice under this Policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), as outlined in the University's Student Records Policy. The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws (including Title IX) that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients,

parishioners, and spouses. The University has designated individuals who have the ability to have privileged communications as Confidential Resources. For more information about Confidential Resources, see “Confidential Reporting” (p.13). When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the individual will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clery Act. Other information may be shared as required by law.

#### **XXXV. SIGNATURES AND FORM OF CONSENT**

For purposes of this Policy, either a physical signature or digital signature will be sufficient to satisfy any obligation that a document be signed. Where this policy provides that written consent must be provided, consent in either physical or electronic form, containing a physical or digital signature, as the case may be, will suffice.

#### **XXXVI. DEADLINES, TIME, NOTICES, AND METHOD OF TRANSMITTAL**

All deadlines and other time periods specified in this Policy are subject to modification by the University where, in the University’s sole discretion, good cause exists. Good cause may include, but is not limited to, the unavailability of parties or witnesses; the complexities of a given case; extended holidays or closures; sickness of the Investigator, Hearing Officer, or the parties; the need to consult with the University’s legal counsel; unforeseen weather events; and the like.

Any party who wishes to seek an extension of any deadline or other time period may do so by filing a request with the Title IX Coordinator depending on the phase of the process. Such request must state the extension sought and explain what good cause exists for the requested extension. The Title IX Coordinator may, but is not required to, give the other party an opportunity to object. Whether to grant such a requested extension will be in the sole discretion of the Title IX Coordinator.

The parties will be provided written notice of the modification of any deadline or time period specified in this Policy, along with the reasons for the modification.

Where this Policy refers to notice being given to parties “simultaneously,” notice will be deemed simultaneous if it is provided in relative proximity on the same day. It is not necessary that notice be provided at exactly the same hour and minute.



Unless otherwise specified in this Policy, the default method of transmission for all notices, reports, responses, and other forms of communication specified in this Policy will be email using University email addresses.

A party is deemed to have received notice upon transmittal of an email to their University email address. In the event notice is provided by mail, a party will be deemed to have received notice three days after the notice in question is postmarked.

Any notice inviting or requiring a party or witness to attend a meeting, interview, or hearing will be provided with sufficient time for the party to prepare for the meeting, interview, or hearing as the case may be, and will include relevant details such as the date, time, location, purpose, and participants. Unless a specific number of days is specified elsewhere in this Policy, the sufficient time to be provided will be determined in the sole discretion of the University, considering all the facts and circumstances, including, but not limited to, the nature of the meeting, interview, or hearing; the nature and complexity of the allegations at issue; the schedules of relevant University officials; approaching holidays or closures; and the number and length of extensions already granted.

#### **XXXVII. OTHER FORMS OF DISCRIMINATION**

This Policy applies only to Title IX Sexual Harassment as defined herein. Complaints of other forms of sex discrimination are governed by the University's Non-Title IX Sexual Misconduct Policy.

#### **XXXVIII. EDUCATION**

Because the University recognizes that the prevention of Title IX Sexual Harassment, including Sexual Assault, Domestic Violence, Dating Violence, and Stalking, is important, it offers educational programming to a variety of groups such as: campus personnel; incoming students and new employees participating in orientation; and members of student organizations. Among other elements, such training will cover relevant definitions, procedures, and sanctions; will provide safe and positive options for bystander intervention; and will provide risk reduction information, including recognizing warning signs of abusive behavior and how to avoid potential attacks. The University's educational programming will comply with the Illinois Preventing Sexual Violence in Higher Education Act and any other applicable federal or state law. To learn more about education resources, please contact the Title IX Coordinator.

### **XXXIX. OUTSIDE APPOINTMENTS, DUAL APPOINTMENTS, AND DELEGATIONS**

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this Policy, including, but not limited to, the Investigator, Hearing Officer, Informal Resolution Facilitator, and/or Appeals Officer.

The University also retains discretion to appoint two or more persons to jointly fulfill the role of Investigator, Hearing Officer, Informal Resolution Facilitator, and/or Appeal Officer.

The functions assigned to a given University official under this Policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Hearing Officer, Informal Resolution Facilitator, and Appeal Officer, may, in the University's discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

### **XL. TRAINING**

The University will ensure that University officials acting under this Policy, including but not limited to the Title IX Coordinator, Investigators, Hearing Officers, Informal Resolution Facilitators, University provided advisors, and Appeals Officers receive training in compliance with 34 C.F.R. § 106.45(b)(1)(iii), the Illinois Preventing Sexual Violence in Higher Education Act, and any other applicable federal or state law.

### **XLI. RECORDKEEPING**

The University will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of at least seven (7) years after which point in time they may be destroyed, or continue to be retained, in the University's sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.

### **XLII. DEFINITIONS**

Words used in this Policy will have those meanings defined herein and if not defined herein will be construed according to their plain and ordinary meaning.

### **XLIII. DISCRETION IN APPLICATION**

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the parties.

Despite the University's reasonable efforts to anticipate all eventualities in drafting this Policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express Policy language, in which case the University retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this Policy and the Hearing Procedures referenced in "Formal Resolution" (p. 24) are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this Policy and the Hearing Procedures at any time, and for any reason. The University may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.

## **APPENDIX A: STATEMENT OF RIGHTS OF THE PARTIES**

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to University officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by the University regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by the University to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University officials.
- The right to have University policy and these procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the University in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by University law enforcement and/or other University officials.

- The right to be informed of available supportive measures on campus and in the community.
- The right to a University-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to have the University maintain such actions for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair the University's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any University meeting or interview involving another party, when possible.
- The right to identify and have the Investigator(s), Advisors, and/or Decision-maker(s) question relevant available witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Decision-maker(s), may be asked of any party or witness.
- The right to have inadmissible sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-maker(s).
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained during the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10) business day period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received relevant annual training.

- The right to preservation of confidentiality/privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding and written determination after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- The right to be promptly informed of the finding(s) and sanction(s) (if any) of the Resolution Process and a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written determination letter delivered simultaneously (without undue delay) to the parties.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the Resolution Process, and the procedures for doing so in accordance with the standards for appeal established by the University.
- The right to a fundamentally fair resolution as defined in these procedures.

## **University Resource Contact Information**

<p><i>Sasha Santiago</i> Director of Campus Safety <a href="mailto:ssantiago@dom.edu">ssantiago@dom.edu</a></p>	<p><i>Barrington Price</i> CEO of the Chicago Campus <a href="mailto:bprice@dom.edu">bprice@dom.edu</a></p>
<p><i>Karolina Staros</i> Assistant Director of One Process (Bias and Title IX) Office of Justice Equity, and Inclusion <a href="mailto:Kstaros@dom.edu">Kstaros@dom.edu</a></p>	<p><i>Gabe Lara</i> Associate Vice President for Student Success and Engagement <a href="mailto:glara1@dom.edu">glara1@dom.edu</a></p>
<p><i>Precious Porras</i> Vice President for Diversity, Equity &amp; Inclusion <a href="mailto:pporras@dom.edu">pporras@dom.edu</a></p>	<p><i>Michael Purcell</i> Director, Wellness Center <a href="mailto:mpurcell@dom.edu">mpurcell@dom.edu</a></p>

## **Campus Service Units**

The following campus and community units address issues of personal health, safety and empowerment; substance abuse prevention, assessment and treatment; and legal assistance:

- Campus Safety/24-hour on campus escort.....(708) 524-5999  
Email.....[safety@dom.edu](mailto:safety@dom.edu)
- Student Success and Engagement.....(708) 524-6822  
Email.....[sse@dom.edu](mailto:sse@dom.edu)  
Student Life- Housing.....(708) 524-6527  
Email.....[housing@dom.edu](mailto:housing@dom.edu)
- Wellness Center.....(708) 524-6229  
(9:00 a.m. – 5:00 p.m. M-F)
- Dominican University Title IX Coordinator  
Email..... [titleix@dom.edu](mailto:titleix@dom.edu)
- **Pillars** 24-hour hotline
  - *Domestic Violence Hotline* .....(708) 485-5254
  - *Sexual Violence Hotline:* .....(708) 482-9600
  - *Website:*.....[www.pillarscommunity.org](http://www.pillarscommunity.org)
  - *Email:*.....[info@pillarscommunity.org](mailto:info@pillarscommunity.org)
- **Life Span: Domestic Violence Services**
  - *Chicago Office*.....(312) 408-1210
  - *Des Plaines Office*.....(847) 824-0382
  - *After Hours Crisis Line*.....(847) 532-9540
  - *Email*..... [life-span@life-span.org](mailto:life-span@life-span.org)
- **Sarah's Inn**
  - *24 Hour Crisis Line*.....(708) 386-4225
  - *Text Line*.....(708) 792-3120
  - *Website*.....<http://www.sarahsinn.org>
- **Mujeres Latinas en Acción**
  - *24 hr Chicago Office*.....(773) 890-7676
  - *24 hr Chicago Rape Crisis Hotline*.....(888) 293-2080
  - *24 hr Illinois Domestic Violence Hotline* ... (877) 863-6338
  - *Email*.....[mail@mujereslat.org](mailto:mail@mujereslat.org)
  - *Website*.....<https://mujereslatinasenaccion.org>
- **Chicago Rape Crisis** (toll free).....(888) 293-2080  
(24 hour hotline)
- **RAINN Hotline**\*\*.....(800) 656-HOPE  
*Email*.....[info@rainn.org](mailto:info@rainn.org)  
*Website*.....<http://www.rainn.org>
- **Thrive Counseling Center**
  - *Oak Park Office*.....(708) 383-7500
  - *Website*.....[www.thrivecc.org](http://www.thrivecc.org)
- **988 Suicide & Crisis Lifeline**.....988
  - *Website*..... <https://988lifeline.org>

\*\*This is a national hotline available 24 hours a day, seven days a week that will connect a caller to the nearest rape crisis hotline or rape crisis center anywhere in the United States.



# Definitions of Reportable Crimes

## **Murder and Non-negligent**

**Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter:** The killing of another person through gross negligence.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

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

**Burglary:** The unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.)

**Rape:** is defined as 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.

**Fondling:** is defined as 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.

**Incest:** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** is defined as sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**Dating Violence:** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Stalking:** means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

**Drug Law Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; illegal aliens who possess deadly weapons; and all attempts to commit any of the aforementioned acts.

## Clery Act Hate Crime Definitions

In addition to any of the crimes above, the following acts are now reportable as Hate Crimes under the Clery Act, when motivated by prejudice on account of race, gender, religion, sexual orientation, ethnicity, national origin, gender identity or disability.

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

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

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

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

## Main Campus Crime Statistics

The data presented in the following table summarizes the reportable crimes that occurred from 2021-2023. The Dominican University Office of Campus Safety, university officials with responsibility for overseeing student activities, and representatives of relevant police agencies compiled the following crime statistics. Sasha Santiago, the Director of Campus Safety, is chiefly responsible for the compilation of the statistics below, and of this report. She assesses repeat offenses, patterns, and the possibility of double-counted reports to assure the accuracy of the information contained in this report.

All crime statistics for murder, non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession are classified using the definitions of those crimes from the FBI's *Uniform Crime Reporting (UCR)* Program. Crime statistics for fondling, incest, and statutory rape are classified using the definitions of those crimes from the *National Incident –Based Reporting System (NIBRS)* User Manual from the FBI's UCR program. Crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property are classified using the definitions provided in the *UCR's Hate Crime Data Collection Guidelines and Training Guide*.

Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Murder/Non Negligent Manslaughter	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Negligent Manslaughter	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Rape	2021	5	0	1	6	5	0
	2022	0	0	0	0	0	0
	2023	1	0	0	1	1	0
Fondling	2021	0	0	0	0	0	1
	2022	1	0	0	1	1	1
	2023	0	0	0	0	0	0
Incest	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Robbery	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Burglary	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Larceny	2021	2	0	0	2	2	0
	2022	19	0	0	19	8	2

	2023	7	0	0	7	1	0
Motor Vehicle Theft	2021	0	0	0	0	0	0
	2022	1	0	0	1	0	0
	2023	0	0	0	0	0	0
Liquor Law Arrests	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Drug Law Arrests	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Weapons Law Arrests	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2021	3	0	0	3	3	0
	2022	20	0	0	20	20	3
	2023	7	0	0	7	7	0
Drug Law Violations Referred for Disciplinary Action	2021	3	0	0	3	3	0
	2022	1	0	0	1	1	0
	2023	7	0	0	7	7	0
Weapons Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Arson	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Domestic Violence	2021	2	0	0	2	1	0
	2022	3	0	0	3	1	0
	2023	1	0	0	1	1	0
Dating Violence	2021	0	0	0	0	0	0
	2022	3	0	0	3	1	0
	2023	2	0	0	2	2	0
Stalking	2021	1	0	0	1	1	0
	2022	1	0	0	1	1	0
	2023	0	0	0	0	0	0

*\*Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.*

## Reported Hate Crimes

Criminal Offense	2023 Total	Category of Bias for crimes reported in 2022					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Criminal Offense	2022 Total	Category of Bias for crimes reported in 2021					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

<b>Criminal Offense</b>	2021 Total	Category of Bias for crimes reported in 2020					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

# 2024 Annual Fire Safety Report

This annual fire safety report summarizes the elements of the campus fire safety program, which is administered and maintained by the Office of Campus Safety. This public disclosure is intended to inform current and prospective students and employees of the fire safety programs and policies in place at Dominican University, and the institution's state of readiness to detect and respond appropriately to fire related emergencies.

This report can be viewed online at:

[https://mydu.dom.edu/ICS/Portlets/ICS/Handoutportlet/viewhandler.ashx?handout\\_id=5021a2e5-e839-4c7f-b652-41f31e899298](https://mydu.dom.edu/ICS/Portlets/ICS/Handoutportlet/viewhandler.ashx?handout_id=5021a2e5-e839-4c7f-b652-41f31e899298). Hard copies of the report are available by calling 708-524-5999 or by visiting the Campus Safety Dispatch Office located in the Parking Garage Room 100. The Campus Safety Dispatch Office is open 24/7.

The primary objective of the campus fire safety program is to recognize hazardous conditions and take appropriate actions before such conditions result in a fire emergency.

This goal is accomplished by:

- Conducting periodic review and update of fire prevention policies
- Conducting regularly scheduled fire drills in the residence halls
- Inspecting, testing, and maintaining fire protection systems in accordance with National Fire Protection Association (NFPA) standards and Occupational Safety and Health Administration (OSHA) standards
- Performing plan reviews and code consultation related to current improvement and remodeling projects

## **Fire Safety**

Each building on campus has its own fire alarm panel. All buildings contain smoke, heat or beam detectors to detect smoke/fire, pull stations to sound the alarm, and strobe light/audible horns to alert that an alarm has been activated. Emergency lighting is provided in all buildings. The lighting will activate automatically in a power failure and will last at least 20 minutes. Illuminated exit signs are provided throughout the buildings. Some office/classroom buildings contain a speaker alert system. The fire alarm system is continuously monitored and supervised by Campus Safety in the dispatch center. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common and mechanical areas of each building. Smoke detectors are installed in each resident's room.

Any and all fires should be immediately reported by calling 911. All fire incidents must be reported to Sasha Santiago, Director of Campus Safety at [ssantiago@dom.edu](mailto:ssantiago@dom.edu)

## **Fire Safety: Building System Upgrade**

During the Spring of 2022 Dominican University partnered with Siemens Industry, Inc. as our service & maintenance provider for all things fire alarm related. The summer of 2023 saw additions to the Iginii Sports Forum, Coughlin Hall, and increased functionality in Power Hall.

## **Fire Safety: Residence Halls**

All resident buildings are protected by a wet pipe sprinkler system that is integrated with the fire alarm system. All resident buildings: Campus Safety monitors Coughlin, Mazzuchelli, Murray and Power Halls through the same fire panel system. The resident halls contain smoke and/or heat detectors to detect smoke and/or fire, pull stations to sound the alarm, and strobe light/audible horns to alert that an alarm has been activated. Emergency lighting is provided in all buildings. The lighting will activate automatically in a power failure and will last at least 20 minutes. Illuminated exit signs are provided throughout the buildings. Some office/classroom buildings including residential areas contain a speaker alert system.

For additional fire safety tips, contact the Office of the Illinois State Fire Marshal  
<http://www.sfm.illinois.gov/>.

If a member of the Dominican Community finds evidence that a fire occurred and has been extinguished, and the person is not sure whether Campus Safety has already responded, the community member should immediately notify Campus Safety to investigate and document the incident. For example, if a housekeeper finds evidence of a fire in a trashcan in the hallway of a residence hall, he/she should not touch the trashcan and should report the incident to Campus Safety immediately and wait for an officer's response. The officer will document the incident prior to removing the trash can from the area.

### **Fire Safety Facts**

- A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells of residence halls, are designed to stand up to fire longer than those of an individual room. It is important that these doors are CLOSED for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open.
- Sprinklers are 98% effective in preventing the spread of fire when operating properly. DO NOT obstruct the sprinkler heads with materials like clothing hanging from the piping.
- Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of University Policy.

In case of a fire alarm:

- 1) Look for the nearest exit. Whenever you enter a large building, make a mental note of the nearest exit. Consult evacuation charts in classrooms and/or hallways. Know more than one way out of the building.
- 2) Do not use an elevator as an exit. The elevator may stop on a floor with a fire. In newer buildings, elevators are tied into the fire alarm system and will not operate.
- 3) If you see a fire or heavy smoke:
  - a) Dial 911 and/or pull the fire alarm while exiting the building. Do not try to fight the fire.  
**Sounding the alarm and safely exiting the building are priorities.**
  - b) Exit the building completely and keep a safe distance. Help make sure everyone gets out and assist those in need.
  - c) Shut all windows and doors. Because a fire needs oxygen, you can help contain the fire by closing windows and doors as you exit.
- 4) Before exiting room check door for heat.
  - a) If door is **hot** to the touch **do not** open door as a fire could be outside. Retreat back into room, call **911** right away.
  - b) Keep the door closed and await assistance from the fire department.
  - c) If smoke is entering around the door, stuff the crack under the door with sheets, clothes or blankets.
  - d) To aid breathing and to reduce smoke inhalation, cover your mouth with a wet cloth.
  - e) If possible, open the window and wave a brightly colored garment or towel from your window-the fire department will be looking for this sign.
- 5) If the door is cool, open it, leave and close it behind you. Proceed to the nearest exit.
- 6) If you must enter a smoke-filled room or hallway, stay low, keeping one hand on the wall to avoid disorientation and crawl to the nearest exit, keeping your head near to the floor.
- 7) If you hear an alarm:
  - a) Make sure everyone gets out and assist those in need.
  - b) Exit the building completely and keep a safe distance (at least 100 feet).
  - c) Shut windows and doors behind you if you feel time permits.
  - d) Wait for an "all clear" signal from security or the fire department before entering the building.



## **Building Access**

Exterior and interior doors are locked for your protection. Doors leading into the residence halls are always locked. All exterior exits to a resident hall facility are equipped with an alarmed door. These doors are exit only and will trip an alarm separate from the fire alarm system if opened. If a false alarm is sounded or a door is used inappropriately, every resident is subject to a fine of at least \$25 unless the individual(s) responsible come forward. Students must show Dominican University ID upon entering the residence halls. Failure to do so may result in a referral to the Dominican University conduct process. The exit and entry point for all the residence halls is the Coughlin Commons.

## **Building Evacuation**

Building evacuation will occur when an alarm sounds and/or upon notification by Campus Safety.

- Leave by the nearest marked exit. Follow the **Emergency Evacuation Procedure/FIRE EXIT** signs and alert others to do the same. If evacuation is for only a part of the building or campus grounds, immediately vacate the side in question and relocate as directed.
- Faculty members should clear their classrooms and close the door.
- Assist individuals with disabilities who may need help in exiting the building. Remember that elevators are reserved for individuals with disabilities. **DO NOT USE ELEVATORS IN CASE OF FIRE OR EARTHQUAKE.** In the event of a fire or earthquake notify Campus Safety to assist an individual with a disability in exiting the building.
- Once outside, proceed to a clear area that is at least 100 feet away from the affected building. Security should keep streets, fire lanes, hydrant areas and walkways clear for emergency vehicles and personnel. (If possible, headcounts should be taken.)
- **DO NOT RETURN TO AN EVACUATED BUILDING UNLESS TOLD TO DO SO BY A CAMPUS SAFETY OFFICER OR THE RIVER FOREST FIRE DEPARTMENT.** Security should assist in preventing individuals from returning to the building. (Do not dismiss employees or students unless told to do so by university administrators. In most cases, we will return to the building.)
- If you can hear the fire alarm you should evacuate whether it is in your building or not. This is because when there is a fire you can also have an explosion which can affect surrounding areas very quickly. It is always better to act with caution during any alarm or emergency situation that happens on campus.

*University staff may go room-to-room during an alarm to ensure compliance with the evacuation policy.*

Emergency evacuation procedures for students and employees inhabiting other campus buildings can be found in the Dominican University emergency preparedness guide. The emergency preparedness guides are posted in classrooms, offices, near all public access phones around campus.

## **Egress**

All hallways and stairwells must be kept free and clear and allow for the smooth flow of occupants at all times. Property may not be stored or placed in these areas. Any item found in these areas may be confiscated.

## **Tampering with Fire Protection Equipment**

Students who are found tampering with fire protection equipment (e.g. fire extinguishers including cabinets and signage, fire alarms, smoke and heat detectors, pull stations, and sprinkler heads) resulting in violation of the Student Code of Conduct may be subject to fines and additional sanctions or charges for the cost of equipment or damage repair, depending on the circumstances, as a result of the conduct process. Failure to exit during a fire alarm or causing a false alarm may result in a significant fine.

False alarms will result in a \$25 charge per resident if the person(s) responsible do not come forward. Charges may be differentiated by building if warranted.

Additional anti-tampering policies include:

- Smoke detectors and sprinkler heads are fire safety equipment, and residents are strictly prohibited from:
  - Disconnecting a detector
  - Tampering with the detector or its operation
  - Purposely causing an alarm to occur
  - Hanging objects from or otherwise obstructing the sprinkler head cover-plates and pipes.
- Disconnecting a smoke detector, failure to report its malfunctioning (including failure to observe that the light is on or not flashing), or other negligence subjects residents of that room not only to conduct charges but also to civil charges and, in the event of fire, payment for related damages to the building and the persons and property of others.
- Propping fire-rated door assemblies is strictly prohibited. Fire-rated door assemblies are designed to self-close to prevent the passage of fire and smoke. Examples of fire-rated doors include: student room doors, stairwell doors, separation doors between sleeping and commons areas, utility room doors (e.g. janitor closets, mechanical rooms, laundry rooms, pressing rooms, sprinkler closets, elevator machine rooms, storage rooms, and many corridor doors).

### **Inspecting, Testing, and Maintenance of Fire Protection Equipment**

The Campus Safety administers this aspect of the campus fire safety program with support from the Physical Plant, Residence Life and fire protection contractors. All fire protection equipment in the residence halls is tested, inspected and maintained in accordance with applicable NFPA standards.

### **Residence Hall Fire Drills**

Unannounced and planned fire drills are conducted each semester in each residence facility. The local fire department is invited, and frequently participates in these drills. All rooms are searched to ensure full evacuation. Anyone who does not promptly evacuate is referred to SSE for possible conduct action.

### **Appliances and Electrical Equipment**

Students may not cook in residence hall rooms. Electric skillets, broilers, hot plates, toasters and other equipment normally used to cook food are not allowed. Cooking is not permitted in students' rooms; kitchenettes are provided in Power and Murray Halls for this purpose. For safety reasons, halogen lamps, space heaters, candle warmers, electric blankets, electric sheets or mattress pads, soldering tools and sun lamps cannot be used in student rooms. Students are held financially responsible for damages caused. Other small electric appliances, such as coffee makers and popcorn poppers, can be used if the heating element is completely enclosed. Incandescent and fluorescent study lights are allowed. Small refrigerators and small microwaves are allowed. The electrical requirement limits are 120 volts, 60 hertz, and 2.5 amps.

No antennas of any type are to be attached to the outside of the residence halls. This includes CB antennas and satellite dishes outside windows of student rooms.

Air conditioners are not allowed in the public areas or private rooms of residents. The buildings are not equipped to handle the electrical needs of such items. The dean of student's office will consider any documented, confirmed medical need for an accommodation.

### **Prohibited Items**

Any open flame or any substance like incense or candles (i.e. incense burners, potpourri pots, hookahs or scented oil warmers) are **not** allowed in the residence halls. The manufacturing, possession, use or sale of fireworks is illegal and against university policy. Any fuel, including but not limited to kerosene, gasoline, propane and charcoal lighter fluid is strictly prohibited in any University residence hall. Items that are prohibited from the residence halls and deemed to be a fire hazard may be confiscated by Residence Life Staff or Campus Safety.

## **SMOKING POLICY**

### **Dominican University Tobacco-Free Campus Policy**

#### **Scope**

Dominican University is committed to providing a safe and healthy working and learning environment for the students, faculty, staff, sisters and campus guests.

#### **Purpose**

Dominican University recognizes that environmental tobacco smoke has been classified as a Group A carcinogen by the United States Environmental Protection Agency. Due to the risks associated with tobacco smoke exposure, the university has adopted a tobacco-free campus policy in order to minimize health risks, improve the quality of air and enhance the campus environment.

#### **Individuals Covered**

This policy affects all persons who at any time are physically located on Dominican's Main or Priory campus.

#### **Policy**

The use of tobacco products is prohibited at all times while on Dominican University property.

- Tobacco is defined as all tobacco-derived or containing products, including, but not limited to, cigarettes (clove, bidis, kreteks), electronic cigarettes, cigars and cigarillos, hookah-smoked products, and oral tobacco (spit and spitless, smokeless, chew, snuff).
- Use of tobacco product is defined as follows: The inhaling, exhaling, burning, or carrying of any lighted smoking material on campus property, including but not limited to all outside property or grounds owned or wholly leased, sidewalks, parking lots, outdoor seating areas, stadium seating and all landscaped and recreational areas and all university vehicles and moving equipment.
- Smoking materials must be extinguished and disposed of prior to entering upon Dominican University property\*, or exiting your vehicle. Improper disposal includes but is not limited to: littering (i.e. discarded cigarette butts and/or throwing cigarette butts out of windows).

\* The Priory Campus main entrance is accessed through property owned by the Village of River Forest:

ORDINANCE 111201: AN ORDINANCE REGULATING USE OF THE PARKS OF RIVER FOREST, COOK COUNTY, ILLINOIS states that the smoking of cigarettes, cigars, or pipe tobacco is prohibited inside or within 25 feet of any building, facility or structure, or within 100' of any organized activity within the Park System.

#### **Employees and students who want to quit smoking**

If you smoke and want to quit, or know someone who wants to quit, call the Illinois Tobacco Quit Line toll-free at ((866) QUIT-YES (866-784-8937), which is operated by the American Lung Association in collaboration with the Illinois Department of Public Health. This free telephone service provides smokers and people who want to help them quit with information and advice about how to quit successfully.

For additional resources on how to quit smoking, employees are also encouraged to contact the university's employee assistance program at 1(800) 316-2796.

# Fire Safety Statistics

The data presented in the following table summarizes the reported fires that occurred in housing facilities from 2021 through 2023. Please note that the housing facilities presented in the following table are located on campus property. Sasha Santiago the Director of Campus Safety is chiefly responsible for the compilation of the statistics below, and of this report. Off campus housing includes buildings that are not owned and operated by Dominican University and, therefore, fire statistics from off campus housing is not included in this report. All fires that occur in campus housing facilities are reported to the Office of Campus Safety.

## Summary of 2023 Fire Statistics

Residence Hall*	Number of Fires	Undetermined	Unintentional	Intentional	Injuries	Fatalities	Value of Property Damage	Incident Number
Coughlin Hall	0	0	0	0	0	0	\$0-\$99	
Mazzuchelli Hall	0	0	0	0	0	0	\$0-\$99	
Murray Hall	1	0	1	0	0	0	\$1,000-9,900	5/3 20743
Power Hall	0	0	0	0	0	0	\$0-\$99	
Priory Campus	0	0	0	0	0	0	\$0-\$99	

## Summary of 2022 Fire Statistics

Residence Hall*	Number of Fires	Undetermined	Unintentional	Intentional	Injuries	Fatalities	Value of Property Damage	Incident Number
Coughlin Hall	0	0	0	0	0	0	\$0-\$99	
Mazzuchelli Hall	0	0	0	0	0	0	\$0-\$99	
Murray Hall	0	0	0	0	0	0	\$0-\$99	
Power Hall	0	0	0	0	0	0	\$0-\$99	
Priory Campus	0	0	0	0	0	0	\$0-\$99	

## Summary of 2021 Fire Statistics

Residence Hall*	Number of Fires	Undetermined	Unintentional	Intentional	Injuries	Fatalities	Value of Property Damage	Incident Number
Coughlin Hall	0	0	0	0	0	0	\$0-\$99	
Mazzuchelli Hall	0	0	0	0	0	0	\$0-\$99	
Murray Hall	0	0	0	0	0	0	\$0-\$99	
Power Hall	1	0	1	0	0	0	\$1,000-\$9,900	8-15 20284
Priory Campus	0	0	0	0	0	0	\$0-\$99	

## Description of On-campus Student Housing Fire Safety Systems

Residence Halls*	Building Fire Alarm	Room Detection	Full Sprinkler System <sup>1</sup>	Partial Sprinkler System <sup>2</sup>	Fire Extinguisher	2023 Evacuation Drills Conducted	Evacuation Plans/ Flipcharts
Coughlin Hall	Yes	Yes	X		Yes	1 Fall	Yes
Mazzuchelli Hall	Yes	Yes	X		Yes	1 Fall	Yes
Murray Hall <sup>3</sup>	Yes	Yes	X <sup>4</sup>		Yes	1 Fall	Yes
Power Hall	Yes	Yes	X		Yes	1 Fall	Yes

\*Coughlin Hall.....7900 w. Division, River Forest, Illinois 60305  
 Mazzuchelli Hall...7900 w. Division, River Forest, Illinois 60305  
 Murray\*\* Hall.....7900 w. Division, River Forest, Illinois 60305  
 Power Hall.....7900 w. Division, River Forest, Illinois 60305

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<sup>1</sup> *Full Sprinkler System* is defined as having sprinklers in both the common areas and individual rooms of entire building.

<sup>2</sup> *Partial Sprinkler System* is defined as having sprinklers in both the common areas and individual rooms of residential areas.

<sup>3</sup> Centennial Hall was renamed Murray Hall Spring of 2012

<sup>4</sup> Murray Hall is equipped with both a wet sprinkler system in the residential area and a dry sprinkler system in its unoccupied attic.

# **Drug-Free Schools and Campuses Regulations [EDGAR Part 86]**

## **DOMINICAN UNIVERSITY DRUG AND ALCOHOL EDUCATION AND PREVENTION REVIEW BIENNIAL REVIEW: ACADEMIC YEARS 2020-2021 and 2021-2022**

The Department of Education Higher Education Act of 1965 (as amended by the Safe and Drug-Free Schools and Communities Act (DFSCA) of 1994 and as articulated in the Education Department General Administrative Regulations – EDGAR), requires that any institute of higher education receiving federal financial aid must adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. The Department of Education’s regulations at 34 C.F.R. Part 86 (“Part 86”) implement this provision, requiring that colleges and universities must 1) distribute certain drug and alcohol prevention information to students and employees every year; and 2) conduct a review of their drug and alcohol prevention programs every other year (a “biennial review”).

As a requirement of these regulations, Dominican University is to disseminate and ensure receipt of the below policy/information to all students, staff, and faculty on an annual basis. This process is conducted by email, cited in the online student handbook, and communicated in the Fire and Safety report. Questions concerning this policy and/or alcohol and other drug programs, interventions and policies may be directed to Student Success and Engagement at [sse@dom.edu](mailto:sse@dom.edu)

### **POLICIES**

As an academic community, Dominican University is committed to providing an environment in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

- A. Providing alcoholic beverages to individuals under 21, possession, or consumption of alcoholic beverages by individuals under 21.
- B. Distribution, possession, or use of illegal drugs or controlled substances.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Conduct of Code. The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances, state, and federal laws. A separate policy addresses violations by University staff.

The University strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral, which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code or staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. Dominican University Wellness Center (708-524-6229), MetLife Employee Assistant Program (EAP) <https://www.metlife.com/>, and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. SSE and Human Resources provides educational and awareness programming, information, and assistance.

## **STUDENT CODE OF CONDUCT**

Dominican University students experience an environment that encourages intellectual growth through free inquiry. We recognize that freedom to teach and learn depends upon truthful and caring conditions in the classroom, on the campus and in the larger community. The maintenance of the traditions of truth and caring demands a high standard of respect for the rights and dignity of others and for adherence to the necessary policies established to give order to our daily lives. Dominican University expects responsible social conduct of students, which reflects well on themselves and the university.

Dominican University is committed to fostering a campus environment that is conducive to academic inquiry, productive campus life, thoughtful study and discourse. A community exists on the basis of shared values and principles. At Dominican University, student members of the community are expected to uphold and abide by the standards of conduct that form the basis of the Student Code of Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community and responsibility. When members of the community fail to exemplify these values, campus conduct proceedings are used to assert and uphold the Student Code of Conduct.

Ultimately, each member of the Dominican University community is expected to assume responsibility for their conduct and to assume reasonable responsibility for the behavior of others. On occasion, this may involve bystander intervention when one member observes another in inappropriate conduct. At other times it will involve cooperation when the authorities are investigating instances of alleged misconduct.

The Student Code of Conduct is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community. The student conduct process at Dominican University is not intended to punish students. Rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our standards. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that they should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct proceedings are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Fair process, within these procedures, assures written notice and a hearing before an objective decision is made. It assures that no student will be found in violation of university policy without information showing that it is more likely than not that a policy violation occurred, and that any sanction will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

## **Standards of Behavior**

In accordance with the university motto *Caritas et Veritas*, compassion and truth, Dominican University has developed standards of behavior in support of the intellectual, physical, spiritual and emotional development of each student.

### **Integrity**

Dominican University students exemplify honesty, honor and a respect for truth in all of their dealings.

## **Community**

Dominican University students build, enhance and value their community.

## **Social Justice**

Dominican University students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.

## **Respect**

Dominican University students show positive regard for self, each other, for property, and for the community.

## **Responsibility**

Dominican University students are given and accept a high level of responsibility to self, to others and to the community.

## **Jurisdiction over Student Conduct**

Students at Dominican University are annually emailed a link to the Student Code of Conduct and are responsible for knowing the information, policies and procedures outlined. The Student Code of Conduct and the student conduct process applies to the conduct of individual students and university-affiliated groups, organizations, teams, etc.

The Student Code of Conduct is based on shared values and sets a range of expectations for the Dominican University student no matter where or when their conduct may take place. Therefore, the Student Code of Conduct will apply to behaviors that take place on the campus, at college-sponsored events, and may also apply off campus when the administration determines that the off-campus conduct affects a substantial college interest. A substantial University interest is defined to include:

- Any situation where it appears the student's conduct may present a danger or threat to the health or safety of self or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University.

The Student Code of Conduct may be applied to conduct that takes place during the time a person is enrolled as a student, including intra-semester breaks and between semesters. Further, the Student Code of Conduct applies to guests of community members, whose hosts may be held accountable for the misconduct of their guests. The Student Code of Conduct also protects visitors to and guests of Dominican University, and they may initiate grievances for violations of the Student Code of Conduct committed by members of the Dominican University community against them.

The Student Code of Conduct may be applied to behavior conducted online, via email or other electronic medium. Students should be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials.

There is no time limit on reporting violations of the Student Code of Conduct; however, the longer someone waits to report an offense, the harder it becomes for University officials to obtain information and witness statements and to make determinations regarding alleged violations.

Dominican University reserves the right to take disciplinary action against any student whose behavior undermines the academic or social purposes, safety or order of the campus community. Disciplinary action



is usually initiated by a written complaint or report submitted by any member of the Dominican community or guest. While it is possible to submit an anonymous report, an individual filing a report is encouraged to include their name on the report in order to expedite a disciplinary inquiry. Reports can be filed with the Student Success and Engagement Office, Campus Safety or Student Life.

## **ALCOHOL AND DRUG POLICY**

### **Drug Free Campus/Workplace Policy Statement**

The Drug-Free Schools and Communities Act mandates that institutions of higher education adopt and implement a policy designed to prevent the unlawful possession, use, dispensation or distribution of illicit drugs and alcohol by faculty, staff and students and, provide certification to the Department of Education that such a policy is in place. The university has developed this policy not only in response to this federal anti-drug legislation, but also to provide a healthy environment by preventing the use of drugs or the abuse of alcohol within the university community.

Any faculty, staff or student who violates this policy or does not cooperate with the university in its attempts to maintain a drug-free environment will face disciplinary action up to and including termination/expulsion from the university. Such persons also may be required, as a condition of continuing their relationship with the university, to enroll in substance-abuse counseling and/or a treatment program at their own expense.

Individuals violating any town ordinances, state criminal laws or federal laws relating to alcohol or drug use may risk fines and imprisonment. In the event prosecution occurs outside the University, students may also be subject to the University's Student Conduct process.

Faculty, staff and students are encouraged to familiarize themselves with resources available in the area for substance-abuse counseling and treatment. In addition, the counseling services in the Wellness Center are available to assist students with substance-related problems. The Wellness Center respects the confidential nature of information shared by participants in its programs. Faculty and staff may utilize the resources in the Employee Assistance Program available through Human Resources to receive referrals. If questions arise related to any of these guidelines or policies, please direct them to the appropriate university department.

This policy applies to all Dominican University faculty, staff and students.

1. In compliance with the Drug-Free Workplace Act of 1988, Dominican University is committed to the maintenance of a drug-free workplace and is committed to rigorous enforcement of applicable laws and policies to support those trying to cope with drug-related problems.
2. Dominican University is committed to maintaining a drug-free workplace in compliance with applicable laws. The use, possession, distribution, dispensation, sale or manufacture of controlled substances is prohibited on university property or as any part of its activities. Violation of this policy may result in disciplinary action up to and including termination of employment and or expulsion from the university.
3. The illegal or improper use of controlled substances can: seriously injure the health of others; adversely impair the performance of responsibilities; and endanger the safety and well-being of fellow employees, students and members of the general public. It is therefore the policy of Dominican University to discourage the use of controlled substances by its faculty, staff and students at any time. Faculty and staff seeking resources for substance abuse issues may confidentially contact Human Resources. Students can contact the Wellness Center for confidential support and resources.
4. An employee of Dominican University will notify their supervisor if they are convicted of a criminal drug offense involving the workplace within five days of conviction (this includes student workers). Such conviction will be grounds for mandatory evaluation and possible treatment for a substance abuse disorder, and for disciplinary action up to and including termination. In the event

any such conviction involves an employee working on a federal contract or grant, the University will notify the granting or contracting federal agency within 10 days of receiving notice of a conviction.

5. This statement and its requirements are promulgated in accordance with the requirements of the Drug-Free Workplace Act of 1988 enacted by the U.S. Congress. The university will continue its effort to maintain a drug-free environment by adhering to the above policy and by providing on-going drug awareness programs.
6. Failure to comply with the foregoing rules will be grounds for disciplinary action up to and including termination. The terms of this policy statement are conditions of employment at the university.

## **ALCOHOL POLICY**

Dominican University's alcohol policy, written in accordance with the Drug-Free Campus Act and Illinois State law, supports the mission of the institution and its academic goals.

- Alcohol is not allowed in public areas of the university. This includes, but is not limited to, classrooms, lounges, parking lots, library, hallways, etc.
- No one under the age of 21 is allowed to possess or consume alcohol.
- Any alcohol that is possessed by a minor, and/or is present during any policy violation, may be confiscated and/or emptied.
- The manufacturing, brewing, purchasing or selling of alcohol is never allowed.
- Excessive drinking and intoxication will not be tolerated and is a violation of the policy.
- Members of the community who choose to drink will be held fully responsible for their behavior while under the influence of alcohol. Loss of control due to intoxication in no way excuses or justifies violation of state law, university regulations or the rights of others.
- Any violation of state laws regarding alcohol will be considered grounds for university disciplinary action.

Any event sponsored by a university department, organization or group at which alcohol will be served or consumed must be approved of SSE. A checklist assuring all liability and risk management standards have been adhered to will be completed by the hosting/sponsoring department or division. Student organizations or groups are encouraged to meet with SSE early in the event planning process to determine if approval will be granted.

The hosting/sponsoring department or division of the event is responsible for all aspects of the event including, but not limited to, the following standards:

- Registering and purchasing all liquor licenses in compliance with local, state and federal laws.
- Providing proof of liability insurance and liquor license, if the venue is off-campus.
- Hiring of sufficient security personnel.
- Hiring approved bartenders that are trained and certified in TIPS or other equivalent training program. If the venue is off-campus, proof of training and certification is required for the bartenders.
- Supervision of underage persons to ensure there is not underage consumption of alcohol (i.e., carding). No one under the age of 21 is allowed to serve, possess or consume alcohol.
- Removal and disposal of all unused alcohol.
- Any and all costs for insurance or damage to university property.
- No kegs, beer bongs, party balls or other common containers of alcohol are allowed, unless advance written notice is made by the appropriate university official and approved by SSE.

## **RESIDENCE HALLS**

- Only those 21 or older may possess or consume alcohol in the residence halls room of those that are 21 or over. Both residents and guests in the room where alcohol is being consumed must be 21 or over.
- Those who are 21 or older are prohibited from giving alcohol to minors.

- No one under 21 may be present in a residence hall room where alcohol is being consumed, unless it is a host student's roommate.
- Anyone of legal drinking age bringing alcohol into the residence hall must cover it.
- Common-source containers (kegs, etc.) are not allowed and will be confiscated and not returned.
- Students may not display empty containers, including but not limited to, shot glasses, bottles, etc in their rooms or in their windows.
- Students are not allowed to display alcohol promotions or advertisements in their room, on their doors, or in their windows.

## **DRUG POLICY**

The unlawful use, possession, manufacturing, selling, and/or distribution of illicit drugs are strictly prohibited at Dominican University. Students, who use, sell, create, possess, distribute or provide controlled substances will be subject to disciplinary action as outlined in the student code of conduct.

Although Illinois has passed laws allowing the use of medical cannabis and recreational cannabis in certain circumstances, federal laws classify cannabis as a controlled substance and prohibit cannabis use, possession, and distribution on property owned by institutions of higher education or in any activities operated by such institutions. In addition, the applicable Illinois laws indicate that colleges and universities are not prevented from prohibiting cannabis consistent with federal law. As such, the use, possession, and distribution of cannabis on DU's campus (or other DU property) or as any part of its activities remains prohibited, notwithstanding Illinois laws legalizing the use of medical and recreational cannabis.

Any drug or drug paraphernalia will be confiscated from the student and not returned. This includes, but is not limited to, lighters, roach clips, scales, bowls, baggies, hookahs, bong, pipes, e-cigarettes, etc.

When adjudicating any case involving drugs, physical evidence of drug use is not required for a finding of responsibility in a case. Scent or smell of drug use, or other behaviors and/or observations made by students and/or university officials and personnel, may be used in determining the outcome.

## **Tobacco Policy**

The use of tobacco products is prohibited at all times while on Dominican University property.

- Tobacco is defined as all tobacco-derived or containing products, including, but not limited to, cigarettes (clove, bidis, kreteks), electronic cigarettes, vape pens, cigars and cigarillos, hookah-smoked products, and oral tobacco (spit and spitless, smokeless, chew, snuff).
- Use of tobacco product is defined as follows: The inhaling, exhaling, burning, or carrying of any lighted smoking material on campus property, including but not limited to all outside property or grounds owned or wholly leased, sidewalks, parking lots, outdoor seating areas, stadium seating and all landscaped and recreational areas and all university vehicles and moving equipment.
- Smoking materials must be extinguished and disposed of prior to entering upon Dominican University property, or exiting your vehicle. Improper disposal includes but is not limited to: littering (i.e. discarded cigarette butts and/or throwing cigarette butts out of windows).

## **Immunity for Victims**

Dominican University encourages the reporting of conduct code violations and crimes by victims. Sometimes victims are hesitant to report to college officials because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to university officials. To encourage reporting, Dominican University pursues a policy of offering limited immunity from policy violations related to the incident.

## **Bystander Intervention**

The welfare of students in our community is of paramount importance. At times, students on and off campus may need assistance. Dominican University encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others for fear

that they may get in trouble themselves. Dominican University pursues a policy of limited immunity for students who offer help to others in need. While policy violations cannot be overlooked, the university will provide educational options, rather than punishment, to those who offer their assistance to others in need.

### **Parental Notification**

Dominican University reserves the right to notify parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The university may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is non-dependent, Dominican University will contact parents/guardians to inform them of situations in which there is a health and/or safety risk. Dominican University also reserves the right to designate which university officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act.

### **Student Code of Conduct Sanctions**

Following is a list of possible sanctions. Sanctions not on this list may be given for violations of the Code of Conduct.

- **Warning/Reprimand:** An official written notice that the behavior is in violation of policy with notification that further violations will result in more serious sanctions.
- **Educational/Creative Project(s):** These sanctions are directly related to the incident or behavior and are designed to help educate the student about the consequences of their actions. These might include video or book review, attending a program, planning a program and/or assisting university staff.
- **Community Service:** Student participation in an activity designed to assist the university or surrounding community, i.e., volunteer activities at local churches, hospitals, agencies, campus projects or facilities.
- **Restitution:** Compensation for damage or loss to the University or any person's property.
- **Fines: Reasonable fines may be imposed for violation of University policy.**
- **Confiscation of Prohibited Property:** Items whose presence is in violation of University policy will be confiscated and will become the property of the University.
- **Loss of Privileges:** The student will be denied specified privileges for a designated period of time.
- **Visitation Privilege Loss:** A student may have their visitation privileges to the residence halls suspended or revoked indefinitely.
- **Behavioral Requirement:** This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
- **Probation(s):** Supervision of the student's conduct for a designated period of time during which a subsequent infraction of any university regulation or any standard will result in more serious conduct action. Terms of probation are to be decided by the conduct officers and can include but are not limited to: a) inability to represent the university in an official capacity such as student leadership positions, athletics, etc. and b) inability to participate in university activities or designated events. Probationary meetings may also be imposed. The student is deemed "not in good disciplinary standing" for the period of probation.
- **No-Trespass Order:** The student will not be allowed to enter university buildings or other university property as defined in the sanction.
- **Relocation of Housing:** The student's room assignment may be changed to an alternate room or building.
- **University Housing Suspension:** Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. A student is required to vacate the residence hall at the date and time specified in the Hearing Outcome Letter.

- **Dismissal From Residence:** The student's privilege to live in, or visit, any University housing structure is revoked for an extended period of time or permanently.
- **Suspension:** Separation of the student from the university for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. During the suspension period, the student is banned from university property, facilities and events.
- **Termination of Scholarship:** Removal/termination of any scholarship provided by Dominican University.
- **Dismissal:** Permanent separation of the student from the university. The student will not be allowed to re-enroll in the university. The student is banned from university property, facilities and events.
- **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of SSE or designee.

Any of the above sanctions may be imposed upon groups or organizations found in violation of the Student Code of Conduct. In addition, deactivation, de-recognition, loss of all privileges (including status as a University registered group or organization), for a specified period of time.

### **Alcohol and Drug Violation Sanctions**

Each conduct hearing takes into the specific circumstances of the incident. The Conduct History of a student will be a factor in determining specific sanctions. Multiple policy violations in a single incident will be used to determine appropriate sanctions, however, typical sanctions include:

#### **Alcohol**

Underage drinking; Open alcohol in a public area; Possession of alcohol with underage individuals present; Excessive alcohol use regardless of age

1st offense: Warning, Online Alcohol Education Course with Reflection Paper

2nd offense: Semester Probation and 5 hours of community service (or equivalent educational project)

3rd offense: Extension of probation for two semesters and 10 hours of community service (or equivalent educational project)

*Students with possible substance abuse problems may be sanctioned to a Wellness Assessment.*

#### **Drugs**

Possession or use of illegal drugs or drug-related items in the residence halls or on campus

1st offense: Warning, Online Drug Education Course, Reflection Paper

2nd offense: Semester Probation and 5 hours of community service (or equivalent educational project)

3rd offense: Extension of probation for two semesters and 10 hours of community service (or equivalent educational project)

*Students with possible substance abuse problems may be sanctioned to a Wellness Assessment.*

#### **Tobacco**

Finding cigarette butts or ash in room; Smoking on university grounds; Violation of the Tobacco Policy

1st offense: Warning and 2 hours of community service

2nd offense: Semester probation and 5 hours of community service (or equivalent educational project)

3rd offense: Extension of probation for two semesters and 10 hours of community service (or equivalent educational project)

#### **Employee Sanctions**

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by employees on University premises, or while conducting University business off University premises, is absolutely prohibited.

Violations of this prohibition by employees may result in the application of sanctions, including possible required participation in an approved drug abuse assistance or rehabilitation program, and disciplinary action up to and including termination of employment under applicable University policies, statutes, employment contracts, or collective bargaining agreements.

**SAMPLE ILLINOIS SANCTIONS FOR VIOLATION OF ALCOHOL CONTROL STATUTES** (See Illinois Compiled Statute 235 ILCS 5/ for more specific information)

- A. It is a Class A Misdemeanor to possess or sell alcohol if you are under 21.
- B. It is a Class A Misdemeanor to sell, give, or furnish false ID to an individual 21 years old or under (minimum \$500 fine).
- C. It is a Class A Misdemeanor to use or possess a false ID if you are under 21.
- D. It is a Class A Misdemeanor to sell, give, or deliver alcohol to individuals under 21 years of age. Local ordinances may also be enforced.

Class A Misdemeanors are punishable with a fine of \$1 to \$1,000 and up to 1 year in the county jail.

**FEDERAL DRUG POSSESSION PENALTIES (21 USC 844)**

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500 but not more than \$250,000 or both. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000 but not more than \$250,000 or both. Possession of drug paraphernalia is punishable by a minimum fine of \$750.

Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to \$250,000, or both if:

- A. It is a first conviction and the amount of crack possessed exceeds 5 grams;
- B. It is a second conviction and the amount of crack possessed exceeds 3 grams;
- C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

Civil penalties of up to \$10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

**SAMPLE ILLINOIS SANCTIONS FOR VIOLATION OF DRUG CONTROL STATUTES** (See Illinois Compiled Statute 720 ILCS 570/ for more specific information)

Possession of Cannabis:

- A. It is a Class A Misdemeanor to possess from 10 to 29 grams of Cannabis.
- B. It is a Class 4 Felony to possess 30 grams to 499 grams of Cannabis.
- C. It is a Class 3 Felony to possess 500 grams to 1999 grams of Cannabis.
- D. It is a Class 2 Felony to possess 2000 grams to 4999 grams of Cannabis.
- E. It is a Class 1 Felony to possess more than 5000 grams of Cannabis.

Possession of Cocaine:

- A. It is a Class 4 Felony to possess 0-15 grams
- B. It is a Class 1 Felony to possess 15-100 grams.
- C. It is a Class 1 Felony to possess 100-400 grams.
- D. It is a Class 1 Felony to possess 400-900 grams.
- E. It is a Class 1 Felony to possess 900+ grams.

Possession of Heroin/LSD:

- A. It is a Class 4 Felony to possess 0-14 grams
- B. It is a Class 1 Felony to possess 15-99 grams.
- C. It is a Class 1 Felony to possess 100-399 grams.

D. It is a Class 1 Felony to possess 400-899 grams.

E. It is a Class 1 Felony to possess 900+ grams.

Class 4 Felony sentence may be from 1 to 3 years in a state penitentiary.

Class 3 Felony sentence may be from 2 to 5 years in a state penitentiary.

Class 2 Felony sentence may be from 3 to 7 years in a state penitentiary.

Class 1 Felony sentence may be from 3 to 15 years in a state penitentiary.

This is not an exhaustive list of narcotics and controlled substances that are subject to Illinois Compiled Statutes and which may have local, state, and/or federal sentencing guidelines.

**State of Illinois Statutory Provisions For Illegal Drugs Manufacture or Delivery**

Illegal Drugs	Manufacture or Delivery (720 Illinois Compiled Statutes 570/401)				Possession (720 ILCS 570/402)	
	Class X Felony	Class 1 Felony	Class 2 Felony	Class 3 Felony	Class 1 Felony	Class 4 Felony
	not more than \$500,000 fine	not more than \$250,000 fine	not more than \$200,000 fine	not more than \$150,000 fine	not more than \$20,000 fine	not more than \$15,000 fine
	Min. 6 years	4 to 15 years	3 to 7 years	2 to 5 years	4 to 15 years	1 to 4 years
<b>Heroin</b>	15 grams or more	10-14 grams	10 grams or less		15 grams or more	less than 15 grams
<b>Cocaine</b>	15 grams or more	1-14 grams	1 gram or less		15 grams or more	less than 15 grams
<b>Morphine</b>	15 grams or more	10-14 grams	10 grams or less		15 grams or more	less than 15 grams
<b>Peyote</b>	200 grams or more	50-199 grams		50 grams or less	200 grams or more	less than 200 grams
<b>Barbiturates</b>	200 grams or more	50-199 grams		50 grams or less	200 grams or more	less than 200 grams
<b>Amphetamines</b>	200 grams or more	50-199 grams		50 grams or less	200 grams or more	less than 200 grams
<b>Lysergic Acid (LSD)</b>	15 grams or more	5 to 14 grams or hits		5 grams or less	15 grams or more	less than 15 grams
<b>Petazocine</b>	30 grams or more	10 to 29 grams		10 grams or less	30 grams or more	less than 30 grams
<b>Methaqualone</b>	30 grams or more	10 to 29 grams		10 grams or less	30 grams or more	less than 30 grams
<b>Phencyclidine</b>	30 grams or more	10 to 29 grams		30 grams or less	30 grams or more	less than 30 grams
<b>Ketamine</b>	30 grams or more	11 to 30 grams		less than 10 grams	30 grams or more	less than 30 grams
<b>GHB</b>	200 grams or more	50 to 200 grams		less than 50 grams	200 grams or more	less than 200 grams

<b>Ecstasy</b>	200 grams or more	50 to 199 grams		50 grams or less	200 grams or more	less than 200 grams
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Note: Second Offense, double jail sentence and fine. This chart gives examples of the penalties which may be imposed on individuals convicted of drug possession, manufacturing, or delivery. *The circumstances of the case and other factors affect whether or not these are the actual penalties imposed.*

**Marijuana Sale or Delivery (720 Illinois Compiled Statutes 550/5)**

- Class B Misdemeanor: 2.5 grams or less, \$500 fine and/or six months in jail
- Class A Misdemeanor: 2.5-10 grams or less, \$1,000 fine and/or one year in jail
- Class 4 Felony: between 10-30 grams, 1-3 years in jail and/or \$10,000 fine
- Class 3 Felony: between 30-500 grams, 2-5 years in jail and/or fine not to exceed \$50,000
- Class 2 Felony: 500 or more grams, 3-7 years in jail and/or fine not to exceed \$100,000

**Possession (720 Illinois compiled Statutes 550/4)**

- Class C Misdemeanor: 2.5 grams or less, \$500 fine and/or thirty days in jail
- Class B Misdemeanor: between 2.5-10 grams, \$500 fine and/or six months in jail
- Class A Misdemeanor: between 10-30 grams, \$1,000 fine and/or one year in jail
- Class 4 Felony: between 30-500 grams, 1-3 years in jail and/or \$10,000 fine
- Class 3 Felony: over 500 grams, 2-5 years in jail and/or fine not to exceed \$50,000

**Federal Drug Laws**

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

**Denial of Federal Aid (20 USC 1091)**

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs may have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

**Forfeiture of Personal Property and Real Estate (21 USC 853)**

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 USC 841)**

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

Drug/Substance	Amount	Penalty - 1st Conviction
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Barbiturates	Any amount	Up to 5 years prison. Fine up to \$250,000
Cocaine	5 kgs. or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	Less than 100 grams	10-63 months prison. Fine up to \$1 million
Crack Cocaine	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	5-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	5 grams or less	10-63 months prison. Fine up to \$1 million
Ecstasy	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
GHB	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
Hashish	10-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	10 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Hash Oil	1-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	1 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Heroin	1 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	100 grams or less	10-63 months prison. Fine up to \$1 million
Ketamine	Any amount	Up to 5 years imprisonment. Fine up to \$250,000. 2 years supervised release
LSD	10 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	1-10 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
Marijuana	1000 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 kg	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	50-99 kg	Up to 20 years imprisonment. Fine up to \$1 million
	50 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Methamphetamine	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	10-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million

	10 grams or less	10-21 months prison. Fine up to \$1 million
PCP	100 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	10-99 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months prison. Fine up to \$1 million
Rohypnol	1 gram or more	Up to 20 years imprisonment. Fine up to \$1 million
	less than 30 mgs	Up to 5 years imprisonment. Fine up to \$250,000

### **Federal Drug Possession Penalties (21 USC 844)**

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750. Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to \$250,000, or both if:

- A. It is a first conviction and the amount of crack possessed exceeds 5 grams;
- B. It is a second conviction and the amount of crack possessed exceeds 3 grams;
- C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

Civil penalties of up to \$10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

### **Illinois Sanctions for Driving Under the Influence**

625 Illinois Compiled Statutes 5/11-501

- A. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof
  - a. First Conviction
    - i. Minimum of one-year loss of full driving privileges
    - ii. Possible imprisonment for up to one year
    - iii. Maximum fine of \$2,500
  - b. Second Conviction
    - i. Minimum five-year loss of full driving privileges for a second conviction in a 20-year period
    - ii. Mandatory five days imprisonment or 240 hours of community service
    - iii. Possible imprisonment for up to one year
    - iv. Maximum fine of \$2,5000
  - c. Third Conviction – Class 2 Felony
    - i. Minimum ten-year loss of full driving privileges
    - ii. Mandatory 18-30 month periodic imprisonment
    - iii. Possible imprisonment for up to seven years
    - iv. Maximum fine of \$25,000
  - d. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement)
    - i. Minimum of one-year loss of full driving privileges
    - ii. Mandatory ten days imprisonment or 480 hours of community service
    - iii. Possible imprisonment for up to twelve years
    - iv. Maximum fine of \$25,000
- B. Other alcohol offenses

- a. Providing alcohol to a person under age 21
  - i. Possible imprisonment for up to one year
  - ii. Maximum fine of \$2,500
- b. Illegal transportation of an alcoholic beverage
  - i. Maximum fine of \$1,000
  - ii. Point-assigned violation will be entered on drivers record
  - iii. Drivers license suspension for a second conviction in a 12 month period
- c. Knowingly permitting a driver under the influence to operate a vehicle
  - i. Possible imprisonment for up to one year
  - ii. Maximum fine of \$2,500
- d. Summary Suspension
  - i. First offense
    - 1. A chemical test indication a BAC of .08 or greater results in a mandatory six-month drivers license suspension
    - 2. Refusal to submit to a chemical test(s) results in a twelve-month suspension
  - ii. Subsequent offenses
    - 1. A chemical test indicating a BAC of .08 or greater results in a mandatory one-year drivers license suspension
    - 2. Refusal to submit to a chemical test(s) results in a three-year license suspension

### **Illinois Penalties for Drinking and Driving Under Age 21**

- A. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof
  - a. First Conviction
    - i. Minimum of two-year loss of full driving privileges
    - ii. Possible imprisonment for up to one year
    - iii. Maximum fine of \$2,500
  - b. Second Conviction
    - i. Minimum five-year loss of full driving privileges for a second conviction in a 20-year period
    - ii. Mandatory five days imprisonment or 240 hours of community service
    - iii. Possible imprisonment for up to one year
    - iv. Maximum fine of \$2,5000
  - c. Third Conviction – Class 2 Felony
    - i. Minimum ten-year loss of full driving privileges
    - ii. Mandatory 18-30 month periodic imprisonment
    - iii. Possible imprisonment for up to seven years
    - iv. Maximum fine of \$25,000
  - d. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement)
    - i. Minimum of one-year loss of full driving privileges
    - ii. Possible imprisonment for up to twelve years
    - iii. Maximum fine of \$25,000
- B. Other alcohol offenses
  - e. Illegal transportation of an alcoholic beverage
    - i. Maximum fine of \$1,000
    - ii. Drivers license suspended for first conviction
    - iii. Drivers license revoked for a second conviction
  - f. Summary Suspension
    - i. First offense
      - 1. A chemical test indication a BAC of .08 or greater results in a mandatory six-month drivers license suspension

2. Refusal to submit to a chemical test(s) results in a twelve-month suspension
- ii. Subsequent offenses
  1. A chemical test indicating a BAC of .08 or greater results in a mandatory one-year drivers license suspension
  2. Refusal to submit to a chemical test(s) results in a three-year license suspension
- C. The Zero Tolerance Law provides that minors can have their driving privileges suspended even if they're not intoxicated at the .08 level. The following table shows the length of time your driving privileges may be suspended under the Zero Tolerance Law (for BAC of .01 or greater) and DUI Laws (for BAC of .08 or greater). The loss of driving privileges is greater if you refuse to take a sobriety test.

	Under Zero Tolerance Law		Under DUI Laws	
		If test refused		If test refused
1 <sup>st</sup> violation	3 months	6 months	6 months	12 months
2 <sup>nd</sup> violation	1 year	2 years	1 year	3 years

### Effect on Driving Record

- Zero tolerance (BAC of .01 or greater) – except during suspension period, not on public driving record as long as there is no subsequent suspension.
- DUI conviction (BAC of .08 or greater) – Permanently on public driving record

\*Under certain conditions, you may be charged with DUI even though your BAC is below .08.

Except during suspension period, violation is not on public driving record as long as there is no subsequent suspension permanently on public driving record.

### Health Risks of Commonly Abused Substances

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts,	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite	depression, weight loss, high blood pressure, seizure, heart

		increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep,	attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, “heavy” arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention & memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract & bladder problems, abdominal pain, major convulsions, muscle rigidity , increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	dilated pupils, change in body temperature, blood pressure & heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment & social functioning, insomnia, physical dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions death, physical & psychological dependence
Marijuana/Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes,

			cancer, psychological dependence, physical dependence possible for some
Mescaline	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, & body temperature,	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, “heavy” feeling in arms and legs	constipation, loss of appetite, collapsed veins, heart infections, liver disease, depressed respiration, pneumonia & other pulmonary complications, physical dependence, psychological dependence
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms & legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,
Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization in women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence

### Counseling and Treatment

Short term alcohol and other drug counseling is available on campus to students through **the Dominican University Wellness Center, 708-524-6229**. Students may be referred through the Counseling Center to other treatment programs for more intensive treatment. Through **Dominican’s** Human Resources department, **MetLife**, offers employees additional education and counseling, as well as appropriate referrals. Visit <https://www.metlife.com/>.

**Thrive Counseling Center:** [www.ThriveCC.org](http://www.ThriveCC.org) Free screening for alcohol and drug abuse on Thursdays through Rosecrance (708) 383-7500

**Rosecrance:** <http://www.rosecrance.org/> Multi-site services focused on recovery. 40 locations in Chicago and Northern Illinois, Wisconsin and Iowa, Rosecrance offers comprehensive addiction services for adolescents and adults, including prevention, intervention, detoxification, inpatient and outpatient treatment, experiential therapies, dual-diagnosis care and family education. Rosecrance also offers high-quality, efficient and effective outpatient mental health services for children, adults and families through a variety of programs.

**Alexian Brothers Dual Diagnosis Unit:** <http://www.alexianbrothershealth.org/abbhh/center-addiction-medicine/treatment-approach> Alexian Brothers is another partner that focuses on the addiction continuum from prevention education and screening through recovery. They are specialists in dual diagnosis and process addictions (gambling, etc) They offer free evaluations.

Young people's 12 step AA/Alanon/Alateen <https://www.chicagoaa.org/find-a-meeting-search-return>. These groups meet on campus and off campus. We post regularly the locations and times for these meetings.

Interested individuals are encouraged to contact each agency for additional information regarding specific services and costs.

### **Prevention and Education**

Individual, group and community educational programs and interventions designed to prevent and reduce alcohol and other drug use/abuse are offered to the Dominican University Community.

#### **University Wide Mandatory Education – Get Inclusive**

An online training tool on the topics of sexual assault, sexual harassment, bystander intervention and healthy relationships, which includes modules on alcohol and other drug education and prevention.

### **HEALTH AND WELLNESS EDUCATION**

#### **Wellness Wednesday Newsletters**

A weekly email to all students highlighting healthy habits for college students.

#### **Events and Programs**

DU Lead: Bystander Training

Becoming Aware of Substance and Alcohol Abuse

#### **Student Life Resident Assistant Training**

Student Life spends roughly sixteen hours in RA training covering confrontation and crisis/emergency response. Some, but certainly not all, is devoted to training staff how to deal with individuals who have consumed, possessed, and/or are under the influence of substances.

RA Duty Protocols and Rounds

Incident Report Writing

Responding to Incidents

One Process Training

Conduct Training

Title IX Training

Conduct Process Training

RA Training on Duty Protocols (incl. addressing the alcohol/drug policy)

Behind Closed Doors – RA Trainings for practicing how to address violation

Bystander Intervention Training

#### **Wellness Center Programming**

Lower Level Coughlin Hall. [wellness@dom.edu](mailto:wellness@dom.edu) 708-524-6229

Michael Purcell [mpurcell@dom.edu](mailto:mpurcell@dom.edu) Director of the Wellness Center

Alcohol and Drug Prevention Screening and Intervention Packet:

The DU Wellness accepts referrals from all departments to help students with education, prevention, screening and treatment for additions of all types.

Here are some of our tools and resources.

MAST: <http://counselingresource.com/quizzes/drug-testing/alcohol-mast/>

SASSI: <https://www.sassi.com/sassi-4-announcement/> Substance Abuse Subtle Screening Inventory is a psychological exam used to detect alcohol, drugs or Rx drug abuse, to distinguish between that and other psychological disorders and to evaluate severity.

Clinical Exam: CADC (Certified Drug and Alcohol Counselor) Psychologist administers these instruments as well as a thorough clinical interview. During that exam alcohol education and prevention messages are provided to students at all levels of severity and risk.

Treatment Protocols: The Wellness Center partners with many community partners in caring for students who need inpatient detox, Intensive Outpatient intervention, combination and other recovery and mental health services.

### Health Risks of Commonly Abused Substances

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts,	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite, increased blood pressure and heart rate,	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension,



		contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep,	hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity , increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, blurred vision, teeth clenching, depression,	same as LSD, sleeplessness, nausea, confusion, increased blood pressure,

		anxiety, paranoia, sleep problems, muscle tension	sweating , depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions death, physical dependence, psychological dependence
Marijuana/Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some
Mescaline	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature,	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, “heavy” feeling in arms and legs	constipation, loss of appetite collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,

Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence
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### ON-CAMPUS RESOURCES/INFORMATION

Athletic Department	708-524-6323
Athletic Trainer	708-521-6226
Campus Safety	708-524-5999
Employee Assistance Program	<a href="https://www.metlife.com/">https://www.metlife.com/</a>
Human Resources	708-524-6790
Student Life – Housing	708-524-6218
Wellness Center	708-524-6229

### OFF-CAMPUS RESOURCES/INFORMATION

<p><b>Ascension Alexian Brothers Behavioral Health Hospital</b> Offers support for mental health conditions, such as alcohol or substance abuse disorders. Provides inpatient care for mental health conditions and also provides a partial day program with outpatient services.</p>	<p><a href="https://healthcare.ascension.org/locations/illinois/ilchi/hoffman-estates-ascension-alexian-brothers-behavioral-health-hospital">https://healthcare.ascension.org/locations/illinois/ilchi/hoffman-estates-ascension-alexian-brothers-behavioral-health-hospital</a></p>
<p><b>Rosecrance</b> Multi-site services focused on recovery. 40 locations in Chicago and Northern Illinois, Wisconsin and Iowa, Rosecrance offers comprehensive addiction services for adolescents and adults, including prevention, intervention, detoxification, inpatient and outpatient treatment, experiential therapies, dual-diagnosis care and family education. Rosecrance also offers high-quality, efficient and effective outpatient mental health services for children, adults and families through a variety of programs.</p>	<p><a href="http://www.rosecrance.org/">http://www.rosecrance.org/</a></p>

<b>Thrive Counseling Center</b> Free screening for alcohol and drug abuse on Thursdays through Rosecrance	708-383-7500 <a href="http://www.ThriveCC.org">www.ThriveCC.org</a>
Local Police Department – Emergency	911
Local Police Department – Non - Emergency	708-366-7125 <a href="https://www.policeone.com/police-departments/river-forest-police-dept-river-forest-il/">https://www.policeone.com/police-departments/river-forest-police-dept-river-forest-il/</a>
County Sheriff’s Office – Emergency	911
County Sheriff’s Office – Non-Emergency	<b>(773) 674-CCSO</b> <a href="http://www.cookcountysheriff.org/">http://www.cookcountysheriff.org/</a>
Cook County State’s Attorney’s Office	(312) 603-1880 <a href="http://www.statesattorney.org/">http://www.statesattorney.org/</a>

### Student Code of Conduct Sanctions

Following is a list of possible sanctions. Sanctions not on this list may be given for violation of the Code of Conduct.

- **Warning/Reprimand:** An official written notice that the behavior is in violation of policy with notification that further violations will result in more serious sanctions.
- **Educational/Creative Project(s):** These sanctions are directly related to the incident or behavior and are designed to help educate the student about the consequences of their actions. These might include video or book review, attending a program, planning a program and/or assisting university staff.
- **Community Service:** Student participation in an activity designed to assist the university or surrounding community, i.e., volunteer activities at local churches, hospitals, agencies, campus projects or facilities.
- **Restitution:** Compensation for damage or loss to the University or any person’s property.
- **Fines: Reasonable fines may be imposed for violation of University policy.**
- **Confiscation of Prohibited Property:** Items whose presence is in violation of University policy will be confiscated and will become the property of the University.
- **Loss of Privileges:** The student will be denied specified privileges for a designated period of time.
- **Visitation Privilege Loss:** A student may have their visitation privileges to the residence halls suspended or revoked indefinitely.
- **Behavioral Requirement:** This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
- **Probation(s):** Supervision of the student’s conduct for a designated period of time during which a subsequent infraction of any university regulation or any standard will result in more serious conduct action. Terms of probation are to be decided by the conduct officers and can include but are not limited to: a) inability to represent the university in an official capacity such as student leadership positions, athletics, etc. and b) inability to participate in university activities or designated events. Probationary meetings may also be imposed. The student is deemed “not in good disciplinary standing” for the period of probation.
- **No-Trespass Order:** The student will not be allowed to enter university buildings or other university property as defined in the sanction.
- **Relocation of Housing:** The student’s room assignment may be changed to an alternate room or building.
- **University Housing Suspension:** Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University

housing may be specified. A student is required to vacate the residence hall at the date and time specified in the Hearing Outcome Letter.

- **Dismissal From Residence:** The student's privilege to live in, or visit, any University housing structure is revoked for an extended period of time or permanently.
- **Suspension:** Separation of the student from the university for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. During the suspension period, the student is banned from university property, facilities and events.
- **Termination of Scholarship:** Removal/termination of any scholarship provided by Dominican University.
- **Dismissal:** Permanent separation of the student from the university. The student will not be allowed to re-enroll in the university. The student is banned from university property, facilities and events.
- **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the SSE or designee.

A student is responsible for all tuition and fees during a suspension or if a dismissal is implemented. Any of the above sanctions may be imposed upon groups or organizations found in violation of the Student Code of Conduct. In addition, deactivation, de-recognition, loss of all privileges (including status as a University registered group or organization), for a specified period of time.

Any of the above sanctions may be imposed upon groups or organizations found in violation of the Student Code of Conduct. In addition, deactivation, de-recognition, loss of all privileges (including status as a University registered group or organization), for a specified period of time.

### **Alcohol and Drug Violation Sanctions**

Each conduct hearing takes into the specific circumstances of the incident. The Conduct History of a student will be a factor in determining specific sanctions. Multiple policy violations in a single incident will be used to determine appropriate sanctions, however, typical sanctions include:

#### **Alcohol**

Underage drinking; Open alcohol in a public area; Possession of alcohol with underage individuals present; Excessive alcohol use regardless of age

1st offense: Warning, Online Alcohol Education Course; Reflection paper (2-3pages). Deadline: 1 week

2nd offense: Conduct Probation for a semester (4 months) indicate the end date; 5 hours Community Services. Deadlines: 2 weeks.

3rd offense: Extension of Conduct Probation for two semesters (8 months); 10 hours Community Services;

*Students with possible substance abuse problems may be sanctioned to a Wellness Assessment.*

#### **Drugs**

Possession or use of illegal drugs or drug-related items in the residence halls or on campus

1st offense: Warning, Online Drug Education Course; Reflection Paper (2-3 pages). Deadline: 1 week

2nd offense: Conduct Probation for a semester (4 months); 5 hours of Community Service. Deadlines: 2 weeks.

3rd offense: Extension of Conduct Probation (two semesters/ 8 months); 10 hours Community Service.  
Deadlines: 2 weeks.

*Students with possible substance abuse problems may be sanctioned to take a Wellness Assessment.*

\*if found in violation of an intent to distribute, can result in dismissal from the University

### **Tobacco**

Finding cigarette butts or ash in room; Smoking on university grounds; Violation of the Tobacco Policy

1st offense: Warning and 2 hours of community service

2nd offense: Conduct Probation (one semester/4 months); 5 hours of Community Service.

3rd offense: Conduct Probation (two semesters/8 months). 5 hours of Community Service