

**University of Illinois Springfield
Campus Violence Prevention Plan**

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Letter of Promulgation

UNIVERSITY OF
ILLINOIS
SPRINGFIELD

OFFICE OF THE CHANCELLOR
Public Affairs Center 563
One University Plaza, MS PAC 563
Springfield, Illinois 62703-5407

October 13, 2022

The UIS Campus Violence Prevention Plan was initially developed, approved and formally adopted in August 2017. It is reviewed and updated annually.

The CVPP details our university's comprehensive violence prevention efforts. It is designed to comply with applicable federal and state regulations and to provide the policies and procedures to be followed in addressing issues related to violence on campus.

The UIS CVPP is interdisciplinary and multijurisdictional and is dedicated to ensuring every known behavioral or mental health issue or violent incident is addressed appropriately, following established campus policies. The planning authorities and responsibilities conveyed to individual campus units, colleges, departments and agencies of local government are recognized and acknowledged.

The CVPP is adopted and approved by the UIS Chancellor and shall be the controlling authority in regard to the UIS campus violence prevention management, planning, policies and procedures. This document supersedes any policy or procedure that conflicts with its provisions.

Sincerely,



Janet L. Gooch, PhD
Chancellor, University of Illinois Springfield
Vice President, University of Illinois
One University Plaza, MS PAC 563
Springfield, Illinois 62703-5407
217-206-6634 | chancellor@uis.edu

Records of Changes

When changes are made to the CVPP, the following procedures shall be followed:

1. The Associate Chancellor for Public Affairs is ultimately responsible for maintaining, reviewing and updating this plan. A review of this plan will be conducted annually in November. Any updates will be formally documented and presented to plan holders.
2. Plan holders will be notified of changes by memorandum and/or email. Plan holders will be responsible for updating their existing CVPP.
3. When any changes are made, an entry should be noted in the following log:

Change Number	Date Entered	Page(s) or Section(s) Changed	Entered by
1	2/1/18	Page 4, updated Distribution List	Donna Young
2	2/1/18	Updated page numbers and TOC	Donna Young
3	4/13/20	Overall policy revision	Kelsea Gurski
4	10/28/21	Page 3, updated letter from the Chancellor	Kelsea Gurski
4	10/26/21	Page 5, updated Distribution List	Kelsea Gurski
5	10/26/21	Pages 7-8, updated Title IX phone number and titles in CVPC list	Kelsea Gurski
6	10/26/21	Page 10, updated titles in CVPC list and made minor grammatical changes	Kelsea Gurski
7	10/26/21	Page 11, added information about Employee and Student of Concern forms	Kelsea Gurski
8	10/26/21	Pages 14-15, updated Assistant Director of Access and Equity title and added "or designee" in section C2	Kelsea Gurski
9	10/26/21	Pages 22-79, updated Attachment D to reflect most current version of policy	Kelsea Gurski
14	10/26/21	Pages 80-85, updated Attachment E to reflect most current version of policy	Kelsea Gurski
15	10/26/21	Pages 87-92, update to Attachment G to reflect most current version of policy	Kelsea Gurski
16	10/13/22	Page 3, updated letter from the Chancellor	Kelsea Gurski
17	10/13/22	Page 5, updated Distribution List	Kelsea Gurski
19	10/25/22	Page 2, updated Table of Content	Kelsea Gurski
20	10/25/22	Page 41-45, updates to Sexual Harassment policy, Appendix A	Kelsea Gurski
21	10/25/22	Page 35, 84, 99-91, updated links	Kelsea Gurski

Distribution List of Campus Violence Prevention Plan Recipients

The CVPP will be available on the UIS Police Department’s website, the Student Affairs website and the Human Resources website. Digital copies of the CVPP will be distributed via email to the following individuals:

CVPP Recipient	Date Issued	Issued By
Chancellor	11/18/2022	Kelsea Gurski
Provost/Vice Chancellor for Academic Affairs	11/18/2022	Kelsea Gurski
Associate Chancellor for Public Affairs	11/18/2022	Kelsea Gurski
Assistant Director for Access & Equity	11/18/2022	Kelsea Gurski
Associate Vice Chancellor of Human Resources	11/18/2022	Kelsea Gurski
Vice Chancellor for Finance & Administration	11/18/2022	Kelsea Gurski
Chief of Police	11/18/2022	Kelsea Gurski
Associate Vice Chancellor of Facilities and Services	11/18/2022	Kelsea Gurski
University Legal Counsel	11/18/2022	Kelsea Gurski
Vice Chancellor for Student Affairs	11/18/2022	Kelsea Gurski
Executive Director for Auxiliary Services	11/18/2022	Kelsea Gurski
Assistant Vice Chancellor for Student Engagement	11/18/2022	Kelsea Gurski
Dean of Students	11/18/2022	Kelsea Gurski
Director of Public Relations	11/18/2022	Kelsea Gurski
Environmental Health and Safety Officer	11/18/2022	Kelsea Gurski
Director of Health Services	11/18/2022	Kelsea Gurski
Director of Residential Life	11/18/2022	Kelsea Gurski
Associate Provost, Information Technology	11/18/2022	Kelsea Gurski
Director of University Food Service	11/18/2022	Kelsea Gurski
Executive Director of Student Support Services	11/18/2022	Kelsea Gurski
Director of Intercollegiate Athletics	11/18/2022	Kelsea Gurski
Director of Recreation Sports	11/18/2022	Kelsea Gurski
Vice Chancellor for Advancement	11/18/2022	Kelsea Gurski
IEMA Regional Coordinator	11/18/2022	Ross Owens
Sangamon County Office of Emergency Management	11/18/2022	Ross Owens

Campus Violence Threat Assessment Policy

Purpose:

The purpose of this policy is to state the campus community's responsibilities to report and respond to potential indicators and/or threats of violent behavior as well as define the processes and resources available.

Scope:

This policy applies to all members of the campus community.

Authority:

The Associate Chancellor for Public Affairs or designee is assigned responsibility for implementing and maintaining this policy.

Policy:

The University of Illinois Springfield is committed to a nonviolent environment for all employees and students. **Acts of violence and threats of violence are not acceptable conduct in the University community and will not be tolerated.** In service of its commitment to the welfare, health and safety of all those in the University community, the campus has developed a comprehensive Campus Violence Prevention Plan (CVPP), which can be found on the UIS Police website. The CVPP is also linked to the following websites: Office of the Dean of Students, Office of Student Affairs, Office of Academic Affairs and Human Resources. The CVPP is expressly incorporated by reference into this policy.

Processes/Procedures/Guidelines:

What To Watch For

The CVPP is founded on principles of early intervention and proactive engagement to prevent violence and provide supportive services. Based on the assessment that certain conduct may be a precursor to violent behavior, the CVPP has identified thresholds of unacceptable conduct and standardized responses to those who cross those thresholds. Thresholds of unacceptable conduct include, but are not limited to, the following:

1. Violent ideation: expression of violent ideas or intent to harm others.
2. Suicide threat, attempt or significant ideation.
3. Pattern of physical or emotional bullying and/or intimidation.
4. Unwelcome sexual advances, requests or other verbal or physical sexual conduct.

5. Harms or destroys property in a way that could endanger others.
6. Inappropriate attempts to control processes, outcomes, or decisions beyond the person's control.
7. Pursuing unreasonable options and continues to do so after instructed to stop (e.g. fixation on an 'injustice').
8. Delusional ideations or behaviors (persecutory, paranoia, hallucinations).
9. Excessive, escalating or inappropriate alcohol or other drug use.

*Cases are not necessarily activated on the basis of a single behavioral threshold. They are evaluated for activation based upon the legitimacy and imminence of the threat as well as the level of risk posed to an individual and/or a broader segment of the campus community.

What To Do

Any individual witnessing conduct that they believe may pose an imminent threat to safety, security or health should **call 9-1-1 immediately**. If the conduct does not pose an imminent threat to safety, security or health, individuals should contact:

- UIS Police Department or call 217-206-7777,
- The Dean of Students office or call 217-206-8211,
- Title IX Coordinator or call 217-206-9999,
- Human Resources office 217- 206-6652,
- The Counseling Center or call 217-206-7122.

About the Campus Violence Prevention Committee

As a part of the CVPP, a designated Campus Violence Prevention Committee (CVPC) has been formed and charged with implementing the CVPP and determining the individuals responsible for education and prevention of violence on campus.

The CVPC is comprised of faculty, campus administration, student affairs, law enforcement, human resources, counseling services, and residence life and housing. The following positions have been identified on the UIS campus as members of the CVPC:

- Associate Vice Chancellor for Undergraduate Education
- Associate Vice Chancellor for Graduate Education
- Associate Chancellor for Public Affairs
- Assistant Director of Access & Equity
- Dean of Students

- Campus Legal Counsel
- Police Chief
- Police Captain or Lieutenant
- Associate Vice Chancellor of Human Resources
- Executive Director of Student Support Services
- Director of Residence Life

The CVPC has created this written threat assessment policy to provide guidance to students, faculty and staff about how to recognize, address and report aberrant and threatening behavior.

The CVPC also provides oversight to the Campus Threat Assessment Team, as stipulated in the CVPP, which consists of Academic Affairs leadership, Student Affairs leadership, law enforcement, human resources, legal counsel and mental health professionals. It may also include other persons and organizations deemed appropriate to a particular circumstance.

The Threat Assessment Team conducts threat assessments; addresses aberrant, dangerous or threatening behavior on campus; and provides guidance and best practices for preventing violence and providing support services. The Threat Assessment Team uses fact-based assessment processes to investigate threats, actions or conduct that may lead to targeted violence and determine situation-specific response action plans. The team also conducts post-incident assessments and evaluations of the effectiveness of the response(s) on a case-by-case and aggregate basis.

Pursuant to the CVPP, students, faculty and staff are provided access to a range of support services, including mental health services, crisis management and referral to comprehensive services for victims, provided on campus and through community resources. Details about these processes and support resources can be found in the CVPP.

Members of the Campus Threat Assessment Team have access to information regarding the CVPP, including specific information regarding incidents of violence or precursor conduct. Additionally, other individuals may have access to that information to the extent that it is necessary in order for the campus to fulfill its violence prevention missions and to ensure the safety of the campus community. Privacy interests will be protected as required by state and federal laws.

All areas of the campus community are required to cooperate with requests from the Campus Threat Assessment Team relative to successfully monitoring any threatening behavior.

The CVPC will meet once a semester or whenever appropriate to review issues related to violence on campus and provide any necessary oversight to the Campus Threat Assessment Teams.

The Campus Threat Assessment Team will meet as stipulated in the CVPP or as necessary.

Pursuant to the Illinois Campus Security Enhancement Act of 2008 (“the Act,” 110 ILCS 12/1 et seq.), a copy of the CVPP will be provided to the Sangamon County Emergency Management Agency, the Illinois Emergency Management Agency Regional Office and the Illinois Board of Higher Education.

Exceptions: (None)

Contact: UIS Associate Chancellor for Public Affairs

Campus Violence Prevention Plan

I. Campus Violence Prevention Committee

Pursuant to the Campus Security Enhancement Act of 2008, the University of Illinois Springfield has a Campus Violence Prevention Committee (CVPC) that is tasked with implementing the CVPP, ensuring the individuals mentioned in this plan are responsible for the appropriate education and prevention of violence on campus, and providing oversight to the existing components of the Campus Threat Assessment Teams mentioned in the CVPP. The CVPC is comprised of faculty, campus administration, student affairs, law enforcement, human resources, counseling services, and residential life personnel.

The following positions have been identified on the UIS campus as members of the CVPC:

- Associate Vice Chancellor for Undergraduate Education
- Associate Vice Chancellor for Graduate Education
- Associate Chancellor for Public Affairs
- Assistant Director of Access & Equity
- Dean of Students
- Campus Legal Counsel
- Police Chief
- Police Captain or Lieutenant
- Associate Vice Chancellor of Human Resources
- Executive Director of Student Support Services
- Director of Residence Life

II. Threat Assessment Team

The Threat Assessment Team conducts threat assessments, addresses aberrant, dangerous, or threatening behavior on campus and provides guidance and best practices for preventing violence and providing supportive services. The Threat Assessment Team includes individuals from the Chancellor's office, Provost's office, Student Affairs, law enforcement, human resources, legal counsel and mental health professionals.

The CVPP establishes a set of common-sense behavioral thresholds, and when the staff of the university is in possession of information that an individual has crossed one of these thresholds, university personnel respond with a combination of:

- **Face-to-face meetings** between university professionals and individuals of concern.
- **Internal consultations** among university professionals to assess and address the incident/situation.
- **Ad hoc meetings** among university professionals to assess and address the incident/situation.
- **Policies and protocols** designed to address the incident/situation.

- **A monitoring and oversight team** that oversees the university's response to these situations (Threat Assessment Team).

Varying thresholds and differing responses apply to individuals falling into one of three categories:

- **Enrolled students** (including prospective students and recently graduated students),
- **Faculty and staff** (including but not limited to postdoctoral fellows, prospective and former employees),
- **Members of the general public** (including but not limited to alumni and parents of enrolled students).

Members of the university community can report an employee or student of concern to the Campus Threat Assessment Team via the following web forms:

- Employees: go.uis.edu/employeeconcern
- Students: go.uis.edu/studentconcern

This process of progressive community engagement is supported by the Campus Threat Assessment Team.

III. University Policies Related to Violence and Violence Prevention

Violence Prevention and Response Policy: The University of Illinois Springfield is committed to a safe and nonviolent environment for all students, faculty, staff and visitors. Acts of violence and threats of violence are not acceptable conduct in the campus community and will not be tolerated. Violent acts and threats of violence should be reported to the UIS Police immediately.

Student Code:

The following categories of conduct are specifically prohibited and may form the basis for disciplinary action:

- A. Violence, the threat of violence, harassment, or intimidation directed against another person or persons.
- B. The intentional obstruction or interference with any person's right to attend or participate in any UIS function.
- C. Hazing.
- D. Unreasonable obstruction or disruption of teaching or other UIS activities.
- E. Unauthorized possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons on UIS property in contravention of federal, state, or local law or UIS regulations.
- F. Trespass, intentional property damage or theft.
- G. Use, possession or distribution of alcoholic beverages by or to underage persons or controlled substances on UIS property in violation of federal, state, or local law or UIS regulation.
- H. Intentionally entering false fire alarms or bomb threats; tampering with fire extinguishers, alarms or safety equipment; refusing to follow directions to evacuate a building as directed during any emergency condition.
- I. Forgery, alteration or misuse of UIS documents, records or identification.
- J. Unauthorized use of UIS' name, finances, materials, facilities and supplies (including stationery bearing UIS' letterhead.)
- K. Interference or attempted interference with the administration of this Code, such as the initiation of a grievance or complaint knowing that the charge was false, intimidation or bribery of hearing participants, acceptance of bribes, dishonesty or disruption of proceedings and hearings.

- L. Falsification of information provided for official university business.
- M. Acts in violation of Board of Trustees (BOT) and/or University and/or UIS policies, regulations or rules. These include, but are not limited to:
 - 1. Human Rights Policy
 - 2. Title IX and Sexual Misconduct Policy (hereinafter the “Sexual Misconduct Policy”)
 - 3. Alcoholic Beverages Policy
 - 4. Drug-Free Workplace Policy
 - 5. Student Housing Policy
 - 6. Student Employment Policy
 - 7. Parking Regulations

IV. Violence Prevention Program for Students

A. Thresholds Applying to Students:

- 1. Violent ideation: expression of violent ideas or intent to harm others.
- 2. Suicide threat, attempt or significant ideation.
- 3. Pattern of physical or emotional bullying and/or intimidation.
- 4. Unwelcome sexual advances, requests or other verbal or physical sexual conduct.
- 5. Harms or destroys property in a way that could endanger others.
- 6. Inappropriate attempts to control processes, outcomes, or decisions beyond the person’s control.
- 7. Pursuing unreasonable options and continues to do so after instructed to stop (e.g. fixation on an ‘injustice’).
- 8. Delusional ideations or behaviors (persecutory, paranoia, hallucinations).
- 9. Excessive, escalating or inappropriate alcohol or other drug use.

B. Response to Students Who Cross One or More Threshold(s)¹

- 1. UIS Police are contacted as appropriate to address a threat of harm and/or suspected criminal activity.

¹ Students who cross a criminal threshold are arrested as appropriate. Students who cross a threshold in the Student Code are adjudicated through the Dean of Students Office.

2. The Threat Assessment Team engages in early intervention if a threshold behavior is crossed.
3. When the consensus of the Threat Assessment Team is that it should be involved in the campus' ongoing response to a situation, the student will be "Activated." A decision to activate a case is based on an evaluation of the totality of the facts and circumstances known at the time and on the experience and professional judgment of the team members and not simply whether one or more thresholds have been crossed.
4. An "Activated" student is reviewed and/or monitored as appropriate where the following may occur:
 - a. Check FOID card and concealed carry permit status
 - b. Check criminal history
6. An "Activated" student will have a Coordinator assigned and an action plan developed with an inclusion of realistic expectations.
7. Whenever necessary based on the facts known at the time and the professional judgment of Threat Assessment Team members, an emergency meeting of the full Threat Assessment Team will be held.
8. See Attachment A for information regarding a mandated assessment following a suicide threat/attempt.
9. See Attachment B for general policies and regulations regarding alcohol and drug abuse for students.
10. Information will be appropriately shared with outside agencies and/or jurisdictions.

C. Training & Education/Awareness Building²

1. New RAs and RDs are informed of the policies, protocols and procedures related to campus violence prevention during staff training and in-services. Other staff members are made aware of the policies, protocols and procedures during periodic training sessions as they relate to the aforementioned behavioral thresholds.
2. Sexual assault prevention/awareness. The Assistant Director of Access and Equity & Title IX Coordinator, or designee, provides multiple training and educational sessions on sexual assault prevention and awareness throughout the year and on request, particularly for Greek-letter and other student organizations. The Assistant Director of Access and Equity &

² 29 Ill.ADM.CODE 305 states in Subpart E: Training and Exercise Guidelines (Section 305.100), "Pursuant to the Act, each higher education institution shall conduct training on its CEOP and CVPP annually. Training should include all administrators, faculty, staff, students and any other members of the campus community so they are familiar with key components of the CEOP and CVPP."

Title IX Coordinator, or designee, provides training during new student orientation to all incoming undergraduate and graduate students, including international students. In addition, all RAs and RDs receive targeted Title IX and Clery Sexual Misconduct Awareness and Prevention Training as first responders for incidents involving residential students. UIS requires all employees and students to complete mandatory annual Sexual Misconduct Awareness and Prevention Education and Training. Additionally, the Women's Center and the Counseling Center provide multiple educational session and resources to students regarding sexual assault prevention and awareness.

3. Other safety programs and presentations: UIS Police offers Rape Aggression Defense training, a comprehensive course for women that begins with awareness, prevention, risk reduction and avoidance, while progressing to the basics of hands-on defense training. UIS Police also show a safety video during new student orientation sessions to educate new students on campus safety. The Counseling Center and the Office of the Dean of Students conduct annual training to multiple focus groups on campus that focus on distressed and distressing students.

D. Privacy Protection

Information is shared in accordance with all federal and state laws regarding student, client and/or patient confidentiality.

V. Violence Prevention Program for Faculty and Staff

A. Thresholds Applying to Faculty/Staff

1. Violent ideation: expression of violent ideas or intent to harm others.
2. Suicide threat, attempt or significant ideation.
3. Pattern of physical or emotional bullying and/or intimidation.
4. Unwelcome sexual advances, requests or other verbal or physical sexual conduct.
5. Harms or destroys property in a way that could endanger others.
6. Inappropriate attempts to control processes, outcomes, or decisions beyond the person's control.
7. Pursuing unreasonable options and continues to do so after instructed to stop (e.g. fixation on an 'injustice').
8. Delusional ideations or behaviors (persecutory, paranoia, hallucinations).
9. Excessive, escalating or inappropriate alcohol or other drug use.

B. Responses to Faculty/Staff Who Appear to Have Crossed One or More Threshold(s)

1. UIS Police are contacted as appropriate to address a threat of harm and/or suspected criminal activity.
2. UIS Police, Supervisors and Unit Executive Officers provide relevant information about the concerns to Human Resources.
3. The Threat Assessment Team will convene and consider available information to make a preliminary determination as to whether or not one or more thresholds have been crossed. The review may include FOID card and concealed carry permit status checks as well as a criminal history review.
4. The employee may be placed on administrative leave while the situation is evaluated.
5. When the consensus of the Threat Assessment Team is that it should be involved in the campus' ongoing response to a situation, the case will be "Activated." A decision to activate a case is based on an evaluation of the totality of the facts and circumstances known at the time and on the experience and professional judgment of the team members, and not simply whether one or more of the thresholds have been crossed.
6. For all "Activated" cases, a Coordinator is assigned and an action plan is developed to respond to the concerns. The response may include interviewing individuals, FOID card and concealed carry permit status checks, a criminal history review, and any necessary employment action. For all activated cases, the Coordinator is responsible for documenting the progress of the case.
7. Information will be appropriately shared with outside agencies and/or jurisdictions.

C. Training & Education/Awareness Building³

1. **Supervisor/ unit executive officer training.** Supervisors and unit executive officers are made aware of violence prevention policies during supervisory training offered by Human Resources.
2. **Training in-place.** Supervisors and unit executive officers involved in new and ongoing situations are trained in-place by campus professionals.
3. **Additional training.** UIS Police offers Rape Aggression Defense training, a comprehensive course for women that begins with awareness, prevention, risk

³ 29 Ill.ADM.CODE 305 states in Subpart E: Training and Exercise Guidelines (Section 305.100), "Pursuant to the Act, each higher education institution shall conduct training on its CEOP and CVPP annually. Training should include all administrators, faculty, staff, students and any other members of the campus community so they are familiar with key components of the CEOP and CVPP."

reduction and avoidance, while progressing to the basics of hands-on defense training. The Counseling Center together with the Dean of Students Office provides training for faculty and staff related to concerning topics such as suicide ideation and assisting troubled students. UIS mandates the completion of Title IX Sexual Misconduct Awareness and Prevention Training annually for all employees.

D. Privacy Protection

Personnel records are shared in accordance with applicable federal and state laws.

VI. Violence Prevention Program for the Public

A. Thresholds Applying to the Public

1. Violent ideation: expression of violent ideas or intent to harm others.
2. Suicide threat, attempt or significant ideation.
3. Pattern of physical or emotional bullying and/or intimidation.
4. Unwelcome sexual advances, requests or other verbal or physical sexual conduct.
5. Harms or destroys property in a way that could endanger others.
6. Inappropriate attempts to control processes, outcomes, or decisions beyond the person's control.
7. Pursuing unreasonable options and continues to do so after instructed to stop (e.g. fixation on an 'injustice').
8. Delusional ideations or behaviors (persecutory, paranoia, hallucinations).
9. Excessive, escalating or inappropriate alcohol or other drug use.

B. Responses to Members of the Public Who Appear to Have Crossed One or More Threshold(s)

1. UIS Police are contacted as appropriate to address a threat of harm and/or suspected criminal activity.
2. UIS Police may conduct FOID card and/or concealed carry permit status check(s), and a criminal background check.^{[[1]]}_{SEP}
3. As warranted, UIS Police will inform and consult with appropriate members of the Threat Assessment Team. The Threat Assessment Team will convene and consider available information to make a preliminary determination as to whether or not one or

more thresholds have been crossed. The review may include FOID card and concealed carry permit status checks as well as a criminal history review.

4. When the consensus of the Threat Assessment Team is that it should be involved in the campus' ongoing monitoring and/or management of a situation, the case will be "Activated." A decision to activate a case is not based solely or automatically on the determination that an individual has crossed one or more thresholds. Rather, activation is based on an evaluation of the totality of the facts known at the time and on the experience and professional judgment of the team members.
5. For all "Activated" cases, a coordinator is assigned and an action plan is developed to respond to the concerns. The response may include interviewing individuals, FOID card and concealed carry permit status checks, criminal history review. For all activated cases, the coordinator is responsible for documenting the progress of the case
6. Information will be shared with outside agencies and/or jurisdictions.

VII. Members of the Campus Community Who Have Filed an Order of Protection and/or Are Involved in a Situation Involving Intimate Partner Violence

Any member of the university community who files an Order of Protection is strongly encouraged to notify the UIS Police. As warranted, campus units are strongly encouraged to notify the UIS Police when they become aware of an order of protection and/or a situation involving intimate partner violence.

1. The UIS Police will work with the affected individual and assess any safety concerns.
2. As warranted, the UIS Police may assist in creating a safety plan.
3. As warranted, UIS Police will contact the Associate Chancellor for Public Affairs or another member of the Threat Assessment Team to convene its membership.
4. If a situation arises to the threshold of being "activated" (by consensus of the Threat Assessment Team), a coordinator is assigned and an action plan is developed.
5. Ongoing developments will be periodically reviewed until the situation is "deactivated."

Attachment A
Student Emergency and Referral Procedures

The University of Illinois Springfield expects and encourages students to maintain reasonable care for their own well-being. Students who threaten or attempt suicide, engage in efforts to prepare to commit suicide, or express a preoccupation with suicide are required to attend four sessions of professional assessment at the UIS Counseling Center or with an external licensed mental health professional. Requests to meet the four-session requirement through an external licensed mental health professional must be approved by the Counseling Center.

Attachment B

Drug and Alcohol Policy

UIS is committed to maintaining a drug- and alcohol-free environment for its students and employees, in compliance with applicable federal and state laws. Students or employees who violate federal or state laws concerning drugs or alcohol are subject to criminal prosecution; those who violate university policies may also be subject to institutional sanctions.

No one under the age of 21 may store, possess or consume alcoholic beverages on any property under the control of the university, including campus housing. Persons of legal drinking age – age 21 years or older – may possess or consume alcoholic beverages only in areas or at functions specifically designated or approved for such use.

The unlawful or unauthorized possession, use, distribution dispensation, sale or manufacture of controlled substances or alcohol is prohibited on university property or as part of any university activity. Employees and students who violate this policy may be disciplined in accordance with university policies, statues, rules, regulations, employment contracts and labor agreements, up to and including dismissal and referral for prosecution.

Under the federal Controlled Substances Act, marijuana is classified as a Schedule 1 controlled substance and is illegal. Consistent with that Act and the federal Drug Free Schools and Communities Act and the Drug Free Workplace Act, UIS prohibits the possession, use, distribution, dispensation, sale or manufacture of marijuana on University property or as part of any University activity. The passage of the Illinois Cannabis Regulation and Tax Act in 2019, which legalizes certain activities related to marijuana under Illinois state law effective January 1, 2020, does not affect federal law or UIS' marijuana prohibition.

In addition, UIS' marijuana prohibition applies to both recreational and medical use. That means having a medical marijuana registry identification card under the Illinois Compassionate Use of Medical Cannabis Pilot Program Act does not allow you to use or possess marijuana on University property or as part of any University activity.

Attachment C
Parental Notification

The University of Illinois Springfield is committed to providing a safe campus environment that enhances student learning and development.

The campus acknowledges the important role of parents in supporting and facilitating their child's success in college.

In accordance with federal law, the UIS administration may notify a student's parents of the student's violation of federal, state or local law, or of any rule or policy of the University regarding the use or possession of alcohol or a controlled substance, if the student is under age 21 at the time of the notification and if UIS has determined that the student has committed a disciplinary violation.

The decision to give parental notification will be based on factors such as the student's prior judicial history, the severity of the alleged incident and other relevant circumstances.

Attachment D

Sexual Misconduct Policy

Part A - General

Section 1. Purpose, Discrimination Prohibition and Scope

a. Purpose

The purpose of this policy is threefold:

- 1) To foster an educational and workplace environment free from Gender and sex discrimination, including Title IX Sexual Harassment and other Sexual Misconduct;
- 2) To encourage all members of the UIS community to report alleged violations of this policy;and,
- 3) To provide for appropriate corrective action when violations of this policy occur.

b. Discrimination on the Basis of Gender or Sex is Prohibited

UIS prohibits and does not tolerate Gender or sex discrimination, which includes Title IX Sexual Harassment and other Sexual Misconduct. To prevent discrimination on the basis of Gender or sex,UIS ensures access to equitable educational opportunities and program participation. No one is, onthe basis of Gender, sex, or actual or perceived sexual orientation or gender identity, excluded from participation in, denied the benefits of, or subjected to discrimination under any UIS education program or activity.

UIS is committed to providing and preserving an educational and work environment free from allforms of Gender and sex discrimination, including Title IX Sexual Harassment and other Sexual Misconduct.

c. Scope

This policy applies:

- To all members of the UIS community, including all UIS students; employees; other affiliated individuals, including but not limited to, visiting faculty and visiting scholars;

and third parties, including but not limited to contractors, subcontractors, volunteers, applicants for enrollment or employment, and visitors. Any person may report an alleged or suspected violation of this policy.

All references to UIS and “campus” include UIS’s Springfield, Innovate Springfield, Peoria, and Emiquon Conservancy locations, as well as any other UIS premises, property, or facilities.

Section 2. UIS Title IX Coordinator

The UIS Title IX Coordinator coordinates UIS’s efforts to comply with and carry out UIS’s responsibilities under this policy, including the effective implementation of any remedies designed to restore or preserve equal access to UIS’s education program or activity.

The UIS Title IX Coordinator receives concerns or reports by e-mail at titleix@uis.edu, by mail at Mail Stop 30 Human Resources Building University of Illinois Springfield, One University Drive, Springfield, IL 62703, or by phone at (217) 206-9999. The Title IX Coordinator is available to meet in-person upon request at the AEO Office (UIS Human Resources Building, Room 52) or at any other appropriate campus location.

Section 3. Definitions

For the definitions of key terms used in this policy, see Appendix A. Defined terms used in this policy begin with capital letters.

Section 4. Awareness, Education, and Counseling

a. Dissemination of the Sexual Misconduct Policy

UIS posts this policy and the associated procedures on the [UIS Title IX website](#) to ensure it is available to the entire UIS community. A copy of this policy will be provided to anyone upon request.

b. Education, Awareness, and Prevention Programs

UIS provides annual sex and Gender discrimination and Sexual Misconduct prevention and awareness training for all students. The content of this training is described in more detail at Appendix B.

Consistent with applicable federal and state law, UIS provides annual Sexual Misconduct prevention and Title IX Sexual Harassment training to all employees. UIS also ensures those individuals whose duties include resolution of complaints of student violations of this policy receive at least eight additional hours of annual training regarding issues related to Title IX Sexual Harassment and the UIS complaint resolution procedures.

c. Counseling Services

Confidential Advisors at the UIS Counseling Center provide emergency and ongoing support to student members of the campus community who report being victims of Sexual Misconduct. For more information about UIS Confidential Advisors and the services they provide, see Appendix C.

The Counseling Center also makes professional counseling services available to those students accused of committing Sexual Misconduct.

Employees requesting counseling services are provided information on accessing services available through the University's Employee Assistance Program or through other resource providers.

Section 5. Alleged Violations of this Policy

a. Reporting Options

Any person may report Sexual Misconduct involving UIS students; employees; other affiliated individuals, including but not limited to, visiting faculty and visiting scholars; and third parties, including but not limited to contractors, subcontractors, volunteers, applicants for enrollment or employment, and visitors (whether or not the person reporting is the person alleged to be the victim), in person, by mail, by telephone, or by email, using the contact information listed for the UIS Title IX Coordinator in Section 2, or by any other means that results in the UIS Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator. Reports may also be submitted [online](#), either confidentially, to the extent permitted by law, or anonymously.

In addition to notifying the Title IX Coordinator, persons believing they are the victim of Sexual Violence, Dating Violence, Domestic Violence, or Stalking, or who have information about the commission of such offenses, are encouraged to inform the UIS police or local police. For a more complete discussion of reporting options and actions, see Appendix D. For other incidents involving alleged inequitable treatment on the basis of sex, contact the Title IX Coordinator.

The Title IX Coordinator provides persons reporting as victims of Sexual Misconduct with their rights and options in writing concerning reporting the allegations, relevant contact information, available assistance, Supportive Measures, accommodations, and complaint resolution procedures.

b. Responsible Employee Reporting Requirements

UIS Confidential Advisors are not considered Responsible Employees. All other UIS employees, including student housing resident advisors but excluding all other undergraduate and graduate student employees, are considered Responsible Employees.

In order for UIS to respond effectively and proactively to prevent Sexual Misconduct, all UIS Responsible Employees must report any suspected Sexual Misconduct they become aware of to the Title IX Coordinator.¹ Reports should be made as soon as possible, but must be made within 48 hours of receiving the information. For a more complete discussion of Responsible Employee duties and responsibilities, see Appendix E.

Responsible Employees who witness or learn about alleged Sexual Misconduct and who fail to report such conduct in a timely manner may be subject to disciplinary action, up to and including termination of employment.

¹Responsible Employees are not required to report disclosures made in connection with public awareness events when individuals do not intend to make a disclosure such as “Take Back the Night,” candlelight vigils, protests, town hall meetings, survivor speak-outs, etc.

c. Supportive Measures

UIS' concern for student, employee, and community safety is paramount. Accordingly, UIS provides anyone reporting safety concerns, including Complainants and Respondents, with written notice regarding how to request Supportive Measures, such as changes to on-campus academic, living, transportation, and working situations. A non-exclusive list of Supportive Measures is found in Appendix F.

Supportive Measures are available whether or not a complaint is filed. The Title IX Coordinator assists with identifying Supportive Measures taking into account the parties' requests and is responsible for coordinating their effective implementation.

UIS keeps the Supportive Measures confidential unless doing so would impair UIS' ability to provide them.

d. Emergency Removal

UIS may remove a Respondent from UIS Education Programs or Activities on an emergency basis. Any such removal will be based upon an individualized safety and risk analysis that determines the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct justifying removal. Immediately after the removal, UIS will provide the Respondent with notice and an opportunity to challenge the decision.

e. Administrative Leave

Subject to applicable laws, regulations and policies, UIS may place Respondent on administrative leave during the pendency of the applicable grievance process.

f. Confidentiality

The Title IX Coordinator and all UIS administrators, supervisors, Responsible Employees, and others engaged in the administration or execution of this policy, keep confidential the identity of any individual who has made a report of Sexual Misconduct, any Complainant, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law,

or to carry out the purposes of this policy, including but not limited to the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Although UIS does not restrict the ability of any party to discuss any Sexual Misconduct allegations under investigation or to gather and present relevant evidence, UIS requests those involved in the complaint resolution process to respect confidentiality, particularly when confidentiality is required to protect witnesses, prevent evidence from being destroyed, avert a threat that subsequent testimony would be fabricated, or prevent a cover-up.

Section 6. Students and Employees with Grievance Rights

Nothing in this policy overrides provisions in applicable state or federal law, University of Illinois or UIS governing documents, collective bargaining agreements, or other contractual obligations of the University of Illinois or UIS.

For State Universities Civil Service System employees found to have violated this policy and subject to the responsible administrator's recommendation that disciplinary action be taken, the employee is covered by "AN ACT TO CREATE THE STATE UNIVERSITIES CIVIL SERVICE SYSTEM" which specifies that "...no employee shall be demoted, removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense..." before an Advisory Committee of the Merit Board. Please contact Human Resources for additional information and assistance.

Section 7. Conflicts of Interest

Persons conducting functions pursuant to this policy, including but not limited to the Title IX Coordinator, Investigators, decision-makers, or anyone designated to facilitate an informal resolution process, must be free from conflicts of interest and bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

UIS officials with a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent must recuse themselves from taking any part in the Formal Complaint resolution process and notify the appropriate UIS or University of Illinois official so that a substitute can be designated. Either party concerned that an official with authority to make a finding or impose a sanction might have a conflict of interest or bias may request, in writing, a substitution of that official.

For additional information on how certain conflicts of interest are resolved, see Appendix G.

Section 8. Duty to Cooperate; Retaliation Prohibited

All University students and employees have a duty to cooperate with investigations under this policy and provide truthful information. This does not require the disclosure of information protected under a legally recognized privilege unless such privilege has been waived.

Knowingly making false statements or knowingly submitting false information during the hearing process may result in discipline. A determination of responsibility, alone, is not sufficient to conclude that false information was intentionally provided.

It is a violation of Title IX and/or this policy to retaliate against a person for reporting in good faith an alleged or suspected violation of this policy, or for assisting, participating, or cooperating in an investigation of the same. UIS takes immediate and appropriate steps to investigate allegations of Retaliation and protects the Complainant, as necessary.

The reporting party can use the complaint resolution mechanisms specified in this policy to allege Retaliation. Retaliation is a basis for disciplinary action or sanctions up to and including termination of employment or dismissal/expulsion.

Section 9. Filing Complaints with External Agencies

Individuals believing they have experienced discrimination on the basis of Gender or sex at UIS have the right to initiate a complaint with an appropriate state or federal agency. For more information, see Appendix H.

Section 10. UIS-Wide Task Force

UIS sponsors a UIS-wide task force with members drawn from UIS staff, UIS students, the UIS Police, and the Peoria campus. Representatives from community-based organizations and local law enforcement are also invited to participate. The task force works toward improving UIS coordination with community leaders and service providers to prevent Sexual Misconduct and to facilitate a coordinated response both in terms of law enforcement and victim services. UIS makes appropriate training available to task force members.

Section 11. Annual Reports

UIS provides no later than November 1st of each year a report concerning the immediately preceding calendar year to the Illinois Department of Human Rights and the Attorney General with all of the components required by Section 9.21 of the Illinois *Board of Higher Education Act* (110 ILCS 205/9.21).

Part B – Resolving Complaints Under Title IX

Section 1. Application

Part B applies to Title IX Sexual Harassment in a UIS Education Program or Activity allegedly occurring against a person in the United States.

Conduct prohibited by Title IX and addressed by this part may violate other laws and policies, depending on context and circumstances, e.g., discrimination on the basis of sex in employment violates Title VII of the Civil Rights Act of 1964, as amended, and UIS’s Non-Discrimination and Equal Opportunity Policy. Nothing in this policy prevents UIS from addressing Sexual Misconduct not covered by Title IX under other laws or UIS policies and procedures, including Part C, below.

If the regulations implementing Title IX at 85 Fed. Reg. 30026, 30026-30579 are enjoined or invalidated by a Federal Court with jurisdiction over UIS or reversed or replaced by any agency with sufficient authority, *Part C – Resolving Complaints Under Other Laws, Regulations, and Policies* will immediately begin to apply to all reports and complaints of Sexual Misconduct, including Title IX Sexual Harassment, and *Part B – Resolving Complaints Under Title IX* will immediately be inoperative unless and until any such injunction, invalidation, reversal, or replacement is overturned.

Section 2. Complaint and Investigation Procedures

a. Overview

UIS is committed to treating Complainants and Respondents equitably by:

- Promptly resolving all alleged or suspected violations of this policy;
- Providing remedies to a Complainant where a Determination Regarding Responsibility for Title IX Sexual Harassment has been made against a Respondent; and
- Following the grievance process set out in this policy before the imposition of any final disciplinary sanctions or other actions that are not Supportive Measures against a Respondent.

When the Title IX Coordinator becomes aware of an allegation that could constitute Title IX Sexual Harassment, the Title IX Coordinator promptly contacts the alleged victim, if known, to discuss the availability of Supportive Measures, explain the alleged victim's rights and options, and explain the process for filing a Formal Complaint. To be eligible to file a Formal Complaint, a Complainant must be participating in or attempting to participate in a UIS Education Program or Activity.

After learning of their options and getting answers to any questions they may have, Complainants decide whether to file a Formal Complaint. If they choose not to file a Formal Complaint or if they are not eligible to do so, the Title IX Coordinator will still discuss with them available Supportive Measures.

UIS is committed to resolving complaints in a reasonably prompt timeframe. UIS strives to conclude the grievance process within 120 calendar days of complaint filing. UIS permits the temporary delay of the grievance process or limited extensions of time for good cause with written notice to the Complainant and Respondent of the delay or extension and reasons for the action.

Good cause may include, but is not limited to, the unavailability of a party, a party's advisor, or a witness; concurrent law enforcement activity; complying with collective bargaining agreements, complying with other legal requirements, or the need for language assistance or accommodation of disabilities.

b. Formal Complaint Resolution Process

Complainants desiring to submit a written Formal Complaint alleging Title IX Sexual Harassment should submit it to the Title IX Coordinator in person, by regular mail, or email. Formal Complaints submitted by Complainants must be signed, either physically or digitally, or otherwise indicate that the Complainant is the person filing the Formal Complaint. At the time a Complainant files a Formal Complaint with the Title IX Coordinator, the Complainant must be participating in or attempting to participate in a UIS Education Program or Activity.

The Title IX Coordinator may also initiate the Formal Complaint process on her/his own accord after becoming aware of an allegation of Title IX Sexual Harassment involving UIS

students or employees. In such cases, the Title IX Coordinator is not considered a Complainant or otherwise a party to the complaint and all requirements under this policy continue to apply. For more information on the Title IX Formal Complaint resolution process, see Appendix I.

c. Investigating the Complaint

Formal Complaints that are not dismissed either by the Title IX Coordinator or on appeal are investigated by a trained Investigator. Investigations are conducted in a prompt, thorough, fair and impartial manner. As part of the investigation process, the Investigator initially identifies him/herself to the parties and gives each party the opportunity to request from the Chancellor or her/his designee a different Investigator if there is a conflict of interest. The burden of gathering evidence sufficient to reach a Determination Regarding Responsibility on the allegations rests with UIS, which uses the Investigator to collect evidence for the investigation and prepare a Report of Investigation. Any pending criminal investigation or criminal proceeding may impact the timing of UIS's investigation, but UIS commences its investigation as soon as possible. UIS coordinates with law enforcement investigations and shares information to the extent permitted by law and as appropriate. UIS reserves the right to commence and complete its own investigation prior to the completion of any criminal investigation or criminal proceeding.

For more information on investigating complaints under Title IX, see Appendix J.

d. Title IX Informal Complaint Resolution Process

Depending upon the circumstances, the Complainant may desire to seek an informal resolution of the allegations of Title IX Sexual Harassment. Title IX informal complaint resolution is not available unless the Complainant has already filed a Formal Complaint. Participation in Title IX informal complaint resolution is completely voluntary on the part of all parties and any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. Title IX informal complaint resolution is not an option in cases where an employee is alleged to have engaged in Title IX Sexual Harassment against a student. For more information on the Title IX informal complaint resolution process, see Appendix K.

Section 3. Resolving Complaints

a. Hearings

Unless the parties voluntarily agree to resolve a Formal Complaint using a Title IX informal complaint resolution process, all Formal Complaints are resolved through a live hearing that allows both parties to participate equally.

For student Respondents, the Office of the Dean of Students initiates the hearing process by forwarding the Report of Investigation, together with any written responses submitted by the parties, to the Chair of the Executive Panel for a proceeding under the Student Conduct Code.

For employee Respondents, the employee's supervisors and Human Resources initiate the hearing process upon receipt of the Report of Investigation, together with any written responses submitted by the parties.

Upon completion of the grievance process, a written Determination Regarding Responsibility will be issued.

For more information on the Title IX hearing process, see Appendix L.

b. Evidence of Non-Title IX Misconduct

In the case of student Respondents, the Dean of Students reviews the Report of Investigation and the Determination Regarding Responsibility to determine if there is evidence of other Student Conduct Code violations. Similarly, in the case of employee Respondents, the employee's supervisors and/or other officials review the Report of Investigation and Determination Regarding Responsibility to determine if there is evidence of other violations of law or policy. If there is evidence of non-Title IX violations, the disciplinary procedures applicable to those alleged violations are followed.

c. Documentation

UIS maintains the following records for a period of seven years:

- Title IX Sexual Harassment Reports of Investigation, Determinations

Regarding Responsibility, recordings of hearings, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant;

- Any appeals and their results;
- Any Title IX informal complaint resolutions and their results; and
- All materials used to train the Title IX Coordinator, Investigators, Hearing Panel members, decision-makers on appeal, and any person who facilitates a Title IX informal complaint resolution process.
- Records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of Title IX Sexual Harassment, together with the basis for concluding that the UIS response was not deliberately indifferent. If UIS does not provide a Complainant with Supportive Measures, UIS will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.
- Documentation that UIS took measures designed to restore or preserve equal access to its Education Program or Activity.

With the exception of training material posted on the UIS Title IX webpage, all records are confidential and are made available to persons outside of the process only as required or permitted by law.

Section 4. Appeals

Complainants and Respondents may appeal the Title IX Coordinator's decision regarding dismissal of a Formal Complaint or the Hearing Panel's Determination Regarding Responsibility. Parties may appeal only on the following grounds: (A) procedural irregularity that affected the outcome of the matter; (B) new evidence that was not reasonably available at the time the Determination Regarding Responsibility or decision regarding dismissal was made that could affect the outcome of the matter; and/or (C) the Title IX Coordinator, Investigator, Hearing Panel member, or decision-maker on appeal had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The procedures for appealing the Title IX Coordinator's decision regarding dismissal of a Formal Complaint are set forth in Appendix M.

The procedures for appealing the Hearing Panel's Determination Regarding Responsibility in student Respondent cases are set forth in the Student [Code of Conduct Policy](#).

The procedures for appealing the Hearing Panel's Determination Regarding Responsibility in employee Respondent cases are set forth in the UIS [Sexual Misconduct Policy](#).

Both parties retain any rights to file a complaint with an appropriate state or federal agency or the courts in accordance with applicable law.

Part C – Resolving Complaints Under Other Laws, Regulations, and Policies

Section 1. Application

Part C addresses Sexual Misconduct under University of Illinois policies and state or federal laws other than Title IX of the Education Amendments of 1972 and its implementing regulations.

Applicable policies and laws include, but are not limited to, the UIS Conduct Code for students, and Title VII of the Civil Rights Act of 1964, as amended, and UIS's Non-Discrimination and Equal Opportunity Policy for employees. Conduct addressed under this part may also violate Title IX and Part B of this policy.

Section 2. Complaint and Investigation Procedures

UIS is committed to the prompt and equitable resolution of all allegations of Sexual Misconduct. When UIS becomes aware of an allegation of Sexual Misconduct, UIS takes immediate and appropriate steps to investigate or otherwise determine what occurred (subject to confidentiality rules). If the evidence establishes that the alleged Sexual Misconduct occurred, UIS takes action reasonably calculated to end the misconduct, prevent its recurrence, and, as appropriate, remedy its effects.

UIS's ability to investigate in a particular situation may be affected by any number of factors, including whether the Complainant is willing to file a complaint or consent to an investigation, whether the Respondent is a UIS student or employee, where the alleged Sexual Misconduct occurred, and UIS's access to relevant information. UIS is nonetheless committed to investigating alleged Sexual Misconduct to the fullest extent possible.

Any pending criminal investigation or criminal proceeding may impact the timing of UIS's investigation, but UIS commences its own investigation as soon as possible. UIS coordinates with law enforcement investigations and shares information to the extent permitted and as appropriate. UIS reserves the right to commence and complete its own investigation prior to the completion of any criminal investigation or criminal proceeding.

a. Informal Resolution Process

In some situations, a Complainant may wish for the alleged conduct to be addressed but does not desire remedies that would involve going through the university's formal grievance process (e.g., punitive disciplinary sanctions). In these cases, the Complainant may request that the Title IX Coordinator facilitate an informal resolution if it is appropriate under the circumstances. For more information on the informal resolution process, see Appendix N.

b. Complaint Resolution Process

Any person may submit a complaint alleging Sexual Misconduct. Complaints are submitted in person or in writing to the Title IX Coordinator. Complaints covered by this part must be submitted within 180 calendar days of the occurrence of the matter being complained about. Complaints submitted outside this timeline are normally not investigated unless the Title IX Coordinator determines there is an ongoing risk to the safety of the UIS community, although Supportive Measures are generally available for current students and employees without regard to when the matter being reported occurred. The Title IX Coordinator may also initiate the complaint process on her/his own accord after becoming aware of possible Sexual Misconduct involving UIS students or employees.

For more information on the complaint resolution process, see Appendix O.

c. Investigating the Complaint

If the Title IX Coordinator determines that the issue or concerns presented, if true, would constitute a violation of applicable law or UIS policy, including this policy, s/he consults with the Complainant to determine if a formal investigation is appropriate. If a formal investigation is initiated, it is conducted in a prompt, thorough, fair and impartial manner by a trained Investigator, who may be the Title IX Coordinator. As part of the investigation process, the Investigator initially identifies him/herself to the parties and gives each party the opportunity to request from the Chancellor or her/his designee a different Investigator if there is a conflict of interest. The burden of gathering evidence sufficient to reach a determination regarding the allegations rests with the Investigator, who collects evidence for the investigation and prepares a Report of Investigation.

For more information on the investigation of complaints and the Report of Investigation, see Appendix P.

Section 3. Resolving Complaints

Unless the Complainant's concerns are resolved informally, complaints are resolved as follows.

For student Respondents, the Office of the Dean of Students receives the Report of Investigation, together with any written responses submitted by the parties, and addresses the complaint under the applicable hearing procedures of the Student Conduct Code.

For employee Respondents, the Title IX Coordinator reviews the Report of Investigation, together with any written responses submitted by the parties, and prepares a written determination regarding whether the Respondent committed the alleged Sexual Misconduct and, if so, recommends appropriate corrective options. The Respondent's supervisors or other officials may take appropriate disciplinary action applicable to the Respondent's employee group.

The standard for determining whether the alleged Sexual Misconduct occurred in both student and employee Respondent cases is whether it is more likely than not, based on the evidence, that the Respondent committed the Sexual Misconduct as alleged. This is the "preponderance of the evidence" standard of proof. The Title IX Coordinator encourages Complainants to report if any issues resume and/or if retaliatory conduct occurs. For more information on resolving complaints, see Appendix Q.

Section 4. Appeals

Complainants and Respondents may appeal the complaint outcome. See Appendix R.

Appendices

Appendix A: Definitions

Appendix B: Annual Training for UIS Students

Appendix C: Confidential Advisors

Appendix D: What To Do If You Are The Victim Of Sexual Misconduct

Appendix E: Responsible Employees

**Appendix F: Non-Exclusive List of Supportive Measures and Corrective Action/
Remedies**

Appendix G: Additional Information on Conflicts of Interest

Appendix H: Filing Reports with External Agencies

Appendix I: Title IX Formal Complaint Resolution Process

Appendix J: Investigating Complaints Under Title IX

Appendix K: Title IX Informal Complaint Resolution Process

Appendix L: Title IX Hearing Process

Appendix M: Appealing Dismissals of Formal Complaints Under Title IX

**Appendix N: Informal Complaint Resolution Process Under Other Laws, Regulations
and Policies**

**Appendix O: Complaint Resolution Process Under Other Laws, Regulations and
Policies**

Appendix P: Investigating Complaints Under Other Laws, Regulations and Policies

Appendix Q: Findings and Disciplinary Action Under Other Laws, Regulations and Policies

Appendix R: Appeals Under Other Laws, Regulations and Policies

Appendix A

Definitions

Campus Security Authority. A Campus Security Authority is (i) a campus police department or a campus security department of an institution; (ii) any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property; (iii) any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; and (iv) an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

Complainant. A person alleging a violation of this policy. If the alleged violation involves Title IX, the Complainant must be the individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment.

Confidential Advisors. Professional counselors available at the UIS Counseling Center or off-campus who provide emergency and ongoing support, help find needed resources, and talk with students about reporting Sexual Misconduct. Confidential Advisors are not considered Responsible Employees. All communications between a Confidential Advisor and a survivor of Sexual Violence pertaining to an incident of Sexual Violence are confidential, unless the student victim consents to the disclosure in writing, the disclosure falls within a statutory exception, or failure to disclose the communication would violate state or federal law.

Consent. Consent means freely given words or actions that indicate an agreement to participate in sexual activity. A person can withdraw consent at any time. There is no consent when a person submits to sexual activity due to the use of force or threats of force, intimidation, or duress. A person's lack of verbal or physical resistance or manner of dress does not constitute consent. Consent to a past sexual activity does not constitute consent to future sexual activity. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. A person cannot consent to sexual activity if the person is

unable to understand the nature, fact, or extent of the activity or give knowing consent due to circumstances including without limitation the following:

1. the person is incapacitated due to the use or influence of alcohol or other drugs;
2. the person is asleep or unconscious;
3. the person is under the legal age to provide consent; or
4. the person has a disability that prevents such person from having the ability or capacity to give consent.

Dating Violence. Violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim, and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors (i) the length of the relationship, (ii) the type of the relationship, and (3) the frequency of the interaction between the persons involved in the relationship.

Day. Day means a calendar day, excluding University holidays and semester breaks.

Dean of Students. The Dean of Students is the UIS official designated by the Vice Chancellor for Student Affairs to oversee and manage the UIS Student Conduct Code. Unless otherwise indicated, references in this policy to the Dean of Students include persons designated by the Dean of Students.

Domestic Violence. Includes any crime(s) committed against an individual by a current or former spouse or intimate partner (as defined under the family or domestic violence laws of Illinois), including but not limited to: domestic battery, aggravated domestic battery, stalking, aggravated stalking, cyberstalking, sexual assault, and sexual abuse

Determination Regarding Responsibility. A finding by the Hearing Panel regarding whether the Respondent did or did not commit the alleged Title IX Sexual Harassment.

Education Program or Activity. Education Program or Activity includes locations, events, or circumstances over which UIS exercised substantial control over both the Respondent and the context in which the Title IX Sexual Harassment occurred, as well as any building owned or controlled by a registered student organization. It includes all UIS premises, property, and facilities, wherever located.

Formal Complaint. A document filed by a Complainant or signed by the Title IX Coordinator

alleging Title IX Sexual Harassment against a Respondent and requesting that UIS investigate the allegation. A Formal Complaint can be a document or electronic submission (such as by email) provided it contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

Gender. A classification assigning masculine or feminine labels to people, typically based on biological sex and acknowledging only two genders, male or female/man or woman.

Gender-based Harassment. A form of sex-based harassment referring to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on Gender Identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature.

Gender Expression. The external display of one's Gender Identity, through an array of markers that may include dress, demeanor, social behavior, mannerisms, or other factors, generally measured on scales of masculinity and femininity.

Gender Identity. The internal perception of one's Gender or sense of masculinity, femininity, or a fluid combination; how individuals label themselves, regardless of biological sex.

Hearing Panel. The decision-maker who makes a Determination Regarding Responsibility concerning a complaint of Title IX Sexual Harassment. Hearing Panels may consist of one or more appropriately trained individuals and must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. Hearing Panels cannot include as members the Title IX Coordinator, the UIS investigator, or any other person who participated previously in the investigation or resolution of the Formal Complaint of Title IX Sexual Harassment.

May also be referred to as "Hearing Officer" or Hearing Decision-Maker in the employment context.

Inducing Incapacitation for Sexual Purposes. Using drugs, alcohol, or other means with the intent to affect or having an actual effect on the ability of an individual to consent or refuse to consent to sexual contact.

Investigator. A person designated by UIS to investigate complaints under this policy. Before investigating a complaint, UIS Investigators receive appropriate training, including on issues of relevance, to create a Report of Investigation that fairly summarizes relevant evidence.

Investigators are UIS employees or other persons retained to conduct investigations required by this and other University of Illinois System policies and U.S. laws.

Relationship Violence. A collective term that encompasses domestic violence and dating violence. Also referred to as Intimate Partner Violence.

Remedies. Measures designed to restore or preserve equal access to UIS's education program or activity. Remedies may include the same individualized services as Supportive Measures but need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

Respondent. An individual who has been reported to be the perpetrator of conduct that could constitute a violation of this policy.

Responsible Employee. Any employee who has the authority to take action to redress Sexual Violence; who has been given the duty of reporting incidents of Sexual Misconduct by students to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty. UIS Confidential Advisors are not considered Responsible Employees; however, all other UIS employees, including student housing resident advisors but excluding all other undergraduate and graduate student employees, are considered Responsible Employees.

Retaliation. Any action or attempted action taken by an accused individual or a third party against any person because that person opposed any practices forbidden under this policy or because that person in good faith filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. This includes action taken or attempted against a bystander who intervened to stop or attempt to stop Sexual Misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's good faith complaint or participation in the complaint process.

Sexual Assault.

Sexual Assault means:

- **Forcible Fondling.** Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim. Private body parts includes breast, buttocks, groin, and sex organs.
- **Incest.** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Rape.** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes attempted rape and assault with intent to commit rape.
- **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim.
- **Forcible Sodomy.** Oral or anal sexual intercourse with another person, without the consent of the victim.
- **Statutory Rape.** Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

Sexual Exploitation. Taking non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute Sexual Assault, Domestic Violence, Dating Violence or Stalking.

Sexual Misconduct. Sexual Misconduct includes, but is not limited to, Title IX Sexual Harassment, other sexual and Gender-based harassment, Sexual Violence, Sexual Exploitation, and sex-based Dating Violence, Domestic Violence and Stalking. Sexual Misconduct includes the full range of unlawful sex-based misconduct under Illinois and federal law, regardless of whether it is specifically defined in this policy.

Sexual Orientation. The direction of one's sexual attraction to others; not always absolute.

Sexual Violence. Sexual Violence refers to physical sexual acts attempted or perpetrated against a person's will or when a person is incapable of giving consent. Sexual Violence includes Sexual Assault and sexual coercion.

Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer

substantial emotional distress. (Source 34 U.S.C. 12291(a)(30))

Supportive Measures. Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to UIS education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or UIS's educational environment, or deter Title IX Sexual Harassment.

Title IX Sexual Harassment. Title IX Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

1. A UIS employee conditioning the provision of a UIS aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a UIS education program or activity;
3. Sexual assault as defined in this policy;
4. Stalking as defined in this policy;
5. Dating Violence as defined in this policy; or
6. Domestic Violence as defined in this policy

Transgender. An umbrella term covering a range of identities that transgress socially defined Gender norms; also signifies a person who lives as a member of a Gender other than that based on sex assigned at birth. Transgender persons may or may not wish to transform their bodies hormonally and surgically to match their inner sense of Gender/sex.

Appendix B

Annual Training for UIS Students

Annual Gender and sex discrimination and Sexual Violence primary prevention and awareness training for all students at the Springfield, Innovate Springfield, or Peoria campuses includes the following components:

- An overview of UIS's comprehensive policy to prevent and respond to Sexual Misconduct
- The identity of the UIS Title IX Coordinator, including confirmation of requisite skills and training
- An overview of applicable federal, state, and local laws (including Title IX)
- UIS's definitions of Consent, inability to Consent, and retaliation as they relate to Sexual Misconduct
- Practices for identifying, preventing and addressing Sexual Misconduct
- Procedures for reporting alleged or suspected Sexual Misconduct to UIS, the UIS Police, and local law enforcement
- Confidential Advisors or other available confidential resources
- Available survivor services
- The procedures used to investigate and resolve complaints and reports pursuant to this policy
- Strategies for bystander intervention and risk reduction
- The types of sanctions or other corrective actions potentially available to address violations of this policy
- All applicable education and training requirements under Campus SaVE and VAWA enactments

Appendix C

Confidential Advisors

Confidential Advisors can provide victims of Sexual Misconduct with information on available counseling and crisis response services, discuss possible next steps regarding reporting options and possible outcomes, and advise on rights and UIS's responsibilities regarding orders of protection, nocontact orders, or similar lawful orders issued by UIS or a criminal or civil court.

If requested, Confidential Advisors can liaise with UIS officials, rape crisis centers, sexual assault centers, the UIS police and/or local law enforcement. Confidential Advisors can also assist with

- 1) contacting and reporting to UIS officials, the UIS Police and/or local law enforcement, and/or
- 2) requesting appropriate Supportive Measures.

UIS Confidential Advisors have no obligation to report crimes to UIS or law enforcement, except that UIS Confidential Advisors report on a monthly basis to the Title IX Coordinator the number and type of incidents of Sexual Misconduct reported exclusively to the Confidential Advisor. This allows the anonymous statistical data to be included in UIS's Annual Security and Fire Safety Report (also known as the Clery Report).

Confidential Advisors receive 40 hours of training on Sexual Violence before being designated a Confidential Advisor and attend a minimum of 6 hours of ongoing education training annually on issues related to Sexual Violence to remain a Confidential Advisor. Confidential Advisors also receive periodic training on the campus administrative processes, Supportive Measures, academic and other accommodations, and Title IX complaint resolution procedures.

Confidential Advisors are available at the following locations:

1. On-campus: UIS Counseling Center: (217) 206-7122
2. Off-campus: Prairie Center Against Sexual Assault, 3 West Old State Capitol Plaza, Springfield, IL (217) 744-2560

Appendix D

What To Do If You Are The Victim Of Sexual Misconduct

A. If you are the Victim of Sexual Violence:

- **Emergency Situations.** Dial 911 for law enforcement assistance.
- **Seek Medical Attention Immediately.** If you are the victim of Sexual Violence, UIS strongly encourages you to go to a hospital emergency room, with a friend if possible. Healthcare providers can treat the physical consequences of Sexual Violence, such as injuries, concerns of pregnancy, and/or sexually transmitted diseases. Healthcare providers can also collect evidence even if you choose not to immediately seek criminal charges against an alleged offender. Healthcare staff are required by Illinois law to contact local law enforcement; however, you choose whether to speak with police personnel or decline to do so.

Hospitals in the Springfield area include:

- Springfield Memorial Hospital, 800 N. Rutledge, Springfield, IL 62702, (800) 798-3011
- St. John's Hospital, 800 E. Carpenter St., Springfield, IL 62769, (217) 544-6464

Both are located just north of downtown Springfield.

In Peoria:

- OSF Saint Francis Medical Center, 530 NE Glen Oak Ave., Peoria, IL 61637, (309) 655-2000, located close to the Peoria Center.
- **Preserve Evidence.** It is important that you not bathe, douche, smoke, change clothing or clean the bed/linen/area where you were assaulted so that evidence may be preserved if the offense occurred within the past 96 hours, as it may be helpful for proof of criminal activity. If necessary, you can place clothing or bedding in a clean paper bag until you are able to provide the items to UIS or local law enforcement. You are also encouraged to preserve other evidence by saving text messages, instant messages, social networking pages, and other communications, and keep pictures, logs or other copies of documents, if you have any, as they could be useful for disciplinary proceedings, police investigations, and/or seeking orders of protection.

B. Reporting Options

- **To Police.** UIS and UIS Police strongly encourage all members of the UIS community to report alleged criminal conduct, including but not limited to Dating Violence, Domestic Violence, Sexual Violence, Sexual Exploitation, and Stalking, to the police. However, it is your choice whether to make such a report to the police and you have the right to decline involvement with the police. The Title IX Coordinator can assist you in notifying the UIS Police or off campus law enforcement, should you choose to do so.
 - In an emergency, dial 911.
 - Students attending the Springfield campus may contact the UIS Police at (217) 206-6690 or the Springfield Police Department at (217) 788-8311.
 - Students attending classes at Innovate Springfield may contact the Springfield Police in an emergency by dialing 911 or by dialing 217-788-8311 for non-emergencies.
 - Students attending classes at Peoria Center may contact the Illinois Central College Police at (309) 999-4699 or the Peoria Police at (309) 673-4521.
- **To Title IX Coordinator:** You are encouraged to report allegations involving Sexual Misconduct to the UIS Title IX Coordinator:

Title IX Coordinator: **Shelby Bedford**

Telephone: (217) 206-9999

E-mail: titleix@uis.edu

Mailing address: Mail Stop 30 Human Resources Building, University of Illinois Springfield, One University Drive, Springfield, IL 62703

In person: HRB 30

If you prefer, you may report the incident to the Office of the Dean of Students at (217) 206-8211 (who in turn informs the Title IX Coordinator). If you decline to contact the Title IX Coordinator, it is possible the Title IX Coordinator may learn about the incident through

reports by other people. In the event that occurs, you may be contacted by the Title IX Coordinator or the Dean of Students to address the incident and/or broader campus safety concerns.

C. Confidential Counseling

You can obtain confidential counseling to help cope with the incident and/or explore options for reporting the incident. The following confidential counseling resources are available:

- On-campus: UIS Counseling Center: (217) 206-7122
- Off-campus: Prairie Center Against Sexual Assault, 3 West Old State Capitol Plaza, Springfield, IL (217) 744-2560

Professional counselors at these locations can provide support, help find needed resources, and talk with you about your reporting options. The Title IX Coordinator and the Office of the Dean of Students can also assist with requests for Supportive Measures, such as changes in academic or living situations because of an incident.

D. Amnesty

Any UIS student who reports a violation of this policy in good faith to a UIS Responsible Employee will not receive a disciplinary sanction for an ancillary Student Conduct Code violation, such as underage drinking, revealed in the course of the student's report, unless UIS determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

E. Compensation for Eligible Crime Victims through the State of Illinois

If you are eligible, you may seek compensation under state law. If you do not have public aid or private medical insurance, the Illinois *Sexual Assault Survivor's Emergency Treatment Act* covers emergency room costs if you go to a hospital. The hospital should not bill you for the treatment. Instead, the hospital is reimbursed by the Illinois Department of Public Aid.

Under the Illinois *Crime Victim's Compensation Act*, you may be reimbursed for out-of-pocket medical expenses, loss of earnings, psychological counseling and loss of support income due to

the crime.

Maximum reimbursement is \$27,000. If you plan to request compensation under this law, you should contact the toll-free Crime Assistance Line as soon as possible to ensure compliance with reporting deadlines. Information about these reporting requirements can be found through the Office of the Illinois Attorney General:

www.illinoisattorneygeneral.gov/victims/cvc.html. The toll-free Crime Assistance Line is (800) 228-3368, or TTY (877) 398-1130.

Appendix E

Responsible Employees

Student housing resident advisors and all UIS employees, except the Counseling Center employees and all graduate and undergraduate student employees, are considered Responsible Employees. All UIS Responsible Employees¹ are required to report any Sexual Misconduct they become aware of to the Title IX Coordinator. Reports should be made as soon as possible, but must be made within 48 hours of receiving the information.

Given that reporting obligation, Responsible Employees must first inform persons seeking to report Sexual Misconduct to them that:

- The Responsible Employee is obligated to report the allegations, including the names (if known) of the persons being reported as the victim and the alleged perpetrator, to the Title IX Coordinator;
- The person has an option to request confidentiality and that there are confidential advocacy, counseling, or other support services available;
- The person has a right to file a complaint with UIS and to report a crime to the UIS Police or local law enforcement;
- UIS will protect the person's confidentiality to the greatest extent possible; and,
- Reporting this information to the Title IX Coordinator does not necessarily mean that a complaint or investigation will be initiated if the person requests confidentiality.
- The Responsible Employee should also ask the person reporting the Sexual Misconduct whether she or he has any safety concerns.

After receiving a report of Sexual Misconduct, a Responsible Employee must report the following information (if known) to the Title IX Coordinator:

- The names of the alleged perpetrator and victim;
- The names of witnesses or other students involved;
- Relevant facts including the date, time, and location; and,
- Whether there are any safety concerns.

¹ Because of statutory limitations, Counseling Center employees are not considered Responsible Employees and do not report incidents to the Title IX Coordinator without express written consent. UIS Confidential Advisors do, however, report on a monthly basis to the Title IX Coordinator the number and type of incidents of Sexual Misconduct reported exclusively to the Confidential Advisor so the anonymous statistical data can be included in UIS's Annual Security and Fire Safety Report (also known as the Clery Report). A person who makes a confidential report to the Counseling Center may still contact the Title IX Coordinator at any time to access appropriate campus resources.

All personal identifiable information must be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services.

The Responsible Employee's reporting obligation is in addition to any reporting requirements that might otherwise exist, including the *Abused and Neglected Child Reporting Act* (ANCRA) and University policy.

Responsible Employees who witness or learn about alleged Sexual Misconduct and who fail to report it in a timely manner may be subject to disciplinary action, up to and including termination of employment.

Some UIS Responsible Employees have also been identified as Campus Security Authorities (CSAs) under the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, also known as the "Clery Act". In addition to their obligations as UIS Responsible Employees, UIS employees identified as CSAs must also report certain crimes brought to their attention to the UIS Police so that the crimes can be counted in the statistical summaries found in UIS's Annual Security and Fire Safety Report, also known as the "Clery Report". Employees who are both UIS Responsible Employees and CSAs must fulfill their reporting responsibilities under both roles, including meeting applicable reporting timelines.

Appendix F

Non-Exclusive List of Supportive Measures and Corrective Action/Remedies

The need for Supportive Measures and corrective action/remedies is assessed on a case-by-case basis. Depending upon the circumstances, potential Supportive Measures, corrective action, and Remedies could include, but not be limited to, any of the following:

- Mutual restrictions on contact between the parties/no contact orders
- Campus no-trespass notices
- Making an escort available to assist the Complainant move safely between classes and campus activities
- Adjusting schedules or methods of participating in activities to minimize campus contact between the Complainant and the Respondent
- Extensions of deadlines or other course-related adjustments
- Modification of work or class schedules
- Moving the Complainant or Respondent to a different residence hall
- Counseling services
- Medical services
- Academic support services
- Other appropriate academic accommodations
- Advising on the availability of no contact orders, or similar lawful orders issued by a criminal or civil court.
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the reported Sexual Misconduct and the misconduct that may have resulted in the Complainant being disciplined
- Modifying work or housing locations
- Adjusting reporting lines
- Leaves of absence

- Increased security and monitoring of certain areas of the campus
- Other similar measures

Appendix G

Additional Information on Conflicts of Interest

Complaints against the following officials should be submitted as indicated.

A. UIS-based System Office Employees

System Office employees working on the UIS campus should communicate relevant concerns or initiate complaints and grievances regarding this policy with the System Office Assistant Director of Diversity, Equity and Inclusion and Title IX Coordinator. System Office policies and procedures apply.

B. Complaint Against the Title IX Coordinator

When the accused party is the Title IX Coordinator, the Chancellor designates another appropriate administrator for purposes of implementation of this policy's procedures. The designated administrator must have the requisite training and experience and have no conflict of interest or prior involvement in the case. The designated administrator could include the System Office Assistant Director of Diversity, Equity and Inclusion and Title IX Coordinator or an official from the University of Illinois at Urbana/Champaign or the University of Illinois at Chicago, subject to the concurrence of the President or the respective Chancellor, as appropriate.

C. Complaint Against the UIS Chancellor

When the accused party is the UIS Chancellor, the Complainant should submit a complaint in writing to the President of the University of Illinois, 364 Henry Administration Bldg., 506 S. Wright St. Urbana, Illinois 61801 [Phone: (217) 333-3071].

Appendix H

Filing Reports with External Agencies

Individuals who believe they have experienced Sexual Misconduct at UIS have the right – and may initiate – a complaint with an appropriate state or federal compliance agency. Students and employees may file Sexual Misconduct complaints with the Illinois Department of Human Rights (IDHR). Students may also file Title IX Sexual Harassment complaints with the U.S. Department of Education, Office for Civil Rights (OCR). In addition, any University employee may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC). Contact information for each agency appears below.

UIS is committed to taking prompt and fair remedial action to address violations of this policy regardless of whether an internal or external complaint has been filed. In fact, the filing of a complaint of discrimination with a state or federal civil rights agency does not relieve UIS of its responsibility to respond appropriately to a Sexual Misconduct complaint. Accordingly, even if an external complaint is filed, UIS may continue to take appropriate actions consistent with this policy to address the complaint.

Illinois Department of Human Rights

222 S. College St.
Springfield, IL
62704
(217)785-5100

Office for Civil Rights

U.S. Department of Education

Citigroup Center
500 West Madison St., Suite 1475
Chicago, IL 60661
(312) 730-1650

U.S. Equal Employment Opportunity Commission

500 West Madison St., Suite 2000
Chicago, IL 60661
(800) 669-4000

Appendix I

Title IX Formal Complaint Resolution Process

Upon receipt or initiation of a Formal Complaint, the Title IX Coordinator confers with the Complainant to establish the nature of the Formal Complaint. The Title IX Coordinator also provides the Complainant with a copy of this policy and written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available services, both at UIS and in the community. The Title IX Coordinator also provides information about reporting the allegations to the UIS Police, local law enforcement authorities, and external civil rights agencies.

After conferring with the Complainant, the Title IX Coordinator provides written notice to the parties containing the following:

- Information about the applicable UIS grievance process, including any informal resolution options.
- The allegations of Title IX Sexual Harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX 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 conduct and that a Determination Regarding Responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and who may inspect and review any evidence obtained as part of an investigation pursuant to this policy that is directly related to the allegations raised in the Formal Complaint.
- Notice that knowingly making false statements or knowingly submitting false information during the hearing process may result in discipline. A determination of responsibility, alone, is not sufficient to conclude that false information was intentionally provided.

The Title IX Coordinator must dismiss the Formal Complaint if the conduct alleged in the Formal Complaint:

- Would not constitute Title IX Sexual Harassment even if proved;
- Did not occur in a UIS Education Program or Activity; or,
- Did not occur against a person in the United States.

The Title IX Coordinator may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by UIS; or,
- Specific circumstances prevent UIS from gathering evidence sufficient to reach a determination as to the Formal Complaint or the allegations therein.

If the Title IX Coordinator dismisses the Formal Complaint or any allegations therein for any reason, the Title IX Coordinator will promptly send simultaneous written notification to the parties. The written notification will include the reason for the dismissal. Either party may appeal the dismissal of the complaint in accordance with the procedures set forth in Appendix M. Dismissal of the Formal Complaint by the Title IX Coordinator does not preclude action on the alleged Sexual Misconduct under other applicable laws or non-Title IX policies or code of conduct provisions.

Supportive Measures are generally available for current students and employees even if the Formal Complaint or any allegations therein are dismissed.

The Title IX Coordinator may also initiate the Formal Complaint process on her/his own accord after becoming aware of an allegation of Title IX Sexual Harassment involving UIS students or employees.

The Title IX Coordinator or the Hearing Panel 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.

Whenever possible, Formal Complaints are addressed within 120 days of filing, including completing the investigation and hearing and determining any sanctions, unless UIS reasonably determines for good cause that additional time is required. In such cases, UIS simultaneously provides written notice of the delay and the reason for it to the Complainant and the Respondent.

Appendix J

Investigating Complaints Under Title IX

INVESTIGATION PROCESS

The investigation process consists of the Investigator gathering relevant information and completing a written Report of Investigation. In order to gather relevant information, the Investigator gives both the Complainant and Respondent equal opportunity to be interviewed, to submit written statements, to provide the names and contact information for potential fact and/or expert witnesses or to submit written statements from those witnesses, and to submit or identify other inculpatory or exculpatory evidence for the Investigator's consideration. The Investigator may require that any statements from witnesses offered by the parties, including expert witnesses, be submitted in writing.

Before inviting a party to participate in the investigation, the Investigator will provide the party with written notice of the date, time, location, participants, and purpose of any investigative interviews or other meeting, with sufficient time for the party to prepare to participate.

In gathering relevant evidence, the Investigator will not access, consider, disclose, 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's 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, unless the Investigator obtains that party's voluntary, written consent to do so for use in the grievance process.

Similarly, the Investigator will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Both parties have the right to have the assistance of and/or to be accompanied by an advisor of their choice at any meeting or interview they participate in as part of the investigation. The advisor may, but need not be, an attorney. Each party is responsible for any costs associated with his or her advisor. To ensure direct access to relevant facts and circumstances, the Title IX Coordinator may restrict the role advisors play in the investigatory process, provided such

restrictions are evenly applied to both parties.

If, during the course of the investigation, the Investigator decides to investigate allegations about the Complainant or Respondent that were not included in the Formal Complaint notification discussed in Appendix I, the Investigator will coordinate with the Title IX Coordinator to provide notice of the additional allegations to the parties.

Any disclosures the Investigator makes regarding the complaint (including in the case of employees to the Respondent's supervisory staff, the appropriate unit head or dean, and the appropriate vice chancellor or executive administrator) are made only if deemed necessary to conduct the investigation or protect the rights of either the Complainant or the Respondent. All disclosures are consistent with FERPA or applicable employee privacy rights.

In conducting the investigation, the Investigator requires access to all pertinent material, records, reports, documents and computerized information in the possession of any UIS personnel, and the Investigator must be given the opportunity to interview all persons possessing relevant information unless exempt from disclosure or reporting under state or federal law.

Obstruction of an investigation of allegations of conduct prohibited by this policy is grounds for disciplinary action or sanctions by the appropriate body, up to and including termination of employment and/or dismissal or expulsion.

REPORT OF INVESTIGATION

Prior to the completion of the Report of Investigation, the Investigator:

- May meet with either party for follow-up fact-finding efforts, or to collect additional information from any source, as required.
- Provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which UIS does not intend to rely in reaching a Determination Regarding Responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the

investigation.

- Sends to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the Investigator will consider prior to completion of the Report of Investigation.

After reviewing all relevant evidence and any response to the evidence submitted by the parties, the Investigator creates a Report of Investigation that fairly summarizes the investigation and the relevant evidence. At least 10 days prior to the hearing to determine responsibility, the Investigator sends the Report of Investigation in an electronic or hard copy format contemporaneously to each party and the party's advisor, if any, for their review and written response.

The Report of Investigation, as well as any response received from either party, is forwarded to the Dean of Students for student Respondents and to the Associate Vice Chancellor of Human Resources for employee Respondents to conduct a hearing.

The Investigator may reopen the investigation at any time for good cause shown, including at the request of the parties, the Title IX Coordinator, the Dean of Students, or Human Resources, and issue a revised Report of Investigation. In such cases, the above notice and comment rights apply to the revised Report of Investigation.

INVESTIGATION TIMELINE

The Investigator normally completes the investigation and issues a Report of Investigation within 45 days. UIS permits the temporary delay of the investigation timeline or limited extensions of time for good cause with written notice to the Complainant and Respondent of the delay or extension and reasons for the action. Good cause may include, but is not limited to, the unavailability of a party, a party's advisor, or a witness; concurrent law enforcement activity; complying with collective bargaining agreements, complying with other legal requirements, or the need for language assistance or accommodation of disabilities.

Appendix K

Title IX Informal Complaint Resolution Process

Informal complaint resolution of Title IX Sexual Harassment will not be offered to the parties unless the Complainant has already filed a Formal Complaint. Participation in Title IX informal complaint resolution is completely voluntary. Title IX informal complaint resolution is not an option to resolve allegations that an employee committed Title IX Sexual Harassment against a student. In all other cases involving a Formal Complaint of Title IX Sexual Harassment, prior to the Hearing Panel reaching a Determination Regarding Responsibility, the parties may voluntarily agree to a resolution that does not involve a full investigation and adjudication, subject to the following:

- Before the parties commit to Title IX informal complaint resolution, the Title IX Coordinator delivers to the parties a written notice disclosing: the allegations, the requirements of the Title IX informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the Title IX informal resolution process and resume the grievance process with respect to the Formal Complaint, and any consequences resulting from participating in the Title IX informal resolution process, including the records that will be maintained or could be shared; and,
- The Title IX Coordinator obtains the parties' voluntary, written consent to the Title IX informal resolution process.

Once the above prerequisites are met, the Title IX Coordinator or designee meets with each party individually to discuss this policy and confirm that the Title IX Coordinator or designee has a complete understanding of the issues or concerns, including all pertinent facts and circumstances. The Title IX Coordinator or designee also confirms that both parties feel comfortable and confident that the Title IX Coordinator or designee understands their issues or concerns.

If after this discussion, both parties agree that the Title IX informal complaint resolution process is appropriate, the Title IX Coordinator or designee directly assists and guides effective

and equitable problem-solving efforts, working with the parties and other relevant persons as appropriate.

UIS will not require waiver of the right to an investigation and adjudication of Formal Complaints of Title IX Sexual Harassment as a condition of enrollment or continuing enrollment, employment or continuing employment, or enjoyment of any other right.

Appendix L

Title IX Hearing Process

For student Respondents, the Office of the Dean of Students initiates the hearing process by forwarding the Report of Investigation, together with any written responses submitted by the parties, to the Chair of the Executive Panel for a proceeding under the Student Conduct Code. Detailed procedures for hearings involving student Respondents are found in the **Student Conduct Code Protocol for Alleged Violations of Part B (Title IX) of the UIS Sexual Misconduct (Title IX) Policy**.

For employee Respondents, the Senior Director of Human Resources or designee initiates the hearing process upon receipt of the Report of Investigation, together with any written responses submitted by the parties. Detailed procedures for the conduct of such hearings can be found in the **Procedures for Alleged Violation of Part B (Title IX) of the UIS Sexual Misconduct Policy by Employees**.

Respondents are presumed to be not responsible for the alleged conduct until a written Determination Regarding Responsibility is issued at the conclusion of the grievance process.

DETERMINATION REGARDING RESPONSIBILITY.

After evaluating all relevant, admissible evidence, the Hearing Panel reaches a Determination Regarding Responsibility. In reaching its findings with respect to each allegation of Title IX Sexual Harassment, the Hearing Panel uses the “preponderance of the evidence” standard. This means the Hearing Panel determines whether it is more likely than not, based on information gathered and examined, that the Respondent committed the Title IX Sexual Harassment as alleged.

Once sanctions are imposed, UIS provides the written Determination Regarding Responsibility to the parties simultaneously, usually via email. The Determination Regarding Responsibility becomes final either:

- On the date on which an appeal would no longer be considered timely if no appeal is filed;
or
- On the date UIS provides the parties with the written determination of the result of the

appeal if an appeal is filed.

SANCTIONS

The range of possible sanctions for student Respondents determined to have committed Title IX Sexual Harassment includes a warning, written reprimand, restitution, community service, probation, suspension, and dismissal.

The range of possible sanctions for employee Respondents determined to have committed Title IX Sexual Harassment includes oral warnings, written warnings, or reassignment. A sanction may also include initiation of employment processes to effectuate a demotion, paid or unpaid suspension, severe sanctions less than dismissal, discharge, and/or termination.

HEARING TIMELINE

For student Respondents, the hearing process is normally concluded within 30 days, along with the implementation of recommended corrective action.

For employee Respondents, resolution of any employment action is in accordance with applicable employment policies, practices or collective bargaining agreements.

Administrators may take additional reasonable steps, as necessary, to prevent the recurrence of the Title IX Sexual Harassment and may request advice from the Title IX Coordinator to implement corrective action.

The Title IX Coordinator encourages Complainants to report if any issues resume and/or if retaliatory conduct occurs.

Appendix M

Appealing Dismissals of Formal Complaints Under Title IX

Both the Complainant and the Respondent may appeal the Title IX Coordinator's decision regarding dismissal of a Formal Complaint or the Hearing Panel's Determination Regarding Responsibility. Parties may appeal only on the following grounds: (A) a procedural irregularity that affected the outcome of the matter; (B) new evidence that was not reasonably available at the time the Determination Regarding Responsibility or decision regarding dismissal was made that could affect the outcome of the matter; and/or (C) the Title IX Coordinator, Investigator, Hearing Panel member, or decision-maker on appeal had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Appealing dismissals of Formal Complaints.

1. Appeals of the dismissal of a Formal Complaint must be submitted in writing to the Chancellor or her/his designee within 7 days of receiving the written notice of dismissal. The Chancellor or her/his designee will notify the other party in writing when an appeal is filed, provide an opportunity to that party to review the appeal unless prohibited by law, and allow that party to submit additional material to be considered together with the appeal. Any additional material must be submitted within 7 days of being notified that the other party has appealed. Any additional material submitted is made available to the appealing party unless prohibited by law.
2. The Chancellor or designee may delegate or assign responsibility for reviewing the appeal of a dismissal of a Formal Complaint to an appropriate official with the requisite training and having no conflict of interest or prior involvement in the case. Possible delegees may include, but are not limited to, officials from the University of Illinois at Urbana/Champaign or the University of Illinois at Chicago. Delegees may not include the Title IX Coordinator, the investigator(s), or anyone else having any prior involvement in the case.
3. The Chancellor or her/his designee will thoroughly review the appeal, any material submitted by the other party, and the written notice of dismissal. The Chancellor or

her/his designee may also request any additional information, which will be shared with the parties in advance of the Chancellor or her/his designee's decision on the appeal unless prohibited by law. The Chancellor or her/his designee will issue a written decision based upon a preponderance of the evidence within 14 days following receipt of the appeal and any additional material submitted by the other party, unless the Chancellor or her/his designee determines additional time is necessary. The Chancellor or her/his designee will simultaneously notify the parties in writing of 1) any extension of time to render a decision and the reason for the extension, and 2) the decision on the appeal and the rationale for the result.

Appendix N

Informal Resolution Process Under Other Laws, Regulations and Policies

In some situations, a Complainant may wish for the alleged conduct to be addressed but does not desire remedies that would involve going through the university's formal grievance process (e.g., punitive disciplinary sanctions). In these cases, the Complainant may request that the Title IX Coordinator facilitate an informal resolution if it is appropriate under the circumstances.

In determining whether an informal resolution is appropriate, Title IX Coordinator will meet with the Complainant to discuss this policy and confirm that the Title IX Coordinator has a complete understanding of the Complainant's issues or concerns, including all pertinent facts and circumstances.

The Title IX Coordinator also confirms that the Complainant feels comfortable and confident that the Title IX Coordinator understands the Complainant's issues or concerns, and that the Complainant understands all of their available options under this policy.

If after this discussion, both the Title IX Coordinator and the Complainant agree that the informal resolution process is appropriate, the Title IX Coordinator directly assists and guides effective and equitable problem-solving efforts, working with the Complainant and other relevant parties as appropriate.

If at any time during the informal resolution process either 1) the Complainant desires to formally submit a complaint, or 2) facts or circumstances arise that indicate that an informal resolution is not appropriate based on the circumstances of the situation, the Title IX Coordinator will terminate the informal resolution process and handle the matter consistent with the other provisions of this policy.

Appendix O

Complaint Resolution Process Under Other Laws, Regulations and Policies

Upon receipt or initiation of a complaint, the Title IX Coordinator confers with the Complainant to establish the nature of the complaint. The Title IX Coordinator also provides the Complainant with a copy of this policy and written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available services, both at UIS and in the community. The Title IX Coordinator also provides information about reporting the allegations to the UIS Police, local law enforcement authorities, and external civil rights agencies.

Whenever possible, complaints are addressed within 120 days of filing, including completing the investigation and any process to adjudicate the allegations and, if appropriate, consider sanctions, unless UIS reasonably determines for good cause that additional time is required. Good cause includes complying with collective bargaining agreements, other University or campus policies, and/or state statutes and regulations. In such cases, UIS simultaneously provides written notice of the delay and the reason for it to the Complainant and the Respondent.

For employee Respondents, resolution of any employment action is in accordance with applicable employment policies, practices or collective bargaining agreements. Administrators may take additional reasonable steps, as necessary, to prevent the recurrence of the Sexual Misconduct and may request advice from the Title IX Coordinator to implement corrective action.

Appendix P

Investigating Complaints Under Other Laws, Regulations and Policies

INVESTIGATION PROCESS

If the Title IX Coordinator determines that the issue or concerns presented, if true, would constitute a violation of this policy, s/he consults with the Complainant to determine if a formal investigation is appropriate. The Complainant has the option of requesting that no formal investigation be conducted. The Title IX Coordinator will consider the request in light of broader campus safety and institutional responsibilities when deciding whether it is appropriate to honor a request for no formal investigation. If the Title IX Coordinator concludes an investigation is appropriate, it is conducted by a trained Investigator, who may be the Title IX Coordinator, in a prompt, thorough, fair and impartial manner.

As part of the investigation process, the Investigator informs the Respondent of the nature of the complaint. The Investigator meets separately with the Respondent and others deemed by the Investigator to be necessary to ascertain the factual basis of the complaint. Any disclosures the Investigator makes regarding the complaint (including in the case of employees to the Respondent's supervisory staff, the appropriate unit head or dean, and the appropriate vice chancellor or executive administrator) are made only if deemed necessary to conduct the investigation, provide appropriate services to the Complainant, or protect the rights of either the Complainant or the Respondent. All disclosures are consistent with FERPA or applicable employee privacy rights.

The investigation process consists of the Investigator gathering relevant information and completing a written Report of Investigation. In order to gather relevant information, the Investigator gives both the Complainant and Respondent equal opportunity to be interviewed, to submit written statements, to provide the names and contact information for potential fact and/or expert witnesses or to submit written statements from those witnesses, and to submit or identify other inculpatory or exculpatory evidence for the Investigator's consideration. The Investigator may require that any statements from witnesses offered by the parties, including expert witnesses, be submitted in writing.

Prior to completing the Report of Investigation, the Investigator:

- May meet with either party for follow-up fact-finding efforts, or to collect additional information from any source, as required.
- Provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Allows the parties 14 days to submit a written response, which the Investigator will consider prior to completing the Report of Investigation.

After reviewing all relevant evidence and any responses to the evidence submitted by the parties, the Investigator creates a Report of Investigation that fairly summarizes the investigation and the relevant evidence. The Investigator sends the Report of Investigation in an electronic or hard copy format contemporaneously to each party for their review and written response. Any written response must be received by the Investigator within 14 days of the date the Report of Investigation was sent to the parties.

The Report of Investigation, as well as any response received from either party, is forwarded for resolution to the Dean of Students for student Respondents and to the Title IX Coordinator for employee Respondents.

The Investigator may reopen the investigation at any time for good cause shown, including at the request of the parties, the Title IX Coordinator, the Dean of Students, the relevant supervisors, or Human Resources, and issue a revised Report of Investigation. In such cases, the above notice and comment rights apply to the revised Report of Investigation.

Both parties have the right to have the assistance of and/or to be accompanied by an advisor at any meeting or interview they participate in as part of the investigation provided that the involvement of the advisor does not result in undue delay of the meeting or interview.

The advisor may, but need not be, an attorney. Each party is responsible for any costs associated with his or her advisor. To ensure direct access to relevant facts and circumstances, the Title IX Coordinator may restrict the role advisors play in the investigatory process, provided such restrictions are evenly applied to both parties.

In conducting the investigation, the Investigator requires access to all pertinent material, records, reports, documents and computerized information in the possession of any UIS personnel, and the Investigator must be given the opportunity to interview all persons possessing relevant information unless exempt from disclosure or reporting under state or federal law.

Obstruction of an investigation of allegations of conduct prohibited by the policy is grounds for disciplinary action or sanctions by the appropriate body, up to and including termination of employment and/or dismissal or expulsion.

Appendix Q

Findings and Disciplinary Action Under Other Laws, Regulations and Policies

For student Respondents, the Office of the Dean of Students employs a hearing process to resolve complaints. The Dean of Students initiates the process by forwarding the Report of Investigation, together with any written responses submitted by the parties, to the Chair of the Executive Panel for a proceeding under the Student Conduct Code.

For employee Respondents,

- The Title IX Coordinator reviews the Report of Investigation, together with any written responses submitted by the parties, and prepares a written determination regarding whether the Respondent committed the alleged Sexual Misconduct and, if so, recommends appropriate corrective options.
- The Title IX Coordinator provides the determination, as well as the Report of Investigation and any written responses submitted by the parties, to appropriate supervisors of the Respondent and other officials.
- The Title IX Coordinator also contemporaneously notifies both parties in writing of the determination. The notice of complaint outcome also informs the parties that they may appeal the Title IX Coordinator's determination within 7 days of the date of the notice and/or file a complaint with an appropriate state or federal agency or the courts.
- After the decision on any appeals, or the deadline for submitting any appeals passes, the Respondent's supervisors or other officials may, if appropriate, take disciplinary action applicable to the Respondent's employee group.

SANCTIONS

The range of possible sanctions for student Respondents determined to be responsible for Sexual Misconduct includes a warning, written reprimand, restitution, community service, probation, suspension, and dismissal.

The range of possible sanctions for employee Respondents determined to be responsible for Sexual Misconduct includes oral warnings, written warnings, or reassignment. Sanctions may also include initiation of processes to effectuate a demotion, paid or unpaid suspension, severe

sanctions less than dismissal, discharge, and/or termination.

RECORDS

UIS maintains records documenting any reports or complaints alleging Sexual Misconduct and how such reports or complaints were resolved. Records include, but are not limited to, any agreements reached under the informal resolution process, Reports of Investigation, and documentation of corrective action taken, follow-up/monitoring activities, and any mandated reporting. All records are confidential and are made available to persons outside of the process only as required or permitted by law.

Appendix R

Appeals Under Other Laws, Regulations and Policies

Complainants and Respondents may appeal the complaint outcome.

For complaints involving student Respondents, the procedures for appealing determinations and/or sanctions are set forth in the Student Conduct Code.

For complaints involving employee Respondents, both the Complainant and the Respondent may appeal the Title IX Coordinator's responsibility determination. Parties may appeal only on the following grounds: 1) a procedural error occurred, and/or 2) new information exists that would substantially change the outcome of the finding. Appeals of the complaint outcome are decided by an administrative review of the relevant documents as set forth below.

- Appeals of the Title IX Coordinator's responsibility determination must be submitted in writing to the Chancellor or her/his designee within 7 days of receiving the notice of complaint outcome. The party opposite the appealing party is given an opportunity to review the appeal, to the extent permitted by law, and to submit additional material to be considered together with the appeal. Any additional material must be submitted within 7 days of being notified the other party has appealed. Any additional material submitted is made available to the appealing party subject to applicable privacy laws.
- The Chancellor may delegate or assign responsibility for reviewing the appeal to an appropriate official with the requisite training and having no conflict of interest or prior involvement in the case, including but not limited to an official from the University of Illinois at Urbana/Champaign or the University of Illinois at Chicago.
- The Chancellor or her/his designee will thoroughly review the appeal, any material submitted by the other party, and the written record of the complaint. The Chancellor or her/his designee may also request any additional information, which will be shared with the parties in advance of the Chancellor or her/his designee's decision on the appeal, subject to applicable privacy laws.
- The Chancellor or her/his designee will issue a written decision based upon a preponderance of the evidence within 14 days following receipt of the appeal and any

additional material submitted by the other party, unless she/he determines additional time is necessary.

- The Chancellor or her/his designee will simultaneously notify the parties in writing of 1) any extension of time to render a decision and the reason for the extension, and 2) within 7 days after conclusion of the review, the decision on the appeal.
- Employees should follow the procedures applicable to the Respondent's employee group for appealing or grieving the imposition of any sanctions.

Attachment E

Protection of Minors

Protection of Minors

Issuing Offices: University Office of Human Resources and University Ethics Office

Issue Date: November 8, 2012

Revision Date: June 30, 2016

Revision Date: December 3, 2020

I. Policy Statement

The University of Illinois System recognizes a fundamental obligation to protect minor children in its care; the youngest and potentially most vulnerable members of its community.

Accordingly, the U of I System has adopted certain safeguards intended to better protect minor children when they are on U of I System premises participating in U of I System programs and activities designed to include minors, or when they are in the care of Members of the University Community (i.e. personnel, volunteers, and contractors). The U of I System and Members of the University Community shall comply with applicable federal and state laws to provide a safe environment in which children can learn, discover, and achieve their full potential. In particular, University Personnel shall comply with the *“Illinois Abused and Neglected Child Reporting Act” (ANCRA)*.

All Members of the University Community are expected to be familiar with and comply with the provisions of this Policy and any related U of I System or university policies and/or procedures, as applicable. In addition, non-university organizations and entities that operate non-university programs and activities on campus (i.e. Registered Student Organizations, lessees, etc.) shall be familiar with this Policy and shall take appropriate precautions to protect minors participating in or attending their programs and activities.

II. Website Address For This Policy

This policy and related procedures are published on the System Human Resource Services website at <http://www.hr.uillinois.edu/> in the *Policy Library* section.

III. Requirements

1. Duty to Cooperate

Members of the University Community shall cooperate with investigations of alleged child abuse/neglect, including DCFS initiated, law enforcement initiated, and/or internal investigations. All Members of the University Community shall also cooperate with

investigations of alleged violations of this Policy and any applicable university procedures.

2. Duty to Complete Education and Acknowledgement; Sign Certificate

- a. Upon hire, all Members of the University Community must complete the U of I System-approved education program(s) and sign a certification acknowledging their understanding of reporting responsibilities.
- b. All University Personnel must complete recertification training as required by the ANCRA legislation on a cycle that the U of I System deems constructive. The retraining cycle may require that University Personnel complete training more frequently than prescribed in the legislation.

3. Duty to Report

- a. **To University Police:** Members of the University Community shall report suspected child abuse or neglect to the appropriate University of Illinois Police Department (UIC: 312-996-2830; UIS: 217-206-6690; UIUC: 217-333-1216). In emergencies or when an incident involves injury, Members of the University Community are expected to call 911 and/or the university police.
- b. **To DCFS:** In addition, University Personnel who have reasonable cause to believe that a minor known to them in his or her professional or official U of I System capacity may be an abused or neglected child must immediately make a report to the Department of Children and Family Services (DCFS) at 1-800-25-ABUSE (1-800-252-2873) as soon as abuse or neglect is suspected^[1]. In addition to making a verbal report to DCFS, the reporting party must follow any additional directions given by DCFS to complete the report. Non-personnel Members of the University Community are encouraged to make a report.
 - 1. The duty to report includes but is not limited to the requirement that U of I System personnel report any suspected abuse that they witness occurring on U of I System premises or at a U of I System-sponsored event.
 - 2. The duty to report includes both (a) minors who are currently enrolled at the U of I System or accepted for enrollment (e.g., a 17 year-old student enrolled as an undergraduate); and (b) minors who are not enrolled or accepted for enrollment as students at the U of I System but who participate in a U of I System program or activity designed to include minors or who otherwise become known to U of I System personnel in their official or professional capacity.
- c. **To Medical Examiner or Coroner:** University Personnel who have reasonable cause to suspect that a minor has died as a result of abuse or neglect shall immediately report his/her suspicion to the appropriate medical examiner or coroner.^[2] Non-personnel Members of the University Community are encouraged to make the report referenced herein.

4. Duty to Submit to Background Checks

- a. Members of the University Community who are responsible for the supervision or care of children, or whose duties would require close contact and/or alone time with minors who are not enrolled or accepted for enrollment at the U of I System, must undergo a criminal background check and sex offender registry check in accordance with university procedures. Universities may require checks from other individuals as deemed appropriate.
- b. Each university must establish policies and procedures for conducting background checks of individuals responsible for the supervision or care of children, or whose duties would require close contact and/or alone time with minors who are not enrolled or accepted for enrollment at the U of I System. At a minimum, such policies must require checks for Members of the University Community involved in programs or activities designed to include minors who: 1) are directors or supervisors of such programs or activities; 2) those whose duties require close contact and/or alone time with minors as part of their job responsibilities or role in the program or activity; and 3) those who stay overnight with the minors as part of their job responsibilities or role in the program or activity. The universities may adopt applicable state or federal background check standards or requirements for certain programs as warranted.
- c. In the event of extenuating circumstances (e.g. the need for numerous volunteers with short lead time) an alternative to background checks may be allowed by the university. The alternative method includes 1) recording the names and contact information for the individuals prior to the program date, 2) verifying the names have been checked against the online sex offender registry and disqualifying anyone who is listed in the registry, and 3) requiring individuals to show a valid photo ID upon program check-in. University officials should consider the duration of the event, whether there will be one-on-one or alone time with minors, whether or not overnight accommodations are involved, and how recently the individual was last required to submit to a background check by it or other institutions before allowing an exception to the background check requirement.

5. University and Program Safeguards

- a. Each university must maintain a current report of U of I System activities and programs designed for minors not enrolled or accepted for enrollment at the U of I System. Activities and programs to be recorded on the report include, but are not limited to camps, summer programs, lessons, performances, and tutoring. The report must at a minimum detail program location/facility, dates and times, age range of participants, and planned number of participants. For each program listed, contact information must be provided for two responsible individuals who will make arrangements for the safety of minors and other participants in the event of an emergency.
- b. Each university should document minimum standards or safeguards for appropriate levels of supervision for programs and activities, including guidelines for overnight stays.

IV. Retaliation Will Not Be Tolerated

Retaliatory acts against University Personnel who make good faith reports or complaints under this policy, and/or who cooperate in the investigation and handling of such complaints, even if it is found that no violation of the policy has occurred, will not be tolerated. In accordance with

the [University Whistleblower Policy](#), University Personnel who believe they are the subject of retaliation or reprisal should contact the appropriate office as designated in the Policy. The U of I System will promptly investigate all complaints of alleged retaliation.

V. Sanctions for Violation of Protection of Minors Policy

Failure to comply with the provisions of the Protection of Minors Policy and/or any related university procedures may result in cancellation of an event and/or discipline in accordance with university and U of I System policies, up to and including termination of employment, dismissal from the U of I System, and/or disqualification for participation in future volunteer activities. Knowingly making a false report or complaint under this policy, or knowingly providing false or intentionally misleading information during an investigation, may also result in disciplinary action up to and including termination of employment and/or dismissal from the U of I System. For purposes of this Policy, the following definitions shall apply:

- a. **Child Abuse and Neglect:** “Abused Child” and “Neglected Child” are defined in the Illinois *Abused and Neglected Child Reporting Act*. Please consult the statute for a full definition. In general, abuse includes the maltreatment of a child under the age of 18 by a parent, step-parent, guardian, foster parent, immediate family member, paramour of the natural parent, any individual residing in the same home, any person responsible for the child's welfare at the time of the alleged abuse, or any person who came to know the child through an official capacity or position of trust. Child abuse can be physical abuse, sexual abuse, and/or neglect.

Physical abuse includes when a parent or a person responsible for the child's welfare inflicts, causes to be inflicted, or allows to be inflicted a physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss of impairment of any bodily function; creates a substantial risk of physical injury; commits an act of torture; inflicts excessive corporal punishment; commits or allows to be committed female genital mutilation; causes the selling, transfer, distribution, or giving of illegal drugs to a child; or commits or allows to be committed involuntary servitude, involuntary sexual servitude of a minor, or human trafficking.

Sexual abuse includes when a parent or a person responsible for the child's welfare commits or allows to be committed any of the following: transmission of a sexual disease; sexual penetration; sexual molestation; sexual exploitation and/or places a minor at risk of sexual harm.

Neglect includes when a parent or a person responsible for the child deprives or fails to provide the child with adequate food, clothing, shelter, needed medical care, or supervision. A child is also considered neglected if he or she is subjected to an environment which is injurious insofar as (i) the child's environment creates a likelihood of harm to the child's health, physical well-being, or welfare and (ii) the likely harm to the child is the result of a blatant disregard of parent or caretaker responsibilities.

- b. **Member of the University Community:** All University Personnel, University Volunteers, and University Contractors.
- c. **Minor:** A person under the age of eighteen (18).
- d. **University Contractor:** An individual retained by the U of I System under contract to provide services and/or support for programs and activities designed to include minors.
- e. **University Personnel:** Includes but is not limited to all U of I System faculty, staff, Post-Doctoral, visiting scholars, and students in their capacity as student-employees. Excluded from this definition are individuals who began unpaid service to the U of I System prior to 2013 and who do not have any current affiliation with the University of Illinois.
- f. **University Volunteer:** An uncompensated individual who is authorized by a U of I System department or unit to: a) perform civil, charitable, or humanitarian services related to the business of or in support of activities of the U of I System designed to include minors, or b) gain personal or professional experience in specific endeavors. Volunteers perform services without a promise, expectation, or receipt of any compensation for services performed, including a promise of future employment. This definition does not include parents or guardians who are accompanying their child at a program or activity and who may provide incidental service for the program or activity.

VII. Additional Resources

- [Abused and Neglected Child Reporting Act \(ANCRA\)](#)
- [Policy FAQs: Protection of Minors](#)
- [DCFS Protection of Children Poster](#)
- [DCFS Care Enough to Call](#)
- [Protection of Minors Education Materials – Volunteers and Contractors](#)

Chicago

- [UIC Protection of Minors Website](#)
- [Protection of Minors Resources](#)

Springfield

- [UIS Protection of Minors Website](#)
- [Protection of Minors Resources](#)
- [Campus Sex Crimes Prevention Act](#)
- [Sexual Assault Information](#)

Urbana-Champaign

- [Protection of Minors Policy - Urbana](#)
- [U of I Police Department – Protection of Minors Information](#)

- Protection of Minors Resources
 - Interacting with Minors
-

[1] Any person who knowingly transmits a false report to DCFS commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 1961. A violation of this subsection is a Class 4 felony. See the Abused and Neglected Child Reporting Act, 325 ILCS 5/1, et seq for more information about this reporting requirement.

[2] See section 325 ILCS 5/4.1 of the Abused and Neglected Child Reporting Act for more information about this reporting requirement.

Attachment F

Human Rights Policy

As an institution dedicated to the improvement of the human condition collectively and individually through higher education, the University of Illinois Springfield is fully committed to human rights in all of their various forms. This policy of human rights is adopted in pursuit of the realization of this commitment.

It is the policy of the university to maintain an educational and work environment in which each member of the community may enjoy his or her rights as a human being free of discrimination or harassment. It is the policy of the university to provide equal opportunity and to promote affirmative action.

The chancellor of the university is responsible for ensuring the implementation of these nondiscrimination, equal opportunity and affirmative action policies and programs. The university community is responsible for developing and maintaining attitudes, values, and actions that lead to community understanding of the value and importance of these policies and their effective implementation.

This document sets forth the university's basic commitment to the right of the members of its community to nondiscrimination, to equal opportunity and to affirmative action.

Attachment G

HOUSING CONTRACT

By entering into this Contract, I agree to be bound by all of its terms and conditions, as well as all rules and regulations of the University of Illinois Springfield (“University”) now or later to be in effect, including those relating to the Department of Residence Life operations. I understand that the Department of Residence Life (“DRL”) administers this Contract on behalf of the Board of Trustees of the University of Illinois and that all questions should be directed to DRL staff.

Policies and documents referenced in this Contract are subject to change, and such changes and additions will be emailed to the Contract holder’s University email account. I acknowledge that any changes or additions shall become effective and binding on the date of such email being sent.

1. ELIGIBILITY

I represent that I am a full-time student at the University of Illinois Springfield enrolled in a minimum of eight (8) credit hours. If at any time I fall below this standard, for whatever reason, I must immediately notify DRL in writing. I agree to vacate the premises within forty-eight (48) hours of the loss of eligibility unless alternative arrangements are approved in writing by DRL staff. I will be responsible for all applicable cancellation charges provided for in this Contract.

I understand that in its sole discretion, DRL may deny me placement in University housing as a result of my past or current behavior, including breach of contract, any criminal or disciplinary history indicating a possible risk to the security, safety, or health of any person or property, or the risk of disruption of University operations.

2. HOUSING ASSIGNMENT

2.1 Assignment

I understand that I am not entitled to a housing assignment and that my placement is contingent upon available space. If space is not available, the University will terminate this Contract and refund any advanced payment made by me, consistent with the terms of this Contract.

I agree to accept any space DRL assigns to me, including temporary space. DRL will make an initial space assignment approximately 30 to 45 calendar days prior to the start of the academic year, or as soon as practicable if my housing request is received by June 1 for fall term, November 15 for spring term, or April 15 for summer term.

I understand that I should not make other housing arrangements before confirming the status of my housing request, as I may not be eligible for cancellation of this Contract or a refund of my security deposit.

2.2 Reassignment & Vacancies

I may request a reassignment no earlier than two weeks after the start of the academic term. The University may approve or disapprove of such request in its sole discretion.

I understand that DRL may reassign me to another space at any time if DRL determines it to be in the University's best interests. Such interests include but are not limited to the more efficient use of space and conducting repairs or renovations. I agree to relocate to the new space within the time period requested, unless otherwise approved in writing by authorized DRL staff. I understand that if I fail to relocate as requested, I may be charged an increased rate (e.g., the rate for a single) and am responsible for any additional costs that the University incurs due to my non-compliance.

3. CONTRACT DURATION

I understand that the Contract term is for the entire academic year (Fall and Spring semesters), or the balance thereof if initially entering mid-year, but that the residence halls are closed during Thanksgiving Break, Winter Break, Spring Break, and the Summer Term. I must vacate the premises during these periods unless DRL has approved a petition to remain in the space and I have paid any applicable fees. Notice of exact term dates are published annually on the campus calendar on our [Important Dates and Deadlines](https://www.uis.edu/residencelife/DatesandDeadlines) webpage (<https://www.uis.edu/residencelife/DatesandDeadlines>).

4. OCCUPANCY; CONTRACT EXTENSIONS

4.1 Move-In

The specific dates of occupancy are posted on our [Important Dates and Deadlines](https://www.uis.edu/residencelife/DatesandDeadlines) webpage (<https://www.uis.edu/residencelife/DatesandDeadlines>). I must move into my assigned space by the end of the second day of the commencement of classes unless I have submitted a written request for late check-in and received DRL written approval. If I fail to occupy the space without notice, I will be considered a No Show and risk losing my assigned space. In the event that I am a No Show, I will not receive any refunds for the period the space is held unoccupied. I understand that my failure to occupy the assigned space does not cancel this Contract.

4.2 Early Arrival

I may request a Contract Extension to permit early arrival to participate in University-related groups or functions. If approved by DRL staff in writing, an occupancy fee of \$35 per night will be assessed. If I fail to make such a request and arrive early, I will be assessed an unauthorized occupancy fee of \$50 per night.

4.3 Break Period Extensions

I may request Break Period housing during periods when residence halls are closed, pursuant to the process communicated by DRL. I understand I must be registered for the upcoming semester to be considered for Break Housing. Granting a request for Break Period housing is at the sole discretion of the University.

4.4 Summer Housing Requests

In April, I may request Summer Housing if I am enrolled for summer or the upcoming fall semester, or if I have a local Internship over the summer. I understand that if my request is granted, charges will be posted to my University account based on a weekly rate. I understand

DRL retains discretion to grant or deny my request and to determine which units and how many will be available for summer housing.

4.5 Move-Out

I will vacate my assigned space no later than forty-eight (48) hours after my last final examination of each term, the cessation of my academic eligibility, or the posted end of contract date; that which is earliest.

4.6 Late Departure

I may request a Contract Extension to permit late departure to participate in University-related groups or functions. If approved by DRL staff in writing, an occupancy fee of \$25 per night will be assessed. If I fail to make such a request and stay beyond my move-out date, I will be assessed an unauthorized occupancy fee of \$50 per night.

5. HOUSING CHARGES & PAYMENTS

5.1 Application Fee & Housing Security Deposit

I have paid a \$50 non-refundable application fee and a \$200 Housing Security Deposit. The deposit will be refunded, less any applicable charges or fees as provided in this Contract, within thirty (30) days of the termination of this Contract, or as otherwise provided by applicable law.

5.2 Room Rates

I agree to pay the University the applicable rate for the housing space assigned to me. [Room rates](#) for the applicable academic year can be found online at www.uis.edu/residencelife/ApplyforHousing/housing-options-and-amenities/housing-rates.

5.3 Meal Plans

I understand that I must purchase a meal plan offered by UIS Food Service as a condition to living in a residence hall or Second Year Residential Initiative (SYRI) designated apartment. Students living in non-SYRI designated apartments have the option, but are not required, to purchase a meal plan. If applicable, I agree to pay the University the rate for the meal plan I have selected. [Meal plan options](#) and rates can be found online at www.uis.edu/dining/meal-plans.

5.4 Damages

I agree to use my living unit and all University property and furnishings in a proper and responsible manner at all times; I agree to surrender the same in good repair and condition as normal use dictates. I will be financially responsible for all damage (including, but not limited to, repair and cleaning costs) to my living unit and/or University property and furnishings, including damage by my guests.

5.5 Payments

I agree to be billed for each semester of the academic year separately through University Student Financial Services & Cashier Operations (“USFCO”). I understand that I will be assessed a

service charge on all unpaid monthly balances of University charges. I may refer to the [USFSCO website](#) for billing information at www.paymybill.uillinois.edu.

6. EARLY TERMINATION

6.1 By University

The University reserves the right to cancel this Contract if I become delinquent on payments, breach any term of this Contract, or if it otherwise determines that my past or current behavior is such that the interests of the University or its students, faculty, or staff would best be served by cancellation of this Contract. Such behavior includes, but is not limited to, endangering persons or property, failure to comply with the UIS Student Conduct Code, DRL Policies or UIS COVID-19 policies and protocols, and possession of prohibited items. I will remain responsible for the remaining 100% of my academic year room charges, and a \$350 breach of contract fee.

6.2 By Student

6.2.1 Request for Cancellation

I may request to cancel this Contract by submitting a written Contract Cancellation Request Form to DRL via fax, mail, or email. Forms are available at DRL or on our [website](#) (www.uis.edu/residencelife). I understand that only written notification from DRL of a cancellation approval will terminate this Contract.

6.2.2 Grounds for Consideration

My request for cancellation will only be granted for the following reasons:

- Graduation at the end of the current term;
- Total academic withdrawal/non-registration from all UIS classes (including online courses) for the remainder of the contract period;
- Serious illness, medical or mental health condition which prevents me from attending class in-person;
- Participation in academic-related experiences/internships off-campus and further than 40 miles outside the greater Springfield area;
- Death in the immediate family;
- Call-up or induction into active military service;
- Academic suspension; or
- Marriage.

I understand that it is my sole responsibility to provide all necessary supporting documentation and sufficient verification of the respective rationale and circumstances to the satisfaction of DRL.

6.2.3 Effective Date

If cancellation is approved, the effective date is the date the Request for Cancellation is approved by DRL. I must promptly and properly vacate the premises within forty-eight (48) hours of this date.

6.3 Fees & Charges

I agree to the following fees & charges schedule in the event: that 1) my Request for Cancellation is received by the date noted below and approved in writing by DRL, or 2) if the University cancels pursuant to 6.1:

- A. No fee for cancellations on or before April 30 for the fall term (or on or before November 30 for spring term).
- B. A \$100 cancellation fee for cancellations between May 1 and May 31 (or between December 1 and December 15 for spring term).
- C. A \$250 cancellation fee for cancellations between June 1 and August 1 (or between December 16 and January 7 for spring term).
- D. A \$350 cancellation fee for cancellations between August 2 and the first day of class (or between January 8 and the first day of class for spring term).
- E. A \$350 cancellation fee plus 50% of the room charge for cancellations on or after the first possible day of occupancy through the 10th day of class for the semester.
- F. A \$350 cancellation fee plus 75% of the room charge for cancellations after the 10th day of classes for the semester.
- G. If I request cancellation due to induction into active military service, cancellation fees will be waived.
- H. If I request cancellation due to graduation, cancellation fees will be waived.
- I. If I vacate my assigned space before the end of the contract period without providing notice and receiving written approval for release, I will be held responsible for 100% of the contract balance.

7. HOUSING RULES & CONDITIONS

I agree to comply with all applicable local, state and federal laws and regulations, as well as all University and DRL policies applicable to students whether now in effect or later adopted and published by the University during the term of this Contract. Some relevant policies include but are not limited to:

[UIS Alcoholic Beverages Policy](#) (special attention to Article II):

<https://www.uis.edu/policy/alcoholic-beverages-regulations-and-procedures>

[UIS Drug and Alcohol Policy](#):

<https://www.uis.edu/policy/drug-and-alcohol-policy-brief>

[UIS Student Conduct Code](#):

<https://www.uis.edu/policy/student-conduct-code>

[UIS DRL Community Living Guide](#):

<https://www.uis.edu/sites/default/files/2021-05/DRL-Community-Handbook-20201021.pdf>

[UIS COVID-19 Policies and Protocols](#):

<https://www.uis.edu/covid-19/>

8. MISCELLANEOUS TERMS

8.1 Amendment

This Contract is a legal document binding upon me and upon my parents or guardian if I am under 18 years of age. No proposed amendment to this Contract shall be valid unless made in writing and properly signed by an authorized university contract signatory.

8.2 Severability

If any provision of this Contract is held to be unenforceable by a court of competent jurisdiction, the provisions shall be severed from this Contract so long as severance does not affect the enforceability or essential purpose of the remainder of the Contract.

8.3 Waiver

The failure of the University to enforce any provision of this Contract shall not waive the University's right to later enforce that or any provision of this Contract.

8.4 Choice of Law

This Contract shall be construed by application of Illinois law without regard to its conflict rules.

9. LIABILITY

The University does not provide security or protection services as part of this Contract. The University is not responsible for and will not reimburse resident for damage or loss of personal effects resulting from third-party conduct, weather-related disturbances, other natural conditions, or malfunctioning of plumbing, appliances, or other facility-related systems. The University shall not be held responsible or liable for any personal injury, loss, theft, or damage incurred or sustained by residents or their guests. Each resident is responsible for insuring and securing their individual person and property and is strongly encouraged to secure personal renter's insurance or sufficient coverage under a parent's applicable homeowner's or renter's policy. Such policy coverage should be in continuous effect during the full period of on-campus residency, including breaks when resident may not be physically on-campus. University parking facilities are used at resident or guest's own risk.