

Coyne College

Campus Security Report 2018

**1 North State Street, Suite 400
Chicago, IL 60602**

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1 North State Street, Suite 400, Chicago, Illinois 60602
October 1, 2018

Introduction

Through more than a century of training, Coyne College has proven to be a safe and secure environment for students and employees. Instances of crime rarely occur in the facility leased by the school.

The following report presents the College's policies and procedures regarding campus security. It also provides statistics pertaining to the frequency of certain crimes over the past three years at the College.

It is important to recognize that while the College has proven to be a safe and secure environment, no student or employee should be lulled into a false sense of security. Safety and security are the responsibilities of everyone at Coyne. The College is a safe place precisely because everyone takes this responsibility seriously.

Exercise common sense with regard to the security of your person and your property. Do not leave your belongings lying around unattended. Do not venture into areas or facilities where you are not authorized to venture. Report suspicious behavior or instances of crime immediately. By following these and other simple rules, you can do your part to ensure that the Institute remains a safe and secure place to learn and to work.

Item 1: Procedures for Reporting Crimes and Emergencies

a) Policy Statement on Issuing Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the President, constitutes an ongoing threat, a campus wide "timely warning" will be issued. The warning will be issued through the college e-mail system to students, faculty, and staff. Additionally, "timely warning" bulletins will be posted in common areas and frequented locations throughout the school, including at the front entrance to the school and the reception desk.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the President/Director may send an email to students, staff, and faculty with more immediate notification, accompanied by personal notification on a class-by-class basis by walking through the school building and providing notification.

Anyone with information warranting a timely warning should report the circumstances to the President/Director, or Operations Manager on duty, by phone, at (773) 577-8100, or in person at the Education Office.

b) The College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the Coyne College website at www.coynecollege.edu, under the "Disclosures" tab at the bottom of the page, click "2018 Campus Security Report."

Campus crime, arrest, and referral statistics include those reported to the Chicago Police Department, and designated campus officials (including but not limited to the President, Directors, and Operations Managers).

These statistics may also include crimes that have occurred in private residences or businesses and are not required by law.

Each year, this report is distributed to all enrolled students, and all employees of the College. Copies of the Report may also be obtained from the School President/Director. All prospective employees may obtain a copy from April London, HR Generalist/Assistant to the President.

c) In the event of a crime, or suspicious behavior, or emergencies (medical or otherwise), students and staff should immediately notify one of the following school officials:

Russell Freeman, President/Director
Virginia Hanson, Director of Education
Durwin Morris, Operations Coordinator
Tom Stryczek, Evening Operations Manager

For emergencies, dial 911.

The above officials shall notify the proper authorities and prepare a written report of the incident. All reports of crimes will be logged in the school's Daily Crime Log.

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the President/Director or a designee may be able to file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The College does not remove reports of crimes from its statistics, even in the limited allowable circumstances where reports of crimes have been "unfounded" by law enforcement officials.

Item 2: Security and Access to Facilities

a) Classrooms and laboratories shall be locked when not in use. Students are prohibited from entering any classroom or laboratory without Instructor or Staff supervision. The school and Resource Center are secured at regular times during the day. These times are posted on the appropriate entrances.

During semi-annual vacation breaks, students are to remove all personal belongings from the school, to prevent damage or loss due to maintenance projects. Students are discouraged from loitering around the school's facilities when class is not in session.

Coyne College does not have any campus residences.

b) The College President/Director and/or Maintenance Staff regularly inspects security issues such as locks, alarms, lighting, and communications.

Item 3: Crime Reporting

Staff and students are encouraged to report any crimes to the officials listed in Item 1 above, and also to contact any law enforcement agencies they feel appropriate for the investigation of any crime or incident.

a) Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Campus President/Director and the Chicago Police, in a timely manner. To report a crime or emergency on the State Street campus, call (773) 577-8071 or (773) 577-8061. To report a crime or emergency to the Chicago Police Department, call 911.

b) All reports will be investigated. The College does not have procedures that encourage pastoral counselors and professional counselors, if and when they deem appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Item 4: Educational Programs

Safety and Security policies and procedures are contained in this Campus Security Report. The Report is distributed to all students and staff on an annual basis, and is available upon request to any prospective student or employee.

On the first day of class, students are informed of crime and emergency procedures by their Instructor. Students are told about crime on campus and in surrounding neighborhoods. Similar information is provided to new employees.

A common theme of all awareness and crime prevention is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Educational information regarding safety and security is distributed to students on an occasional basis, in the form of bulletins or informational notices provided to the school by the Chicago Police Department.

When time is of the essence, information is released to the college community through security alerts posted prominently throughout campus, through emails, and through a public broadcast system.

Item 5: Crime Prevention Information Programs

Crime prevention programs on personal safety and theft prevention are supplied to the college community throughout the year in the form of bulletins or posters from the President/Director's office, in conjunction with the Chicago Police Department, or the Cook County Sheriff's office.

Item 6: Off-Campus Student Organizations

The College does not recognize any off-campus student organizations.

Item 7: Possession, use, and sale of alcoholic beverages and enforcement of state underage drinking laws

Coyne College has been designated "drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Coyne College's administration. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place open to the public is illegal. It is also a violation of the College Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior approval from the President/Director.

Item 8: Drug Policy

The Coyne campus has been designated "drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Coyne College's administration. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment.

Item 9: Drug or Alcohol Abuse Education Programs

Please see Appendix B for the College's Drug and Alcohol Prevention Program, including education programs.

Item 10: Statement Addressing Disclosures to Alleged Victims of Violence or Non-forcible Sex Offenses

Coyne College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Coyne College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Item 11: Emergency and Evacuation

Please see Appendix C for Emergency and Evacuation Procedures

Item 12: Domestic Violence, Dating Violence, Stalking, and Sexual Assault Policies

Coyne College prohibits all forms of domestic violence, dating violence, stalking, and sexual assault.

Coyne College operates no on-campus or off-campus residence facility, and does not recognize any student organizations which may conduct activities on or off campus. The College has never had a reported instance of any sex offense. Nonetheless, the following policies and procedures have been formulated for use in the event of an alleged sex offense or instance of domestic violence, dating violence, or stalking. Please see Appendix A for definitions of sex offenses. In cases of sexual harassment or offensive sexual behavior not defined in Appendix A, the Institute's Disciplinary Warning Procedure will be implemented. The policies in Item 12 of this Campus Security Report provide victims of these crimes with a written explanation of their rights and options.

a) The College educates the student community about sexual assaults and date rape through literature provided by the Chicago Police Department and other sources. This literature is available through the office of the President/Director. The College also requires all students and employees to complete an online training course titled *Not Anymore Online Sexual Assault Prevention* training program. Students are required to complete this course within their first six weeks of attendance. Employees are required to complete this course within the first ninety days of employment.

b) If a sex offense, domestic violence, dating violence, or stalking occurs, students should immediately report to April London, HR Generalist/Assistant to the President; Tom Stryczek, Evening Operations Manager; Virginia Hanson, Director of Education; or Russell Freeman, President/Director. It is extremely important that sex offenses be reported as soon as possible due to the nature of evidence and its preservation in such cases. Students should also contact the Chicago Police as soon as possible by dialing 911.

c) In the event of a sex offense, students are urged to notify the Chicago Police Department. In the event of a sex offense reported to a College official, that official will notify the Chicago Police Department. College officials will assist students in notifying the Chicago Police, if the student requests such assistance.

d) Victims of sex offenses are encouraged to contact counseling or social service professionals. Victims can contact Rape Crisis Hotline at (888) 293-2080 or RAINN (Rape, Abuse & Incest National Network) at (800) 656-HOPE. The College does not provide on-campus services for victims of sex offenses.

e) The College will make every effort to change a victim's academic situation after an alleged sex offense. This change may involve a class change or a Leave of Absence, if requested by the victim, and if those changes are reasonably available. The College will make every reasonable effort to assist in the enforcement of orders of protection, no-contact orders, restraining orders, and similar orders issued by a criminal, civil, or tribal court.

f) In the event that a student accused of a sex offense is actually charged with an offense by the Chicago Police Department or any other law enforcement agency, that student's enrollment will immediately be suspended pending the outcome of criminal proceedings. The College will cooperate to the best of its ability with law enforcement officials. In its internal disciplinary actions in the case of alleged domestic violence, dating violence, sexual assault, or stalking, the College will ensure prompt, fair, and impartial investigation and resolution.

The College will consult with its legal advisors before considering the re-enrollment of any student charged with a sex offense. Any disciplinary proceeding conducted by the College shall provide the same opportunities to the accuser and the accused to have others present during the proceeding. Both the accuser and the accused shall

receive simultaneous written notice of the outcome of any disciplinary proceeding or appeal procedure, or any change to results before results are final. Both the accuser and the accused will also receive simultaneous written notice when results have become final.

g) The College may impose sanctions up to and including permanent termination of enrollment following a disciplinary proceeding regarding sex offenses.

Please see Appendix D, *Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence*.

Item 13: Registered Sex Offender Information

Please contact the School President/Director for information about registered sex offenders either employed by or attending the College.

Search and Seizure

To maintain safety and security in the school, designated school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects.

School Property and Equipment and Personal Effects Left There by Students

Designated school authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by the student, without notice to or consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The President/Director or his designee may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

Designated school authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, tool boxes, lunch boxes, etc.) when there is reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the school's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows:

1. Outside the view of others, including students,
2. In the presence of a school administrator or adult witness, and
3. by a designated school authority or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the designated school authority who conducted the search, and given to the President/Director.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the school's policies or rules, such evidence may be seized and impounded by designated school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Agreements With Law Enforcement Agencies for Investigation of Alleged Criminal Offenses

The College does not have any formal agreements with Law Enforcement agencies for the investigation of alleged criminal offenses. In the event of an alleged criminal offense, the College will notify appropriate law enforcement agencies, as described earlier in this report.

CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/Non-Negligent Manslaughter	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Negligent Manslaughter	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Criminal Sexual Assault, Aggravated	2017	0	0	0	1
	2016	0	0	0	1
	2015	0	0	0	0
Criminal Sexual Assault, Non Aggravated	2017	0	0	0	7
	2016	0	0	0	0
	2015	0	0	0	0
Fondling	2017	0	0	0	1
	2016	0	0	0	0
	2015	0	0	0	0
Incest (Non-Forcible Criminal Sexual Assault)	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Statutory Rape (Non-Forcible Criminal Sexual Assault)	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Robbery	2017	0	0	0	57
	2016	0	0	0	10
	2015	0	0	0	3
Aggravated Assault/Battery	2017	0	0	0	32
	2016	0	0	0	6
	2015	0	0	0	0
Burglary	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	21
	2016	0	0	0	1
	2015	0	0	0	0
Arson	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Domestic Violence	2017	0	0	0	50
	2016	0	0	0	0
	2015	0	0	0	0
Dating Violence	2017	0	0	0	7
	2016	0	0	0	0
	2015	0	0	0	0
Stalking	2017	0	0	0	1
	2016	0	0	0	0
	2015	0	0	0	1
Arrests: Weapons: Carrying, Possessing, etc.	2017	0	0	0	3
	2016	0	0	0	0
	2015	0	0	0	0

Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Arrests: Drug Abuse Violations	2017	0	0	0	2
	2016	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Arrests: Liquor Law Violations	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0
Hate Crimes	2017	0	0	0	0
	2016	0	0	0	0
	2015	0	0	0	0

APPENDIX A

Crime Definitions from the Uniform Crime Reporting Handbook

The following definitions are to be used for reporting the crimes listed in Department of Education Regulation 668.47, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program.

Murder The willful (non-negligent) killing of one human being by another.

Robbery The taking or attempting to take of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joyriding.)

Weapon Law Violations The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Abuse Violations Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous nonnarcotic drugs (barbiturates, benzedrine).

Liquor Law Violations The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Sex Offenses Definitions from the National Incident-Based reporting System Edition of the Uniform Crime Reporting Program:

Sex Offenses - Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Consent Voluntarily and actively participating in sexual activity with another individual. Consent cannot be obtained by force, threats, intimidation or coercion. Consent must be given at every sexual encounter and may be withdrawn at any time during the course of any sexual interaction. Some individuals unable to give consent include: individuals of minor age of 17 or younger; individuals that do not understand the consequences of their actions because of mental incapacity (including those who are inebriated due to alcohol or drug use); and those who are asleep or unconscious.

Forcible Rape The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth), encompassing rape, sodomy, and sexual assault with an object.

Forcible Sodomy Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Sexual Assault with an Object The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Forcible Fondling The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Sex Offenses - Nonforcible

Unlawful, nonforcible sexual intercourse

Incest Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape Nonforcible sexual intercourse with a person who is under the statutory age of consent.

APPENDIX B: Drug and Alcohol Prevention Program

Notice to Students and Employees

Coyne College has established a Drug and Alcohol Free Awareness Program (DAFAP). The DAFAP encompasses the following four phases:

Phase One

Warning of the dangers of drug and alcohol abuse:

Drug and alcohol use impairs memory, alertness, and achievement. It erodes the capacity to perform, think, and act responsibly. It may be grounds for termination of your enrollment with the College or other legal action. Schedule A specifically details the Uses and Effects as it relates to alcohol.

Phase Two

Coyne College has a policy of maintaining a Drug and Alcohol free learning environment (Standards of Conduct):

All students and employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of illicit drugs and alcohol is prohibited in the College's learning environment. Any student or employee must notify the College of any criminal drug or alcohol statute conviction for a violation occurring in the learning environment no later than five days after such conviction. In compliance with the Drug-Free Workplace Act of 1988, the College's "workplace" consists of the following locations:

Coyne College, 1 North State Street, Suite 400, or, any teaching site, or any "off-site" location (e.g. field trips, job placement, luncheons, meetings, graduation ceremonies, etc.) where the activities are in any way related to the College.

Phase Three

Listing the available local drug counseling, rehabilitation, and assistance programs:

Please refer to Schedule B.

Phase Four

Non-compliance with the terms of this College's Drug-Free Workplace Statement:

Employees: Any employee who violates the College's "Standards of Conduct" (Phase Two above) will be placed on probation for the first offense and terminated for the second offense. Employees convicted of violations of criminal drug statutes will be required to satisfactorily participate in a drug abuse assistance or rehabilitation program, or to face termination.

Students: Any student who violates the College's "Standards of Conduct" (Phase Two above) will be subject to the Termination of Training section of the College's catalog which reads: "The College makes every effort to help students continue and complete their studies. However, in certain circumstances, the school may deem it in the best interests of all concerned to suspend or terminate a student's training. The reasons for this action include excessive

absences, or tardiness, improper conduct, inability to maintain the required grade averages, or failure to fulfill their financial obligations to the school.”

Drug and Alcohol Related Incidents

In its 2017 biennial review of this policy, the school determined that there have been 0 drug or alcohol related incidents or fatalities on campus or as part of the school’s activities, and there have been 0 sanctions imposed for drug and alcohol related incidents.

Biennial Review SCHEDULE A

Alcohol Uses and Effects

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

SCHEDULE B

Drug Counseling, Rehabilitation, and Assistance Programs

National Alcohol Hotline: 1-800-ALCOHOL
Cocaine Anonymous: 1-800-COCAINE
Narcotics Anonymous: 1-818-773-9999
Alcoholism Treatment Helpline: 1-800-711-6402
Alcoholics Anonymous Greater Chicagoland: 1-800-371-1475
National Alcohol and Drug Information Clearinghouse: 1-800-662-HELP
Alateen: 1-800-356-9996
Center for Substance Abuse Prevention Workplace Helpline: 1-800-WORKPLACE
PREVLIN: Prevention Online: www.health.org
National Institute on Alcoholism: www.niaaa.nih.gov
Poison Control Center: 1-800-942-5969
Suicide Hotline (Covenant House 9-line): 1-800-999-9999
Suicide Prevention Hotline (National Helpline Network): 1-800-SUICIDE

In emergencies, call 911.

SCHEDULE C

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a):

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$10,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Copies of the Campus Security Report are available upon request from the President, the Director of Admissions, and the Director of Education.

APPENDIX C

EMERGENCY AND EVACUATION

Emergencies at Coyne College are unusual. However, everyone must be prepared and act properly when an emergency does occur. Coyne College has an evacuation plan in place if such an event occurs. Coyne's staff and administration are prepared to respond accordingly when a fire or other emergency occurs.

Your Responsibilities

Read this information thoroughly. Familiarize yourself with your daily surroundings at Coyne. Know the specific "ins and outs" unique to your work or training areas. These include emergency routes out of the building, location of fire extinguishers, location of alarm boxes, and location of the nearest first-aid kit.

Review these pages periodically. In the event of an emergency, you will not have time to read these instructions. Encourage co-workers and students to read these pages.

REMEMBER: SAFETY OF LIFE OVERRIDES ALL OTHER CONCERNS!

Emergency Prevention

Staff and students can help prevent emergencies on campus by observing the following:

- Know your surroundings and be aware and observant
- Question strangers on campus (in a non-confrontational manner: "Are you being helped?" or "May I help you?")
- Know your students and report changes in their behaviors to the Director of Education or Operations Manager
- Report any and all suspicious or threatening behavior or speech to the Director of Education or Operations Manager
- Report any and all suspicious packages, parcels, or vehicles to the Director of Education or Operations Manager

Reporting Emergencies

All emergencies, day or night, should be immediately reported to the school President/Director or Operations Manager on duty. The President/Director or Operations Manager will respond and initiate necessary action, including the notification of specific emergency services. Where immediate emergency services are obviously required, call 911.

When reporting an emergency, crime, or suspicious activity, be prepared to provide a situation assessment which should include:

- Type of emergency or criminal activity
- Exact location of emergency or criminal activity
- Description of persons involved
- Size of the area involved
- Number of injuries or casualties

Remain calm and stay on the line until you are sure the emergency responders know where to find you and/or the emergency.

Emergency Telephone Numbers

From Coyne office phones, dial 911 for City of Chicago Emergency Services.

1. Immediate Notification

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the School President/Director or Manager on duty will notify all employees and students by either setting off the facility's fire alarm system, notifying each class and office personally, making an announcement over the public address system, or sending an emergency notification text message.

2. Confirmation of a significant emergency.

a) The School President/Director or Manager on duty will confirm the presence of a significant emergency by evaluating emergency reports from students or employees, or checking news outlets in the case of serious weather or emergencies in the community.

b) Because of the small size of the Coyne campus, in the event of an emergency, the President/Director or Manager on duty will notify all students and employees on campus.

c) The President/Director or Manager on duty will determine the content of the notification, and will determine the appropriate amount of information to be disseminated along with the prescribed action (lock down, evacuation, etc.) the campus community should take.

d) Again, because of the small size of the campus, the President/Director or Manager on duty will initiate the notification through one or more of the means described in 1 above.

3. Statement of Notification

The College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

4. Responsible Persons

Individuals responsible for confirming emergencies, determining notification content, and initiating notification:

Russell Freeman, President/Director
Tom Stryczek, Evening Operations Manager
Virginia Hanson, Director of Education
Durwin Morris, Operations Coordinator

5. Emergency Response and Evacuation Procedures Statement

This document contains information about incident priorities; shelter-in-place and evacuation guidelines; and local contingency and continuity planning guidelines. The College conducts at least one emergency response exercise each year.

General information about the emergency response and evacuation procedures for Coyne College are publicized each year as part of the school's Clery Act compliance efforts and that information is available on the Coyne College web site.

All members of the Coyne College community are notified on an annual basis that they are required to notify the President/Director of any situation that may involve a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The Campus President/Director has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the Campus President/Director has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community. If that is the case, Federal Law requires that the College immediately notify the campus community or the appropriate segments of the campus community that may be affected by the situation.

Notification to the Outside Community about an Immediate Threat

In the event of a situation that poses an immediate threat, the Campus President/Director will determine the content of the message and call 911 to inform the Chicago Police Department of the situation. The Campus President/Director may also contact the greater community via www.emergencyclosings.com.

6. Emergency Response and Evacuation Drills

- a) The College will conduct periodic evacuation drills. These drills will occur at a minimum once per year. These may be announced, or unannounced.
- b) The College will publicize information about its emergency response and evacuation procedures in conjunction with at least one test per calendar year.
- c) These drills will be documented in the annual Campus Security Report, to include a description of the exercise, the date, time, and whether the drill was announced or unannounced.

Emergency Response and Evacuation Procedures

Including both Shelter-In-Place Responses and Evacuation Responses

Active Shooter

Situations where one or more individuals are using deadly force against many people are very fluid and change quickly. It is impossible to anticipate exactly how such situations will evolve. It is impossible to provide absolute guidelines. Thinking through possible actions now may give you an important advantage. Active shooter incidents can happen at any location where people gather and usually start quickly and without warning. Call 911 as soon as you can do so with relative safety.

In the initial phases of an active shooter situation, individuals will need to make independent decisions based upon their assessment of the situation.

Follow all directions of law enforcement personnel.

As soon as it is safe, the President/Director will convene to consider other actions needed by the college.

All college communications will utilize the campus emergency communication plan described later in this document.

Action Steps: Happening Now

Hearing gunfire may be your first indication that something is wrong. Assess your situation as best you can and take action. In general, the more distance you can put between yourself and the shooter, the better. Do not go towards the sound of gunfire to investigate and/or try to help. Get away from the area. Try to be a moving target versus a non-moving target.

If you can not get out of the area but are somewhat distant from the shooting, consider locking down as an option. Try to secure the room you are in or go to a nearby room that can be secured. Close blinds, turn off radios/TVs/etc., and keep quiet. Get down near the wall which the shooter is most likely to try firing through. Consider trajectory of possible bullets when taking cover. Your goal is to keep the shooter from entering the room.

Quietly discuss with others in the room what you will do if the shooter enters the room. If that happens do not “duck and cover” and become a partially exposed, passive target. If possible try to get away. Evaluate the situation as best you can before following any instructions from the shooter.

Lock Down - Shelter-In-Place

Objective: To try to keep people from coming in contact with the shooter by going to places that can be secured. Ideally, such a space has phone and internet access, but the ability to secure the space is primary.

The School President/Director will determine the appropriate manner of communication to alert people for the need for a Lock Down. These may include but are not limited to the building public address system, individual room-to-room notification by an individual or individuals, campus email, or other method.

Staff may initiate a lock down in their area when circumstances dictate.

Do not set off the fire alarm in a lock down. People may become targets by orderly leaving the building and gathering outside.

If a fire alarm goes off while you are in lock down assess the situation before leaving your shelter. The alarm may have been set off by the shooter(s). If you smell smoke or see fire you need to exit.

In an active shooter situation the first priority of police will be to neutralize the shooter(s). Consider carefully before doing anything that may cause you to be confused with the suspect – like showing a personal weapon, running toward police, etc. Follow all instructions from law enforcement.

Modified Lock Down

Objective: To secure exterior doors while normal activities continue within the building. This is used when there is a probability of a dangerous situation coming onto campus and there is a need to restrict access to our building.

Upon hearing the emergency announcement to start a modified lock down, staff should secure their exterior doors, close blinds, and continue normal activities until notified of an all clear.

During modified lock down you may let people into the building who you know personally and who do not fit the description of the suspect.

Criminal Activities

Everyone is asked to make the college a safe place by being alert to suspicious situations or persons and by reporting them to campus security, the President/Director, or Manager on duty as soon as possible. If you are a victim, witness, or responsible for the safety of students or others, do not take any unnecessary chances.

Avoid physical confrontation with the perpetrator by any reasonable means. If a vehicle is involved, get a license number, make, model, and color if possible.

After becoming aware of a major crime in progress against a person or property, the President/Director or Manager on duty will determine appropriate action and notification:

1. Dispatch the campus security guard (if applicable)
2. Notify appropriate outside agencies and request assistance, if needed
3. Notify employees and students as appropriate
4. Conduct follow-up after the incident.

Action Steps:

1. Do not try to apprehend or interfere with the criminal except to defend yourself.
2. Get a description; height, weight, sex, color, age, clothing, method and direction of travel, license number, make model, color of vehicle, etc.
3. Do not touch or move what may be evidence or appear dangerous.
4. If possible go to a safe place.
5. Call 911 to report the crime.
6. Alert the President, Director or Manager on duty.
7. Do not interfere with those creating the disturbance or with law enforcement authorities.

Injury Emergency

Regardless of the source or type of injury emergency, careful attention to administrative procedures must be paid to ensure the proper handling of injuries.

After a workplace or training injury or illness:

- 1) Notify the school President/Director or Operations Manager immediately.
- 2) Seek medical treatment by either obtaining an injury referral to one of the nearby urgent care facilities, or by calling 911 for an ambulance.
- 3) Make sure a report is filed with the school Director or Operations Manager.

Hazardous Material Spills – Exposure

Preplanning is essential when working with chemicals and other hazardous materials. Know what substances are in your work or training area and know the dangers they present.

To report any incident call 911. Be prepared to report:

- Location and type of spill
- Injuries
- Approximate amount of material involved
- Any identifiable reaction
- Who was in contact with the substance

Equipment or processes containing hazardous materials should be halted and the area evacuated. Close doors to contain the situation until emergency responders arrive. If needed, the School President/Director or Operations Manager will contact building engineers to shut off the ventilation system.

Account for everyone in the room and compile a list of all individuals who might have been contaminated by the hazardous substance.

If direct contact is made with a hazardous substance, immediately remove contaminated clothing. Flush any point of bodily contact with plenty of water for at least 15 minutes.

Make sure a report is filed with the School President/Director or Operations Manager.

Crisis Management

Become familiar with the areas you use. Before an incident occurs, know your evacuation routes and where to take shelter depending on the emergency.

STAY CALM. Do not make the situation worse. Do not let people take foolish chances. Others will respond as you do. Set the example.

Control the flow of information. Evaluate what is most essential and forward only that. Have a plan to disseminate: What, Who, How, Why, When.

If you find yourself in charge of an area, delegate duties. Clearly communicate your needs and trust others to do their part. This will aid others who need to feel useful.

Use plain language during a crisis. Everyone will be under stress. Keep things simple and straightforward.

Be aware of those around you. Aid those who you can without added risk. Follow instructions when they are relayed.

Talk to each other. Simply talking to each other and discussing what could happen and how to respond prepares us for crisis.

Remember personalities. Stress, fear, fatigue, and anger might be present in those around you. Be prepared to deal with human nature. Do not let it frustrate you.

Utility Failures

Gas Leak: Report any suspicion of a gas leak to the President/Director or Operations Manager.

For other utility failures, the Office of the President or the Education Office will provide instructions.

Fire

Upon discovering fire, smoke, or an explosion in the building, stay calm and activate the nearest Fire Alarm.

Dial 911. Be prepared to give information on the location, size and cause of the incident, as well as the nature of injuries.

Follow posted room evacuation routes and account for all occupants of the room. DO NOT USE ELEVATORS.

Provide assistance to mobility-impaired individuals.

If the fire is beyond the means at your disposal (local fire extinguishers), do not stay to fight the fire.

If forced to travel through smoke, stay low and breathe shallowly using a shirt or jacket as a filter.

If a closed door feels hot to the touch, DO NOT OPEN IT.

Do not attempt to re-enter the building or leave the campus area until accounted for and/or instructed to do so.

Tornado/Dangerous Winds/Severe Storms

In the event of a tornado watch, dangerous winds, or severe storms, move toward the interior of the building, away from windows. At the State Street campus, stay away from the classrooms, laboratories and offices with windows along the State Street and Madison Street sides of the building to avoid breaking windows should severe winds prevail.

At State Street, in the event of a tornado warning, the President/Director or Operations Manager will use the public address system to direct all students and personnel into the reception area, staff lounge and eastern hallway. Remain calm and keep out areas with windows.

Communications

All communications that are related to an emergency must be issued by the President/Director, or the Manager on duty.

1. Emergencies which significantly disrupt classes and services will be announced through the President's Office or the Education Office to employees, students, and/or the public.
2. Employees will be notified of specific actions via campus email, telephone, or personal notification by an individual.
3. Students will be notified of specific actions via their instructor, a staff member, or the building public address system.
4. "All Clear" announcements will be made by the President/Director, or the Manager on duty.
5. All media communications related to an emergency must be made by the President's office. In order to ensure quick and accurate reporting, no one except the President or his delegate shall call the media or make statements to the media.

Process:

The President/Director, or Manager on duty will be responsible for confirming any significant on-campus emergency or dangerous situation involving an immediate threat to the health or safety of students or employees.

The President/Director, or Manager on duty will be responsible for determining who to notify, and will determine the content of the notification.

The President/Director, or Manager on duty will initiate the notification.

Emergency Evacuation Drills:

State Street Campus – October 23, 2018, 11:18 AM, Fire Drill, Unannounced, Evacuated to Daley Plaza. Ended 11:46 AM. Evacuation response was deemed satisfactory by Coyne administrators.

If you have any questions regarding the school's emergency and evacuation plan, please contact the school Director of Education.

Coyne College
Campus Security Report – Appendix D
Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence

Statement of Purpose

Coyne College is committed to providing a safe and non-discriminatory learning and working environment and does not discriminate on the basis of sex or gender in any of its education or employment activities. This policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972 and/or Title VII of the Civil Rights Act. Such behavior also requires the College to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 (VAWA) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

The College prohibits sexual assault, sexual exploitation, intimate partner violence, stalking, sexual or gender-based harassment, complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this policy. These forms of prohibited conduct are unlawful and will not be tolerated.

Employees or students who violate this policy may face disciplinary action up to and including termination or expulsion. The College will take prompt and equitable action to eliminate prohibited conduct, prevent its recurrence, and remedy its effects. The College conducts ongoing prevention, awareness, and training programs for employees and students to facilitate the goals of this policy.

It is the responsibility of every member of the College community to foster an environment free of prohibited conduct. All members of the community are encouraged to take reasonable and prudent actions to prevent or stop an act of prohibited conduct. The College will support and assist community members who take such actions.

This policy applies to all reports of prohibited conduct occurring on or after the effective date of this policy.

To Whom This Policy Applies

This policy applies to students who are registered for credit- or non-credit-bearing coursework; College employees (including temps); and contractors, vendors, visitors, guests, or other third parties. This policy pertains to acts of prohibited conduct committed by or against students, employees, or third parties when:

1. the conduct occurs on College grounds or other property owned or controlled by the College;
2. the conduct occurs in the context of a College employment or education program or activity (including externships and field trips);

3. the conduct occurs outside the context of a College employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for students, employees, or third parties while on College grounds or other property owned or controlled by the College or in any College employment or education program or activity.

Questions about this policy should be directed to the College's Title IX Coordinator, April London, at (773) 577-8051.

Applicable Procedures Under This Policy

The specific procedures for reporting, investigating, and resolving prohibited conduct are based upon the nature of the respondent's relationship to the College (student, employee, or third party). Each set of procedures is guided by the same principles of fairness and respect for complainants and respondents. "Complainant" means the student, employee, or third party who presents as the victim of any prohibited conduct under this policy, regardless of whether that person makes a report or seeks action under this policy. "Respondent" means the student, employee, or third party who has been accused of violating this policy.

A student or employee determined by the College to have committed an act of prohibited conduct is subject to disciplinary action, up to and including separation from the College. Third parties who commit prohibited conduct may have their relationships with the College terminated and/or their privileges of being on College premises withdrawn.

The procedures referenced below designate specific timeframes for major stages of the process and provide for thorough and impartial investigations that afford all parties notice and an opportunity to present witnesses and evidence and to view the information that will be used in determining whether a policy violation has occurred.

The College applies the Preponderance of the Evidence standard when determining whether this policy has been violated. "Preponderance of the Evidence" means that it is more likely than not that a policy violation occurred.

A. Where the Respondent is a Student

The procedures for responding to reports of prohibited conduct committed by students are detailed in *Addendum A: Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence Committed by Students*.

B. Where the Respondent is an Employee

The procedures for responding to reports of prohibited conduct committed by employees are detailed in *Addendum B: Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence Committed by Employees*.

C. Where the Respondent is Both a Student and an Employee

The Student-Respondent procedures (Addendum A) will apply if the respondent is a full-time student but not a full-time employee.

The Employee-Respondent procedures (Addendum B) will apply if the respondent is a full-time employee.

If there is a question as to the predominant role of the respondent, the College's Title IX Coordinator will determine which of the procedures applies.

D. Where the Respondent is a Third Party

The College's ability to take appropriate corrective action against a third party will be determined by the nature of the third party to the College. The Title IX Coordinator will determine the appropriate manner of resolution.

Title IX Coordinator

Under Title IX: No person in the United States shall, on the basis of sex, be excluded from participation in , be denied the benefits of, or be subject to discrimination under any education program or activity receiving federal financial assistance.

The Title IX Coordinator is charged with monitoring the College's compliance with Title IX; ensuring appropriate education and training; coordinating the investigation, response, and resolution of all reports under this policy; and ensuring appropriate actions to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

The Title IX Coordinator can be contacted by telephone, email, or in person during office hours:

April London
HR Generalist/Assistant to the President
(773) 577-8051
alondon@coynecollege.edu
1 North State Street, Chicago, 60602

Remedial and Protective Measures

The College will offer reasonable and appropriate measures to protect a complainant and facilitate a complainant's continued access to College employment or education programs and activities. Remedial and protective measures, which may be temporary or permanent, may include no-contact directives, academic modifications and support, work schedule modifications, interim disciplinary suspension, suspension from employment, and pre-disciplinary leave (with or without pay). Remedial measures are available regardless of whether a complainant pursues a complaint or investigation under this policy.

Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy. The College will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the report and to take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

FERPA Compliance

Compliance with the provisions required by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act, the Violence Against Women Reauthorization Act of 2013 (VAWA), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) does not constitute a violation of section 444 of the General Education Provisions Act (20U.S.C. 1232g), commonly known as the Family Educational Rights Privacy Act of 1974 (FERPA).

Amnesty

Coyne College wants to encourage any student or employee that believes they have been subject to sexual assault or harassment to report the incident to the appropriate individual at the College. To that end, a complainant, who in good faith, experienced or witnessed an assault or harassment while violating the School's alcohol and drug policy may be granted amnesty from sanctions that would otherwise be assessed.

Reporting

There are multiple channels for reporting prohibited conduct. A complainant may choose to report to the College, to law enforcement, to both, or to neither. Complainants may simultaneously pursue criminal and disciplinary action. The College will support complainants in understanding, assessing, and pursuing these options.

1. Law Enforcement

Complainants have the right to notify or decline to notify law enforcement. The College encourages complainants to report prohibited conduct immediately to local law enforcement by contacting the Chicago Police Department by dialing 911 for emergencies, 311 for non-emergencies.

Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking Emergency Protective Orders. The College will assist complainants in notifying law enforcement if they wish.

2. The College

The College also encourages anyone who becomes aware of an incident of prohibited conduct to report the incident immediately to the College by contacting the Title IX Coordinator.

There is no time limit for reporting prohibited conduct to the College under this policy; however, the College's ability to respond may diminish over time.

The College will not pursue disciplinary action against complainants or witnesses for disclosure of illegal personal consumption of drugs or alcohol where such disclosures are made in connection with a good faith report or investigation of prohibited conduct.

Prohibited Conduct Under This Policy

Conduct under this policy is prohibited regardless of the sex, sexual orientation and/or gender identity/expression of the complainant or respondent. Prohibited conduct includes the following specifically defined forms of behavior: Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Stalking, Sexual or Gender-Based Harassment, Complicity, and Retaliation.

A. SEXUAL ASSAULT

Sexual Assault consists of (1) Sexual Contact and/or (2) Sexual Intercourse that occurs without (3) Affirmative Consent.

1. Sexual Contact is:

- Any intentional sexual touching
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Contact includes (a) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (b) making another touch you or themselves with or on any of these body parts.

2. Sexual Intercourse is:

- Any penetration
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

3. Affirmative Consent is:

- Informed (knowing)
- Voluntary (freely given)
- Active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed upon sexual activity.

Affirmative Consent cannot be obtained by Force. Force includes (a) the use of physical violence, (b) threats, (c) intimidation, and/or (d) coercion.

a) Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.

b) Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.

c) Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).

d) Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

Affirmative Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity.

A person who is incapacitated is unable, temporarily or permanently, to give Affirmative Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent

physical or mental health condition.

The College offers the following guidance on Affirmative Consent and assessing incapacitation:

A person who wants to engage in a specific sexual activity is responsible for obtaining Affirmative Consent for that activity. Lack of protest does not constitute Affirmative Consent. Lack of resistance does not constitute Affirmative Consent. Silence and/or passivity also do not constitute Affirmative Consent. Relying solely on non-verbal communication before or during sexual activity can lead to misunderstanding and may result in a violation of this Policy. It is important not to make assumptions about whether a potential partner is consenting. In order to avoid confusion or ambiguity, participants are encouraged to talk with one another before engaging in sexual activity. If confusion or ambiguity arises during sexual activity, participants are encouraged to stop and clarify a mutual willingness to continue that activity.

Affirmative Consent to one form of sexual activity does not, by itself, constitute Affirmative Consent to another form of sexual activity. For example, one should not presume that Affirmative Consent to oral-genital contact constitutes Affirmative Consent to vaginal or anal penetration. Affirmative Consent to sexual activity on a prior occasion does not, by itself, constitute Affirmative Consent to future sexual activity. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on the presence of Affirmative Consent.

Affirmative Consent may be withdrawn at any time. An individual who seeks to withdraw Affirmative Consent must communicate, through clear words or actions, a decision to cease the sexual activity. Once Affirmative Consent is withdrawn, the sexual activity must cease immediately.

In evaluating Affirmative Consent in cases of alleged incapacitation, the College asks two questions: (1) Did the person initiating sexual activity know that the other party was incapacitated? and if not, (2) Should a sober, reasonable person in the same situation have known that the other party was incapacitated? If the answer to either of these questions is “YES,” Affirmative Consent was absent and the conduct is likely a violation of this policy.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking or using drugs. The impact of alcohol and other drugs varies from person to person.

One is not expected to be a medical expert in assessing incapacitation. One must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person

who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?” “Do you know whom you are with?”

One should be cautious before engaging in Sexual Contact or Sexual Intercourse when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs may create ambiguity for either party as to whether Affirmative Consent has been sought or given. If one has doubt about either party’s level of intoxication, the safe thing to do is to forego all sexual activity.

Being impaired by alcohol or other drugs is no defense to any violation of this policy.

B. SEXUAL EXPLOITATION

Sexual Exploitation is purposely or knowingly doing any of the following:

- Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person’s ability to give Affirmative Consent to sexual activity;
- Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
- Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person’s intimate parts (including genitalia, groin, breasts or buttocks) in a place where that person would have a reasonable expectation of privacy);
- Recording or photographing private sexual activity and/or a person’s intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Disseminating or posting images of private sexual activity and/or a person’s intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Prostituting another person; or
- Exposing another person to a sexually transmitted infection or virus without the other’s knowledge.

C. INTIMATE PARTNER VIOLENCE

Intimate Partner Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate Partner Violence may include any form of Prohibited Conduct under this policy, including Sexual Assault, Stalking, and Physical Assault (as defined below).

Physical Assault is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. Physical Assault will be addressed under this policy if it involves Sexual or Gender-Based Harassment, Intimate Partner Violence, or is part of a course of conduct under the Stalking definition.

D. STALKING

Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress.

Course of conduct means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

E. SEXUAL OR GENDER-BASED HARASSMENT

Sexual Harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (1) and/or (2), below, are present.

Gender-Based Harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) and/or (2), below, are present.

(1) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any College programs and/or activities or is used as the basis for College decisions affecting the individual (often referred to as "quid pro quo" harassment); or

(2) Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the College's education or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, the College will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;

- Whether the conduct unreasonably interfered with the Complainant’s educational or work performance and/or College programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

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

F. RETALIATION

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

G. COMPLICITY

Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.

Prevention and Awareness Programs

The College is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming as part of their orientation and initial training. Students and employees receive ongoing training and related education.

Training

The College provides training to students and employees to ensure they understand this policy and the topics and issues related to maintaining an education and employment environment free from harassment and discrimination. Current training includes the online course “Not Anymore”, which covers student rights and responsibilities under Title IX, VAWA, and the Campus Sexual Violence Elimination Act.

OBLIGATION TO PROVIDE TRUTHFUL INFORMATION

All College community members are expected to provide truthful information in any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an

incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions under the College's Student Guide and disciplinary action under the appropriate Employee disciplinary policy. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

ANNUAL REVIEW

The College will review and update this policy, as appropriate, by October 1 of each year. The College will evaluate, among other things, any changes in legal requirements, existing College resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed).

Coyne College
Addendum A - Procedures for Reporting Against Students

**Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other
Forms of Interpersonal Violence Committed By Students Under the Policy**

Introduction

The College prohibits sexual assault, sexual exploitation, intimate partner violence, stalking, sexual or gender-based harassment, complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this policy. These forms of prohibited conduct are unlawful and will not be tolerated.

The following procedures will be followed in the investigation and adjudication of any such allegations and to impose disciplinary sanctions against students found responsible for violating the policy.

EXPECTATIONS OF COMPLAINANTS AND RESPONDENTS

Pursuant to these Procedures, Complainants and Respondents can expect:

- A. Prompt and equitable resolution of allegations of Prohibited Conduct;
- B. Privacy in accordance with the Policy and any legal requirements;
- C. Reasonably available interim remedial measures, as described in these Procedures and in the applicable Resource Guide;
- D. Freedom from Retaliation for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- E. The responsibility to refrain from Retaliation directed against any person for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- F. The responsibility to provide truthful information in connection with any report, investigation, or resolution of Prohibited Conduct under the Policy or these Procedures;
- G. The opportunity to articulate concerns or issues about proceedings under the Policy and these Procedures;
- H. Timely notice of any meeting or proceeding at which the party's presence is contemplated by these Procedures;
- I. The opportunity to choose an advisor, including the right to have that advisor attend any meeting or proceeding at which the party's presence is contemplated by these Procedures;
- J. Written notice of an investigation, including notice of potential Policy violations and the nature of the alleged Prohibited Conduct;
- K. The opportunity to challenge the Investigator or any member of the Review Panel for bias or conflict of interest;
- L. The opportunity to offer information, present evidence, and identify witnesses during an investigation;
- M. The opportunity to be heard, orally and/or in writing, as to the determination of a Policy violation and the imposition of any sanction(s);

- N. Timely and equal access to any information that will be used during Alternative or Formal Resolution proceedings and related meetings;
- O. Reasonable time to prepare any response contemplated by these Procedures;
- P. Written notice of any extension of timeframes for good cause; and
- Q. Written notice of the outcome of any Formal Resolution proceedings, including the determination of a Policy violation, imposition of any sanction(s), and the rationale for each.

INITIAL ASSESSMENT

Upon receipt of a report of Prohibited Conduct committed by a student, the Title IX Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. In this initial assessment, the Title IX Coordinator will:

- A. Assess the Complainant's safety and well-being and offer the College's immediate support and assistance;
- B. Inform the Complainant of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- C. Inform the Complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;
- D. Inform the Complainant about College and community resources, the right to seek appropriate and available remedial and protective measures, and how to request those resources and measures;
- E. Inform the Complainant of the right to seek Alternative Resolution (where available) or Formal Resolution under these Procedures; ascertain the Complainant's expressed preference (if the Complainant has, at the time of the initial assessment, expressed a preference) for pursuing Alternative Resolution, Formal Resolution, or neither; and discuss with the Complainant any concerns or barriers to participating in any College investigation and resolution under these Procedures;
- F. Explain the College's prohibition against Retaliation and that the College will take prompt action in response to any act of Retaliation;
- G. Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that personally identifies the Complainant, the Respondent, any witness, and/or any other third party with knowledge of the reported incident;
- H. Ascertain the ages of the Complainant and the Respondent, if known, and, if either of the parties is a minor (under 18), contact the appropriate child protective service agency; and
- I. Communicate with appropriate College officials to determine whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.

The Title IX Coordinator will ensure that the Complainant receives a written explanation of all available resources and options and is offered the opportunity to meet to discuss those resources and options. When a decision is reached to initiate an investigation or to take any other action under these Procedures that impacts a Respondent (including the imposition of interim protective measures), the Title IX Coordinator will ensure that the Respondent is notified, receives a written explanation of all available resources and options, and is offered the opportunity to meet to discuss those resources and options.

THREAT ASSESSMENT

Following the initial assessment, the Title IX Coordinator will promptly forward to an Evaluation Panel all information then known about the reported incident of Prohibited Conduct. Such information includes, if known, the names and/or any other information that personally identifies the Complainant, the Respondent, any witnesses, and/or any other third parties with knowledge of the reported incident.

EVALUATION PANEL

An Evaluation Panel will evaluate every report of Prohibited Conduct. The Evaluation Panel will convene (in person, by telephone, or by videoconference) within 72 hours after receiving information from the Title IX Coordinator, as described above, and will convene again, as necessary, to review new information as it becomes available.

HEALTH AND SAFETY THREAT ASSESSMENT

1. Risk Factors. The Evaluation Panel will determine whether the reported information and any other available information provides a rational basis for concluding that there is a threat to the health or safety of the Complainant or to any other member of the College community. The Evaluation Panel will make this determination based upon a review of the totality of the known circumstances, and will be guided by a consideration of the following factors (the “Risk Factors”):

- Whether the Respondent has prior arrests, is the subject of prior reports and/or complaints related to any form of Prohibited Conduct, or has any history of violent behavior;
- Whether the Respondent has a history of failing to comply with any College No-Contact Directive, other College protective measures, and/or any judicial protective order;
- Whether the Respondent has threatened to commit violence or any form of Prohibited Conduct;
- Whether the Prohibited Conduct involved multiple Respondents;
- Whether the Prohibited Conduct involved physical violence. “Physical violence” means exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking and brandishing or using any weapon;
- Whether the report reveals a pattern of Prohibited Conduct (e.g., by the Respondent, by a particular group or organization, around a particular recurring event or activity, or at a particular location);
- Whether the Prohibited Conduct was facilitated through the use of “date-rape” or similar drugs or intoxicants;
- Whether the Prohibited Conduct occurred while the Complainant was unconscious, physically helpless or unaware that the Prohibited Conduct was occurring;
- Whether the Complainant is (or was at the time of the Prohibited Conduct) a minor (under 18); and/or
- Whether any other aggravating circumstances or signs of predatory behavior are present.

If the Evaluation Panel concludes that there is a significant and articulable threat to the health or safety of the Complainant or to any other member of the College community and that disclosure of available information (including the names and any other information that personally identifies the Complainant, the Respondent, any witnesses, and/or any other third parties with knowledge of the reported incident) is necessary to protect the health or safety of the Complainant or other individuals, the Title IX Coordinator will immediately disclose the information to the law enforcement agency that would be responsible for investigating the alleged act of Prohibited Conduct.

If the alleged act of Prohibited Conduct constitutes a felony violation of the Code of Illinois, the Title IX Coordinator will so inform the other members of the Evaluation Panel and will, within 24 hours, (i) consult with the appropriate State's Attorney or other prosecutor who would be responsible for prosecuting the alleged act of Prohibited Conduct (the "Prosecuting Authority"), and (ii) disclose to the Prosecuting Authority the information then known to the Evaluation Panel.

The Evaluation Panel will reconvene as necessary to continue to evaluate whether any new or additional information received triggers any further obligation(s) under the Clery Act or with respect to any child protective service agency, and will direct the Title IX Coordinator to take such further actions, as necessary.

COLLEGE ACTIONS FOLLOWING HEALTH AND SAFETY THREAT ASSESSMENT

Upon completion of the health and safety threat assessment, the Evaluation Panel will determine the course of action under these Procedures, which may include, without limitation, Formal Resolution and/or Alternative Resolution (if available).

Where the Complainant requests that personally-identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no further action be taken, the Evaluation Panel will seek to honor the preferences of the Complainant wherever possible. In all cases, the initial report, the health and safety threat assessment, and the determinations of the Evaluation Panel will be documented and retained by the College in accordance with applicable law.

1. Where the Complainant Wishes to Pursue Formal Resolution. In every case in which a Complainant reports Prohibited Conduct and requests an investigation and disciplinary action, the Title IX Coordinator will promptly initiate Formal Resolution under these Procedures.
2. Where the Complainant Requests Anonymity, that an Investigation not be Pursued, and/or that No Disciplinary Action Be Taken. A Complainant may request that personally-identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no disciplinary action be taken.

NOTICE TO COMPLAINANT AND RESPONDENT OF COLLEGE ACTIONS

The Title IX Coordinator will promptly inform the Complainant of any action(s) undertaken by the College to respond to a health or safety threat to the Complainant or the College community, including the decision to proceed with an investigation. The Title IX Coordinator also will promptly inform the Respondent of any action(s) (including any interim protective measures) that will directly impact the Respondent, and provide an opportunity for the Respondent to respond to such action(s). The Title IX Coordinator retains the discretion to impose and/or modify any interim protective measures based on all available information. Interim protective measures will remain in effect through resolution of the report by the appropriate College executive, unless new circumstances arise which warrant reconsideration of the protective measures prior to the Review Panel Meeting and/or Executive Review. A Complainant or Respondent may challenge interim protective measures or other actions, or failure to impose interim protective measures or take other actions, by contacting the Title IX Coordinator to address any concerns.

Investigation.

Whenever Formal Resolution is commenced, the Title IX Coordinator will designate one or more Investigators and/or an experienced external investigator to conduct a prompt, thorough, fair, and impartial investigation.

a) Notice of Investigation. The Title IX Coordinator will notify the Complainant and the Respondent, in writing, of the commencement of an investigation. Such notice will (1) identify the Complainant and the Respondent; (2) specify the date, time (if known), location, and nature of the alleged Prohibited Conduct; (3) identify potential Policy violation(s); (4) identify the Investigator; (5) include information about the parties' respective expectations under the Policy and these Procedures; (6) explain the prohibition against Retaliation; (7) instruct the parties to preserve any potentially relevant evidence in any format; (8) inform the parties how to challenge participation by the Investigator on the basis of bias or a conflict of interest; and (9) provide a copy of the Policy and these Procedures.

The Title IX Coordinator will also notify, in writing, the Director of Education. Such notice will inform these individuals that (1) the Title IX Coordinator has received a report alleging that the Respondent has engaged in Prohibited Conduct under the Policy; (2) the report will be investigated in accordance with these Procedures; (3) the Director of Education is obliged to monitor the relevant environment, depending on the facts of the case, for Retaliation; and (4) information related to the report is confidential (including the identity of the Complainant) and will only be shared as needed to either obtain information pertinent to the investigation or to facilitate fulfillment of the duty of the Director of Education to address any concerns regarding safety or Retaliation.

b) Other Forms of Discriminatory and/or Harassing Conduct. If a report of Prohibited Conduct also implicates other forms of discriminatory and/or harassing conduct prohibited by College policy, the Title IX Coordinator will evaluate all reported allegations to determine whether the alleged Prohibited Conduct and the alleged other violation(s) may be appropriately investigated together without unduly delaying the resolution of the report of Prohibited Conduct. Where the

Title IX Coordinator determines that a single investigation is appropriate, the determination of responsibility for the violation of College policy will be evaluated under the applicable policy, but the investigation and resolution will be conducted in accordance with these Procedures.

c) Presumption of Non-Responsibility and Participation by the Parties.

The investigation is a neutral fact-gathering process. The Respondent is presumed to be not responsible; this presumption may be overcome only where the Investigator and/or Review Panel conclude that there is sufficient evidence, by a Preponderance of the Evidence, to support a finding that the Respondent violated the Policy. Neither party is required to participate in the investigation or any form of resolution under these Procedures, and the Investigator will not draw any adverse inference from a decision by either of the parties not to participate.

d) Timeframe for Completion of Investigation; Extension for Good Cause.

Typically, the period from commencement of an investigation through resolution (finding and sanction, if any) will not exceed sixty (60) calendar days. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for College breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. The Investigator will notify the parties in writing of any extension of this timeframe and the reason for such extension.

e) Overview of Investigation.

During the investigation, the parties will have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to submit questions that they believe should be directed by the Investigator to each other or to any witness. The Investigator will notify and seek to meet separately with the Complainant, the Respondent, and third-party witnesses, and will gather other relevant and available evidence and information, including, without limitation, electronic or other records of communications between the parties or witnesses (via voice-mail, text message, email and social media sites), photographs (including those stored on computers and smartphones), and medical records (subject to the consent of the applicable party).

f) Advisors.

Throughout the investigation and resolution process, each party has the right to choose and consult with an advisor. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. The parties may be accompanied by their respective advisors at any meeting or proceeding related to the investigation and resolution of a report under these Procedures. While the advisors may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties or otherwise participate in, or in any manner disrupt, such meetings and/or proceedings.

g) Prior or Subsequent Conduct.

Prior or subsequent conduct of the Respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar Prohibited Conduct. Such prior or subsequent conduct may also constitute a violation of other College policy, in which case it may subject the Respondent to additional sanctions. The Investigator will determine the relevance of this information and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

h) Prior Sexual History.

The sexual history of a Complainant or Respondent will never be used to prove character or reputation. Moreover, evidence related to the prior sexual history of either of the parties is generally not relevant to the determination of a Policy violation and will be considered only in limited circumstances. For example, if the existence of Affirmative Consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have bearing on whether Affirmative Consent was sought and given during the incident in question. However, even in the context of a relationship, Affirmative Consent to one sexual act does not, by itself, constitute Affirmative Consent to another sexual act, and Affirmative Consent on one occasion does not, by itself, constitute Affirmative Consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve another question raised by the report. The Investigator will determine the relevance of this information and both parties will be informed if evidence of prior sexual history is deemed relevant.

i) Relevance.

The Investigator has the discretion to determine the relevance of any proffered evidence and to include or exclude certain types of evidence. In general, the Investigator will not consider statements of personal opinion, rather than direct observations or reasonable inferences from the facts, or statements as to any party's general reputation for any character trait.

j) Site Visit(s).

The Investigator may visit relevant sites or locations and record observations through written, photographic, or other means.

k) Expert Consultation(s).

The Investigator may consult medical, forensic, technological or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation.

l) Coordination with Law Enforcement.

The Investigator will contact any law enforcement agency that is conducting its own investigation to inform that agency that a College investigation is also in progress; to ascertain the status of the criminal investigation; and to determine the extent to which any evidence collected by law enforcement may be available to the College in its investigation. At the request of law enforcement, the Investigator may delay the College investigation temporarily while an external law enforcement agency is gathering evidence. The Investigator will promptly resume the College investigation when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation.

m) Draft Investigation Report.

At the conclusion of the investigation, the Investigator will prepare a Draft Investigation Report summarizing the information gathered and outlining the contested and uncontested information. The Draft Investigation Report will not include any findings. The Complainant and the Respondent will have an opportunity to review the Draft Investigation Report; meet with the Investigator; submit additional comments and information to the Investigator; identify any additional witnesses or evidence for the Investigator to pursue; and submit any further questions that they believe should be directed by the Investigator to the other party or to any witness. The Investigator will designate a reasonable time for this review and response by the parties, not to exceed five (5) calendar days. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the Investigator during the designated review and response period will not be considered in the determination of responsibility for a violation of the Policy, and will not be considered by the Review Panel.

n) Final Investigation Report.

Unless there are significant additional investigative steps requested by the parties or identified by the Investigator, within five (5) calendar days after receipt and consideration of any additional comments, questions and/or information submitted by the parties during the designated review and response period, the Investigator will prepare a Final Investigation Report, which will include a recommendation as to whether there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility for a violation of the Policy (and, where applicable, other College policy). In reaching this recommended finding, the Investigator will consult with College Counsel. The Investigator will deliver the Final Investigation Report to the Title IX Coordinator. The Title IX Coordinator will notify both parties, simultaneously, that the Final Investigation Report is complete and available for review.

o) Recommended Finding(s) of Responsibility.

When the Investigator determines that there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility on one or more of the allegations, the Respondent may accept or contest such recommended finding(s) by so notifying the Title IX Coordinator, in writing. If the Respondent accepts the recommended finding(s) of responsibility, the Title IX Coordinator will refer the case to the appropriate College executive solely on the issue of sanction. If the Respondent contests one or more of the recommended finding(s), the Respondent may submit to the Title IX Coordinator a written statement explaining why the Respondent contests such finding(s). The Title IX Coordinator will ensure that the Complainant has an opportunity to review and respond in writing to any such statement. The Title IX Coordinator will provide the Final Investigation Report, together with any statements by the parties, to the Review Panel for further proceedings.

p) Recommended Finding(s) of No Responsibility.

When the Investigator determines that there is insufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility on one or more of the allegations, the Complainant may accept or contest the recommended finding(s) by so notifying the Title IX Coordinator, in writing. If the Complainant accepts the recommended finding(s) of no responsibility, the investigation will be closed and documented in accordance with applicable College policies. If the Complainant contests one or more of the recommended finding(s), the Complainant may submit to the Title IX Coordinator a written statement explaining why the Complainant contests such finding(s). The Title IX Coordinator will ensure that the Respondent has an opportunity to review and respond in writing to any such statement. The Title IX Coordinator will provide the Final Investigation Report, together with any statements by the parties, to the Review Panel for further proceedings.

q) Impact and Mitigation Statements.

Where there is a finding of responsibility on one or more of the allegations, both parties may submit a statement to the Title IX Coordinator for consideration by the Review Panel in determining an appropriate sanction. The Complainant may submit a written statement describing the impact of the Prohibited Conduct on the Complainant and expressing a preference about the sanction(s) to be imposed. The Respondent may submit a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanctions(s) imposed. The Title IX Coordinator will ensure that each of the parties has an opportunity to review any statement submitted by the other party. The Title IX Coordinator will provide any statement(s) with the Final Investigation Report and the parties' other written submissions to the Review Panel.

r) Timing of Investigation.

The investigation typically will be completed within thirty-five (35) calendar days. This period may be extended to account for a Page 19 previous attempt, if any, at Alternative Resolution, or

for other good cause, as described in these Procedures. Any extension, other than for Alternative Resolution, and the reason for the extension, will be shared with the parties in writing.

2. Acceptance of Responsibility.

The Respondent may, at any time, elect to resolve the Formal Resolution process by accepting responsibility for the Prohibited Conduct, in which case the Title IX Coordinator will refer the matter to the Director of Education for imposition of sanction(s).

3. Review Panel Meeting.

The Title IX Coordinator will appoint a pool of trained members of the College community and, at the discretion of the Title IX Coordinator, external professionals with experience adjudicating cases of Prohibited Conduct. The Title IX Coordinator will select (a) three members from this pool to serve on the Review Panel, and (b) an additional member from this pool to serve as the non-voting Meeting Chair. Where the Respondent is an academic faculty member, at least two of the voting members of the Review Panel will be appropriately trained full-time faculty members. The Review Panel will review the Investigator's recommended finding(s) and, if applicable, recommend any appropriate sanction(s) under these Procedures. All persons serving on any Review Panel (or as the Meeting Chair) must be impartial and free from actual bias and conflict of interest.

a) Standard of Review.

If either of the parties contests the Investigator's recommended finding(s) of responsibility (or no responsibility) for an alleged violation of the Policy, the Review Panel will hold a Meeting to determine (1) whether the concerns stated by the contesting party raise substantial doubt about the thoroughness, fairness and/or impartiality of the investigation; and, if not, (2) whether there is sufficient evidence to support the Investigator's recommended finding(s) by a Preponderance of the Evidence.

b) Notice and Timing of Meeting.

Typically, a Meeting will be held within fortyfive (45) calendar days from the date of the Notice of Investigation, subject to extension for good cause, as in these Procedures. The Meeting Chair will notify the parties in writing of the date, time, and location of the Meeting; the names of the Review Panel members and the Meeting Chair; and how to challenge participation by any member of the Review Panel or the Meeting Chair for bias or conflict of interest. The Meeting will usually be scheduled within five (5) calendar days from the date of the Notice of Meeting, subject to extension for good cause at the discretion of the Title IX Coordinator. Good cause for extension may include the unavailability of the parties, the timing of semester breaks or College holidays, or other extenuating circumstances. Any extension, including the reason for the extension, will be shared with the parties in writing.

c) Postponement of Meeting.

Permission to postpone a Meeting may be granted provided that the request to do so is based on a compelling emergency and communicated to the Meeting Chair prior to the time of the Meeting.

d) Meeting Format.

The Meeting is an opportunity for the parties to address the Review Panel, in person, about issues relevant to the Standard of Review to be applied by the Review Panel. The parties may address any information in the Final Investigation Report, supplemental statements submitted in response to the Final Investigation Report, and any impact and mitigation statements. Each party has the opportunity to be heard, to identify witnesses for the Review Panel's consideration, and to respond to any questions of the Review Panel. The parties may not directly question each other or any witness, although they may proffer questions for the Review Panel, which may choose, in its discretion, to pose appropriate and relevant questions to the Investigator, the parties and/or any witnesses. A typical Meeting may include brief opening remarks by the Complainant and/or Respondent, with follow-up questions posed by the Review Panel; information presented by the Investigator or witnesses deemed relevant by the Review Panel, with followup questions by the Review Panel of the Investigator or witnesses; and brief concluding remarks by the Complainant and/or Respondent. The Meeting Chair has the discretion to determine the specific Meeting format.

e) Participation in Meeting.

i. Parties. Both the Complainant and the Respondent have a right to be present at the Meeting. Either party may request alternative methods for participating in the Meeting that do not require physical proximity to the other party, including participating through electronic means. This request should be submitted to the Meeting Chair at least two (2) calendar days prior to the Meeting. If, despite being notified of the date, time, and location of the Meeting, either party is not in attendance, the Meeting may proceed and applicable sanctions may be recommended. Neither party is required to participate in the Meeting in order for the Meeting to proceed.

ii. Investigator or other witnesses. The Review Panel may request the presence of the Investigator or any other witness it deems necessary to its determination. The parties may also request the presence of any witness they deem relevant to the determination by the Review Panel. The Review Panel has absolute discretion to determine which witnesses are relevant to its determination and may decline to hear from witnesses where it concludes that the information is not necessary for its review.

iii. Advisors. Both the Complainant and the Respondent have the right to be accompanied at the Meeting by an advisor of their choosing. The advisor may be anyone, including an attorney, who is not otherwise a party or witness. While the advisor may provide support and advice to a party at the Meeting, the advisor may not speak on behalf of the party or otherwise participate in, or in any manner disrupt, the Meeting. The College reserves the right to remove any individual whose actions are disruptive to the proceedings.

f) Determination by the Review Panel.

Where either of the parties has contested the recommended finding(s) of responsibility, the members of the Review Panel will, at the conclusion of the Meeting, determine, by majority vote, (1) whether the concern(s) stated by the contesting party raise substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation; and, if not, (2) whether there is sufficient evidence to support the Investigator's recommended finding(s) by a Preponderance of the Evidence. If the Review Panel finds that concerns stated by the contesting party raise substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation, it will remand the matter to the Title IX Coordinator with instructions for further investigation or other action. The instructions may include guidance regarding the scope of information to be further investigated and any appropriate stipulations, including the appointment of a new Investigator. If the Review Panel finds no cause for substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation, but determines there is insufficient evidence to support the Investigator's recommended finding, it may remand the matter for further investigation or reject the Investigator's recommended finding(s) and make alternative finding(s), which will be forwarded to the appropriate executive for further review, as described in these Procedures. If the Review Panel finds no cause for substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation and affirms that there is sufficient evidence to support a recommended finding of responsibility by a Preponderance of the Evidence, such decision will be forwarded to the appropriate executive for further review, as described in these Procedures. Where the Review Panel has affirmed a recommended finding(s) of responsibility, the Review Panel will also, by majority vote, recommend sanction(s). The scope of possible sanctions will be dependent upon the employee disciplinary procedures applicable to the Respondent, but will include one or more of the following: informal and formal counseling, progressive disciplinary action, No-Contact Directive, transfer of position, removal of administrative appointment, demotion, suspension, and/or termination of employment. If the Review Panel finds no cause for substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation and affirms a recommended finding of no responsibility, the matter will be considered resolved and the investigation will be closed. The Meeting Chair will provide notice of the decision to the Title IX Coordinator, who will issue a Final Outcome Letter to the parties. The Title IX Coordinator may nevertheless ensure that remedial measures remain in effect to support a Complainant.

g) Sanctions.

Where there is a finding of responsibility, the Review Panel may impose one or more sanctions. Sanctions may include any of the sanctions that are available for violations of the College's Standards of Conduct, including:

- Expulsion: Termination of student status for any indefinite period.
- Suspension: Exclusion from classes and other privileges or activities or from the College for a definite period of time.
- Suspension held in abeyance: Exclusion from classes and other privileges or activities or from the College for a definite period of time to be enforced should another violation occur.
- Restitution: Reimbursement for damages or misappropriation of property.

- **Disciplinary Probation:** Exclusion from participation in privileged or extracurricular activities for a definite period of time.
- **Reprimand:** A written censure for violation of the Policy (and, if applicable, other College policy and/or the Standards of Conduct) placed in the Student's record, including the possibility of more severe disciplinary sanctions should another violation occur within a stated period of time.
- **Warning Notice:** A notice, in writing, that continuation or repetition of conduct found wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.

The Policy prohibits a broad range of conduct, all of which is serious in nature. The propriety of any particular sanction is reviewed on an individual basis based on the unique facts and circumstances as found by the Review Panel. In keeping with the Colleges commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the Policy provides the Review Panel with wide latitude in the imposition of sanctions tailored to the facts and circumstances of the Prohibited Conduct, the impact of the conduct on the Complainant and College community, and accountability by the Respondent. The imposition of sanctions is designed to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and legal obligations. Sanctions may include educational, restorative, rehabilitative, and punitive components. Some conduct, however, is so egregious in nature, harmful to the individuals involved or so deleterious to the educational process that it requires severe sanctions, including suspension or expulsion from the College.

Once the Review Panel has determined that there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility under the Policy, any one or more sanctions may be imposed. In determining the appropriate sanction(s), the Review Panel will be guided by a number of considerations, including:

- The severity, persistence or pervasiveness of the Prohibited Conduct;
- The nature or violence (if applicable) of the Prohibited Conduct;
- The impact of the Prohibited Conduct on the Complainant;
- The impact or implications of the Prohibited Conduct within the College community;
- Prior misconduct by the Respondent, including the Respondent's relevant prior disciplinary history, at the College or elsewhere, and any criminal convictions;
- Whether the Respondent has accepted responsibility for the Prohibited Conduct;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to learning; and
- Any other mitigating, aggravating, or compelling factors.

Sanctions are effective immediately, unless otherwise specified by the Review Panel. In addition to other sanctions, the Review Panel may direct the Title IX Coordinator to impose or extend a No-Contact Directive and impose or extend academic modifications, as may be appropriate; impose or extend increased monitoring, supervision, and/or security at locations or in connection with activities where the Prohibited Conduct occurred or is likely to reoccur; arrange for conducting targeted or broad-based educational programming or training for relevant persons or groups; impose one or more restorative remedies to encourage a Respondent to develop insight about the Prohibited Conduct, learn about the impact of that Prohibited Conduct on the

Complainant and the College community, and identify how to prevent that Prohibited Conduct in the future (including community service and mandatory participation in training, education and/or prevention programs related to the Prohibited Conduct); and/or impose any other remedial or protective measures that are tailored to achieve the goals of the Policy.

h) Transcript Notations.

If the Review Panel imposes a sanction of expulsion or suspension, the Title IX Coordinator will notify the College Registrar to place a prominent notation on the Respondent's transcript, as described in these Procedures.

i) Decision of the Review Panel is Final.

The decision of the Review Panel is final, without further recourse or appeal by either party.

j) Final Outcome Letter. The Review Panel Chair will simultaneously issue a written decision (the "Final Outcome Letter") to both the Complainant and the Respondent, with a copy to the Title IX Coordinator, within five (5) calendar days following the Review Panel Hearing (or such longer time as the Chair may for good cause determine). The Final Outcome Letter will set forth the violation(s) of the Policy (and, if applicable, other College policy and/or the Standards of Conduct) for which the Respondent was found responsible or not responsible, as supported by the rationale set forth in the Final Investigation Report and/or modified by the Review Panel; the sanction(s) (if applicable) imposed against the Respondent; and the rationale for any sanction(s) imposed. The Final Outcome Letter may also identify protective measures implemented with respect to the Respondent or the broader College community. The Final Outcome Letter will not disclose any remedial measures provided to the Complainant.

k) Release of Documents.

Under federal privacy laws, the Final Investigation Report, statements of one party that are shared with the other party in the resolution process, and any documents prepared by the College, including documents by or for the Review Panel in advance of the Hearing, constitute education records which may not be disclosed outside of the proceedings, except as may be required or authorized by law. The College does not, however, impose any restrictions on the parties regarding re-disclosure of the incident, their participation in proceedings under these Procedures, or the Final Outcome Letter.

C. ACADEMIC TRANSCRIPT NOTATIONS

The Title IX Coordinator will direct the College Registrar to include a prominent notation on the academic transcript of any Student who has been (1) suspended, (2) expelled (i.e., permanently dismissed), or (3) who has withdrawn from the College while under investigation, for Prohibited Conduct pursuant to the Policy. Such notation will reflect, as appropriate, the following language: "[Suspended, Expelled, or Withdrew While Under Investigation] for a Violation of the College's Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence." The Title IX Coordinator will direct the College Registrar to remove any such

notation where (a) a Student is subsequently found not to have committed an act of Prohibited Conduct pursuant to the Policy, and/or (b) a Student who has been suspended for Prohibited Conduct pursuant to the Policy, has (i) completed the term of such suspension and any conditions thereof, and (ii) has been determined by the College to be in good standing pursuant to all applicable College academic and nonacademic standards.

D. RECORDS RETENTION

The College shall retain all records relating to a report of Prohibited Conduct for a period of seven years after the date the report was received, and the College shall retain all of such records for a period of ten years in cases in which the Respondent was found responsible for Prohibited Conduct.

Coyne College
Addendum B - Procedures for Reporting Against Employees

**Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other
Forms of Interpersonal Violence Committed By Employees Under the Policy**

Introduction

The College prohibits sexual assault, sexual exploitation, intimate partner violence, stalking, sexual or gender-based harassment, complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this policy. These forms of prohibited conduct are unlawful and will not be tolerated.

The following procedures will be followed in the investigation and adjudication of any such allegations and to impose disciplinary sanctions against employees found responsible for violating the policy.

EXPECTATIONS OF COMPLAINANTS AND RESPONDENTS

Pursuant to these Procedures, Complainants and Respondents can expect:

- A. Prompt and equitable resolution of allegations of Prohibited Conduct;
- B. Privacy in accordance with the Policy and any legal requirements;
- C. Reasonably available interim remedial measures, as described in these Procedures and in the applicable Resource Guide;
- D. Freedom from Retaliation for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- E. The responsibility to refrain from Retaliation directed against any person for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- F. The responsibility to provide truthful information in connection with any report, investigation, or resolution of Prohibited Conduct under the Policy or these Procedures;
- G. The opportunity to articulate concerns or issues about proceedings under the Policy and these Procedures;
- H. Timely notice of any meeting or proceeding at which the party's presence is contemplated by these Procedures;
- I. The opportunity to choose an advisor, including the right to have that advisor attend any meeting or proceeding at which the party's presence is contemplated by these Procedures;
- J. Written notice of an investigation, including notice of potential Policy violations and the nature of the alleged Prohibited Conduct;
- K. The opportunity to challenge the Investigator or any member of the Review Panel for bias or conflict of interest;
- L. The opportunity to offer information, present evidence, and identify witnesses during an investigation;
- M. The opportunity to be heard, orally and/or in writing, as to the determination of a Policy violation and the imposition of any sanction(s);

- N. Timely and equal access to any information that will be used during Alternative or Formal Resolution proceedings and related meetings;
- O. Reasonable time to prepare any response contemplated by these Procedures;
- P. Written notice of any extension of timeframes for good cause; and
- Q. Written notice of the outcome of any Formal Resolution proceedings, including the determination of a Policy violation, imposition of any sanction(s), and the rationale for each.

INITIAL ASSESSMENT

Upon receipt of a report of Prohibited Conduct committed by an Employee, the Title IX Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. In this initial assessment, the Title IX Coordinator will:

- A. Assess the Complainant's safety and well-being and offer the College's immediate support and assistance;
- B. Inform the Complainant of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- C. Inform the Complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;
- D. Inform the Complainant about College and community resources, the right to seek appropriate and available remedial and protective measures, and how to request those resources and measures;
- E. Inform the Complainant of the right to seek Alternative Resolution (where available) or Formal Resolution under these Procedures; ascertain the Complainant's expressed preference (if the Complainant has, at the time of the initial assessment, expressed a preference) for pursuing Alternative Resolution, Formal Resolution, or neither; and discuss with the Complainant any concerns or barriers to participating in any College investigation and resolution under these Procedures;
- F. Explain the College's prohibition against Retaliation and that the College will take prompt action in response to any act of Retaliation;
- G. Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that personally identifies the Complainant, the Respondent, any witness, and/or any other third party with knowledge of the reported incident;
- H. Ascertain the ages of the Complainant and the Respondent, if known, and, if either of the parties is a minor (under 18), contact the appropriate child protective service agency; and
- I. Communicate with appropriate College officials to determine whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.

The Title IX Coordinator will ensure that the Complainant receives a written explanation of all available resources and options and is offered the opportunity to meet to discuss those resources and options. When a decision is reached to initiate an investigation or to take any other action under these Procedures that impacts a Respondent (including the imposition of interim protective measures), the Title IX Coordinator will ensure that the Respondent is notified, receives a written

explanation of all available resources and options, and is offered the opportunity to meet to discuss those resources and options.

THREAT ASSESSMENT

Following the initial assessment, the Title IX Coordinator will promptly forward to an Evaluation Panel all information then known about the reported incident of Prohibited Conduct. Such information includes, if known, the names and/or any other information that personally identifies the Complainant, the Respondent, any witnesses, and/or any other third parties with knowledge of the reported incident.

EVALUATION PANEL

An Evaluation Panel will evaluate every report of Prohibited Conduct. The Evaluation Panel will convene (in person, by telephone, or by videoconference) within 72 hours after receiving information from the Title IX Coordinator, as described above, and will convene again, as necessary, to review new information as it becomes available.

HEALTH AND SAFETY THREAT ASSESSMENT

1. Risk Factors. The Evaluation Panel will determine whether the reported information and any other available information provides a rational basis for concluding that there is a threat to the health or safety of the Complainant or to any other member of the College community. The Evaluation Panel will make this determination based upon a review of the totality of the known circumstances, and will be guided by a consideration of the following factors (the “Risk Factors”):

- Whether the Respondent has prior arrests, is the subject of prior reports and/or complaints related to any form of Prohibited Conduct, or has any history of violent behavior;
- Whether the Respondent has a history of failing to comply with any College No-Contact Directive, other College protective measures, and/or any judicial protective order;
- Whether the Respondent has threatened to commit violence or any form of Prohibited Conduct;
- Whether the Prohibited Conduct involved multiple Respondents;
- Whether the Prohibited Conduct involved physical violence. “Physical violence” means exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking and brandishing or using any weapon;
- Whether the report reveals a pattern of Prohibited Conduct (e.g., by the Respondent, by a particular group or organization, around a particular recurring event or activity, or at a particular location);
- Whether the Prohibited Conduct was facilitated through the use of “date-rape” or similar drugs or intoxicants;
- Whether the Prohibited Conduct occurred while the Complainant was unconscious, physically helpless or unaware that the Prohibited Conduct was occurring;

- Whether the Complainant is (or was at the time of the Prohibited Conduct) a minor (under 18); and/or
- Whether any other aggravating circumstances or signs of predatory behavior are present.

If the Evaluation Panel concludes that there is a significant and articulable threat to the health or safety of the Complainant or to any other member of the College community and that disclosure of available information (including the names and any other information that personally identifies the Complainant, the Respondent, any witnesses, and/or any other third parties with knowledge of the reported incident) is necessary to protect the health or safety of the Complainant or other individuals, the Title IX Coordinator will immediately disclose the information to the law enforcement agency that would be responsible for investigating the alleged act of Prohibited Conduct.

If the alleged act of Prohibited Conduct constitutes a felony violation of the Code of Illinois, the Title IX Coordinator will so inform the other members of the Evaluation Panel and will, within 24 hours, (i) consult with the appropriate State’s Attorney or other prosecutor who would be responsible for prosecuting the alleged act of Prohibited Conduct (the “Prosecuting Authority”), and (ii) disclose to the Prosecuting Authority the information then known to the Evaluation Panel.

The Evaluation Panel will reconvene as necessary to continue to evaluate whether any new or additional information received triggers any further obligation(s) under the Clery Act or with respect to any child protective service agency, and will direct the Title IX Coordinator to take such further actions, as necessary.

COLLEGE ACTIONS FOLLOWING HEALTH AND SAFETY THREAT ASSESSMENT

Upon completion of the health and safety threat assessment, the Evaluation Panel will determine the course of action under these Procedures, which may include, without limitation, Formal Resolution and/or Alternative Resolution (if available).

Where the Complainant requests that personally-identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no further action be taken, the Evaluation Panel will seek to honor the preferences of the Complainant wherever possible. In all cases, the initial report, the health and safety threat assessment, and the determinations of the Evaluation Panel will be documented and retained by the College in accordance with applicable law.

1. Where the Complainant Wishes to Pursue Formal Resolution. In every case in which a Complainant reports Prohibited Conduct and requests an investigation and disciplinary action, the Title IX Coordinator will promptly initiate Formal Resolution under these Procedures.
2. Where the Complainant Requests Anonymity, that an Investigation not be Pursued, and/or that No Disciplinary Action Be Taken. A Complainant may request that personally-identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no disciplinary action be taken.

NOTICE TO COMPLAINANT AND RESPONDENT OF COLLEGE ACTIONS

The Title IX Coordinator will promptly inform the Complainant of any action(s) undertaken by the College to respond to a health or safety threat to the Complainant or the College community, including the decision to proceed with an investigation. The Title IX Coordinator also will promptly inform the Respondent of any action(s) (including any interim protective measures) that will directly impact the Respondent, and provide an opportunity for the Respondent to respond to such action(s). The Title IX Coordinator retains the discretion to impose and/or modify any interim protective measures based on all available information. Interim protective measures will remain in effect through resolution of the report by the appropriate College executive, unless new circumstances arise which warrant reconsideration of the protective measures prior to the Review Panel Meeting and/or Executive Review. A Complainant or Respondent may challenge interim protective measures or other actions, or failure to impose interim protective measures or take other actions, by contacting the Title IX Coordinator to address any concerns.

Investigation.

Whenever Formal Resolution is commenced, the Title IX Coordinator will designate one or more Investigators and/or an experienced external investigator to conduct a prompt, thorough, fair, and impartial investigation.

a) Notice of Investigation. The Title IX Coordinator will notify the Complainant and the Respondent, in writing, of the commencement of an investigation. Such notice will (1) identify the Complainant and the Respondent; (2) specify the date, time (if known), location, and nature of the alleged Prohibited Conduct; (3) identify potential Policy violation(s); (4) identify the Investigator; (5) include information about the parties' respective expectations under the Policy and these Procedures; (6) explain the prohibition against Retaliation; (7) instruct the parties to preserve any potentially relevant evidence in any format; (8) inform the parties how to challenge participation by the Investigator on the basis of bias or a conflict of interest; and (9) provide a copy of the Policy and these Procedures.

The Title IX Coordinator will also notify, in writing, the Respondent's supervisor and Human Resources. Such notice will inform these individuals that (1) the Title IX Coordinator has received a report alleging that the Respondent has engaged in Prohibited Conduct under the Policy; (2) the report will be investigated in accordance with these Procedures; (3) the supervisor and the Human Resources professional are obliged to monitor the relevant environment, depending on the facts of the case, for Retaliation; and (4) information related to the report is confidential (including the identity of the Complainant) and will only be shared as needed to either obtain information pertinent to the investigation or to facilitate fulfillment of the duty of the supervisor and/or Human Resources to address any concerns regarding safety or Retaliation.

b) Other Forms of Discriminatory and/or Harassing Conduct. If a report of Prohibited Conduct also implicates other forms of discriminatory and/or harassing conduct prohibited by College policy, the Title IX Coordinator will evaluate all reported allegations to determine whether the alleged Prohibited Conduct and the alleged other violation(s) may be appropriately investigated together without unduly delaying the resolution of the report of Prohibited Conduct. Where the

Title IX Coordinator determines that a single investigation is appropriate, the determination of responsibility for the violation of College policy will be evaluated under the applicable policy, but the investigation and resolution will be conducted in accordance with these Procedures.

c) Presumption of Non-Responsibility and Participation by the Parties.

The investigation is a neutral fact-gathering process. The Respondent is presumed to be not responsible; this presumption may be overcome only where the Investigator and/or Review Panel conclude that there is sufficient evidence, by a Preponderance of the Evidence, to support a finding that the Respondent violated the Policy. Neither party is required to participate in the investigation or any form of resolution under these Procedures, and the Investigator will not draw any adverse inference from a decision by either of the parties not to participate.

d) Timeframe for Completion of Investigation; Extension for Good Cause.

Typically, the period from commencement of an investigation through resolution (finding and sanction, if any) will not exceed sixty (60) calendar days. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for College breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. The Investigator will notify the parties in writing of any extension of this timeframe and the reason for such extension.

e) Overview of Investigation.

During the investigation, the parties will have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to submit questions that they believe should be directed by the Investigator to each other or to any witness. The Investigator will notify and seek to meet separately with the Complainant, the Respondent, and third-party witnesses, and will gather other relevant and available evidence and information, including, without limitation, electronic or other records of communications between the parties or witnesses (via voice-mail, text message, email and social media sites), photographs (including those stored on computers and smartphones), and medical records (subject to the consent of the applicable party).

f) Advisors.

Throughout the investigation and resolution process, each party has the right to choose and consult with an advisor. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. The parties may be accompanied by their respective advisors at any meeting or proceeding related to the investigation and resolution of a report under these Procedures. While the advisors may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties or otherwise participate in, or in any manner disrupt, such meetings and/or proceedings.

g) Prior or Subsequent Conduct.

Prior or subsequent conduct of the Respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar Prohibited Conduct. Such prior or subsequent conduct may also constitute a violation of other College policy, in which case it may subject the Respondent to additional sanctions. The Investigator will determine the relevance of this information and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

h) Prior Sexual History.

The sexual history of a Complainant or Respondent will never be used to prove character or reputation. Moreover, evidence related to the prior sexual history of either of the parties is generally not relevant to the determination of a Policy violation and will be considered only in limited circumstances. For example, if the existence of Affirmative Consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have bearing on whether Affirmative Consent was sought and given during the incident in question. However, even in the context of a relationship, Affirmative Consent to one sexual act does not, by itself, constitute Affirmative Consent to another sexual act, and Affirmative Consent on one occasion does not, by itself, constitute Affirmative Consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve another question raised by the report. The Investigator will determine the relevance of this information and both parties will be informed if evidence of prior sexual history is deemed relevant.

i) Relevance.

The Investigator has the discretion to determine the relevance of any proffered evidence and to include or exclude certain types of evidence. In general, the Investigator will not consider statements of personal opinion, rather than direct observations or reasonable inferences from the facts, or statements as to any party's general reputation for any character trait.

j) Site Visit(s).

The Investigator may visit relevant sites or locations and record observations through written, photographic, or other means.

k) Expert Consultation(s).

The Investigator may consult medical, forensic, technological or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation.

l) Coordination with Law Enforcement.

The Investigator will contact any law enforcement agency that is conducting its own investigation to inform that agency that a College investigation is also in progress; to ascertain the status of the criminal investigation; and to determine the extent to which any evidence collected by law enforcement may be available to the College in its investigation. At the request of law enforcement, the Investigator may delay the College investigation temporarily while an external law enforcement agency is gathering evidence. The Investigator will promptly resume the College investigation when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation.

m) Draft Investigation Report.

At the conclusion of the investigation, the Investigator will prepare a Draft Investigation Report summarizing the information gathered and outlining the contested and uncontested information. The Draft Investigation Report will not include any findings. The Complainant and the Respondent will have an opportunity to review the Draft Investigation Report; meet with the Investigator; submit additional comments and information to the Investigator; identify any additional witnesses or evidence for the Investigator to pursue; and submit any further questions that they believe should be directed by the Investigator to the other party or to any witness. The Investigator will designate a reasonable time for this review and response by the parties, not to exceed five (5) calendar days. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the Investigator during the designated review and response period will not be considered in the determination of responsibility for a violation of the Policy, and will not be considered by the Review Panel.

n) Final Investigation Report.

Unless there are significant additional investigative steps requested by the parties or identified by the Investigator, within five (5) calendar days after receipt and consideration of any additional comments, questions and/or information submitted by the parties during the designated review and response period, the Investigator will prepare a Final Investigation Report, which will include a recommendation as to whether there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility for a violation of the Policy (and, where applicable, other College policy). In reaching this recommended finding, the Investigator will consult with College Counsel. The Investigator will deliver the Final Investigation Report to the Title IX Coordinator. The Title IX Coordinator will notify both parties, simultaneously, that the Final Investigation Report is complete and available for review.

o) Recommended Finding(s) of Responsibility.

When the Investigator determines that there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility on one or more of the allegations, the Respondent may accept or contest such recommended finding(s) by so notifying the Title IX Coordinator, in writing. If the Respondent accepts the recommended finding(s) of responsibility, the Title IX Coordinator will refer the case to the appropriate College executive solely on the issue of sanction. If the Respondent contests one or more of the recommended finding(s), the Respondent may submit to the Title IX Coordinator a written statement explaining why the Respondent contests such finding(s). The Title IX Coordinator will ensure that the Complainant has an opportunity to review and respond in writing to any such statement. The Title IX Coordinator will provide the Final Investigation Report, together with any statements by the parties, to the Review Panel for further proceedings.

p) Recommended Finding(s) of No Responsibility.

When the Investigator determines that there is insufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility on one or more of the allegations, the Complainant may accept or contest the recommended finding(s) by so notifying the Title IX Coordinator, in writing. If the Complainant accepts the recommended finding(s) of no responsibility, the investigation will be closed and documented in accordance with applicable College policies. If the Complainant contests one or more of the recommended finding(s), the Complainant may submit to the Title IX Coordinator a written statement explaining why the Complainant contests such finding(s). The Title IX Coordinator will ensure that the Respondent has an opportunity to review and respond in writing to any such statement. The Title IX Coordinator will provide the Final Investigation Report, together with any statements by the parties, to the Review Panel for further proceedings.

q) Impact and Mitigation Statements.

Where there is a finding of responsibility on one or more of the allegations, both parties may submit a statement to the Title IX Coordinator for consideration by the Review Panel in determining an appropriate sanction. The Complainant may submit a written statement describing the impact of the Prohibited Conduct on the Complainant and expressing a preference about the sanction(s) to be imposed. The Respondent may submit a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanctions(s) imposed. The Title IX Coordinator will ensure that each of the parties has an opportunity to review any statement submitted by the other party. The Title IX Coordinator will provide any statement(s) with the Final Investigation Report and the parties' other written submissions to the Review Panel.

r) Timing of Investigation.

The investigation typically will be completed within thirty-five (35) calendar days. This period may be extended to account for a Page 19 previous attempt, if any, at Alternative Resolution, or

for other good cause, as described in these Procedures. Any extension, other than for Alternative Resolution, and the reason for the extension, will be shared with the parties in writing.

2. Acceptance of Responsibility.

The Respondent may, at any time, elect to resolve the Formal Resolution process by accepting responsibility for the Prohibited Conduct, in which case the Title IX Coordinator will refer the matter to the Respondent's executive for imposition of sanction(s).

3. Review Panel Meeting.

The Title IX Coordinator will appoint a pool of trained members of the College community and, at the discretion of the Title IX Coordinator, external professionals with experience adjudicating cases of Prohibited Conduct. The Title IX Coordinator will select (a) three members from this pool to serve on the Review Panel, and (b) an additional member from this pool to serve as the non-voting Meeting Chair. Where the Respondent is an academic faculty member, at least two of the voting members of the Review Panel will be appropriately trained full-time faculty members. The Review Panel will review the Investigator's recommended finding(s) and, if applicable, recommend any appropriate sanction(s) under these Procedures. All persons serving on any Review Panel (or as the Meeting Chair) must be impartial and free from actual bias and conflict of interest.

a) Standard of Review.

If either of the parties contests the Investigator's recommended finding(s) of responsibility (or no responsibility) for an alleged violation of the Policy, the Review Panel will hold a Meeting to determine (1) whether the concerns stated by the contesting party raise substantial doubt about the thoroughness, fairness and/or impartiality of the investigation; and, if not, (2) whether there is sufficient evidence to support the Investigator's recommended finding(s) by a Preponderance of the Evidence.

b) Notice and Timing of Meeting.

Typically, a Meeting will be held within fortyfive (45) calendar days from the date of the Notice of Investigation, subject to extension for good cause, as in these Procedures. The Meeting Chair will notify the parties in writing of the date, time, and location of the Meeting; the names of the Review Panel members and the Meeting Chair; and how to challenge participation by any member of the Review Panel or the Meeting Chair for bias or conflict of interest. The Meeting will usually be scheduled within five (5) calendar days from the date of the Notice of Meeting, subject to extension for good cause at the discretion of the Title IX Coordinator. Good cause for extension may include the unavailability of the parties, the timing of semester breaks or College holidays, or other extenuating circumstances. Any extension, including the reason for the extension, will be shared with the parties in writing.

c) Postponement of Meeting.

Permission to postpone a Meeting may be granted provided that the request to do so is based on a compelling emergency and communicated to the Meeting Chair prior to the time of the Meeting.

d) Meeting Format.

The Meeting is an opportunity for the parties to address the Review Panel, in person, about issues relevant to the Standard of Review to be applied by the Review Panel. The parties may address any information in the Final Investigation Report, supplemental statements submitted in response to the Final Investigation Report, and any impact and mitigation statements. Each party has the opportunity to be heard, to identify witnesses for the Review Panel's consideration, and to respond to any questions of the Review Panel. The parties may not directly question each another or any witness, although they may proffer questions for the Review Panel, which may choose, in its discretion, to pose appropriate and relevant questions to the Investigator, the parties and/or any witnesses. A typical Meeting may include brief opening remarks by the Complainant and/or Respondent, with follow-up questions posed by the Review Panel; information presented by the Investigator or witnesses deemed relevant by the Review Panel, with followup questions by the Review Panel of the Investigator or witnesses; and brief concluding remarks by the Complainant and/or Respondent. The Meeting Chair has the discretion to determine the specific Meeting format.

e) Participation in Meeting.

i. Parties. Both the Complainant and the Respondent have a right to be present at the Meeting. Either party may request alternative methods for participating in the Meeting that do not require physical proximity to the other party, including participating through electronic means. This request should be submitted to the Meeting Chair at least two (2) calendar days prior to the Meeting. If, despite being notified of the date, time, and location of the Meeting, either party is not in attendance, the Meeting may proceed and applicable sanctions may be recommended. Neither party is required to participate in the Meeting in order for the Meeting to proceed.

ii. Investigator or other witnesses. The Review Panel may request the presence of the Investigator or any other witness it deems necessary to its determination. The parties may also request the presence of any witness they deem relevant to the determination by the Review Panel. The Review Panel has absolute discretion to determine which witnesses are relevant to its determination and may decline to hear from witnesses where it concludes that the information is not necessary for its review.

iii. Advisors. Both the Complainant and the Respondent have the right to be accompanied at the Meeting by an advisor of their choosing. The advisor may be anyone, including an attorney, who is not otherwise a party or witness. While the advisor may provide support and advice to a party at the Meeting, the advisor may not speak on behalf of the party or otherwise participate in, or in any manner disrupt, the Meeting. The College reserves the right to remove any individual whose actions are disruptive to the proceedings.

f) Determination by the Review Panel.

Where either of the parties has contested the recommended finding(s) of responsibility, the members of the Review Panel will, at the conclusion of the Meeting, determine, by majority vote, (1) whether the concern(s) stated by the contesting party raise substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation; and, if not, (2) whether there is sufficient evidence to support the Investigator's recommended finding(s) by a Preponderance of the Evidence. If the Review Panel finds that concerns stated by the contesting party raise substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation, it will remand the matter to the Title IX Coordinator with instructions for further investigation or other action. The instructions may include guidance regarding the scope of information to be further investigated and any appropriate stipulations, including the appointment of a new Investigator. If the Review Panel finds no cause for substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation, but determines there is insufficient evidence to support the Investigator's recommended finding, it may remand the matter for further investigation or reject the Investigator's recommended finding(s) and make alternative finding(s), which will be forwarded to the appropriate executive for further review, as described in these Procedures. If the Review Panel finds no cause for substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation and affirms that there is sufficient evidence to support a recommended finding of responsibility by a Preponderance of the Evidence, such decision will be forwarded to the appropriate executive for further review, as described in these Procedures. Where the Review Panel has affirmed a recommended finding(s) of responsibility, the Review Panel will also, by majority vote, recommend sanction(s). The scope of possible sanctions will be dependent upon the employee disciplinary procedures applicable to the Respondent, but will include one or more of the following: informal and formal counseling, progressive disciplinary action, No-Contact Directive, transfer of position, removal of administrative appointment, demotion, suspension, and/or termination of employment. If the Review Panel finds no cause for substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation and affirms a recommended finding of no responsibility, the matter will be considered resolved and the investigation will be closed. The Meeting Chair will provide notice of the decision to the Title IX Coordinator, who will issue a Final Outcome Letter to the parties. The Title IX Coordinator may nevertheless ensure that remedial measures remain in effect to support a Complainant.

g) Notice of Review Panel Determination.

Within five (5) days of the Review Panel Meeting, the Meeting Chair will notify in writing (which may include email) the Complainant, the Respondent, and the appropriate executive in the Respondent's chain of command of the Review Panel's determination of responsibility and the recommended sanction, if applicable. At the time of this notice, the Meeting Chair will also forward to the appropriate executive a confidential copy of the Final Investigative Report and any accompanying supplemental statements ("Decision Packet").

4. Executive Review; Sanction; Notice of Outcome

a) Executive Review of Review Panel Decision and Recommended Sanction. Upon receipt of notice from the Review Panel and the Decision Packet, the appropriate executive will have seven (7) days to review all the foregoing information, affirm or reject the Review Panel's decision on the finding of responsibility under the Policy and, if applicable, determine the sanction(s) in accordance with the disciplinary procedures appropriate for the type of Employee.

b) Sanctions. Where disciplinary action is recommended, such action, as described above, may include one or more of the following: informal and formal counseling, progressive disciplinary action, No-Contact Directive, transfer of position, removal of administrative appointment, demotion, suspension, and termination of employment. The Policy prohibits a broad range of conduct, all of which is serious in nature. The propriety of any particular sanction is reviewed on an individual basis based on the unique facts and circumstances outlined in the Decision Packet. In keeping with the College's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the Policy provides the appropriate executive with wide latitude in the imposition of sanctions tailored to the facts and circumstances of the Prohibited Conduct, the impact of the conduct on the Complainant and College community, and accountability for the Respondent. The imposition of sanctions is designed to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and legal obligations. Sanctions may include educational, restorative, rehabilitative, and punitive components. Some conduct, however, is so egregious in nature, harmful to the individuals involved or so deleterious to the educational process that it requires severe sanctions, including suspension or termination of employment from the College. Once the appropriate executive has determined that there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility under the Policy, any one or more sanctions may be imposed.

In determining the appropriate sanction(s), the appropriate executive will be guided by a number of considerations, including:

- The severity, persistence or pervasiveness of the Prohibited Conduct;
- The nature or violence (if applicable) of the Prohibited Conduct;
- The impact of the Prohibited Conduct on the Complainant;
- The impact or implications of the Prohibited Conduct within the College community;
- Prior misconduct by the Respondent, including the Respondent's relevant prior disciplinary history, at the College or elsewhere, and any criminal convictions;
- Whether the Respondent has accepted responsibility for the Prohibited Conduct;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to learning; and
- Any other mitigating, aggravating, or compelling factors.

The executive will consult with other administrators as needed, including Human Resources, and the Title IX Coordinator, to ensure that any disciplinary action is appropriate for the violation and consistent with the disciplinary procedures for the Employee type and prior College action for similar policy violations. The executive will also determine any other appropriate actions, which may include (1) imposing or extending a No-Contact Directive; (2) imposing or extending

academic, and/or employment modifications; (3) other restorative remedies for the Respondent; (4) imposing or extending increased monitoring, supervision, and/or security at locations or in connection with activities where the Prohibited Conduct occurred or is likely to reoccur; (5) arranging for conducting targeted or broad-based educational programming or training for relevant persons or groups; and/or (6) imposing any other remedial or protective measures that are tailored to achieve the goals of the Policy.

Any sanction or combination of sanctions imposed upon a Respondent will be documented in the Respondent's personnel file. Nothing in these Procedures prevents the executive from imposing disciplinary action against a Respondent where the Final Investigation Report demonstrates that the Respondent engaged in other conduct prohibited by the College, regardless of whether the Respondent has been found responsible for violating the Policy.

c) Notice to the Title IX Coordinator.

The executive will notify the Title IX Coordinator in writing of his or her decision, outlining his or her acceptance or rejection of the Review Panel decision, the rationale for the decision, any sanction(s) against the Respondent, the rationale for such sanction(s) (including why the executive did or did not accept the sanction(s) recommended by the Review Panel), and any other remedial actions for the Complainant, the Respondent and/or community to be implemented as a result of the finding.

d) Notice of Final Outcome to Parties.

Within two (2) business days of receipt of either the Review Panel or the executive's decision, the Title IX Coordinator shall notify the Complainant and the Respondent, simultaneously, in writing (which may include email) of the final outcome of the investigation and the rationale for the outcome (the "Final Outcome Letter"). The Final Outcome Letter shall include the name of the Respondent; the violation(s) of the Policy (and, if applicable, other College policy) for which the Respondent was found responsible or not responsible, as supported by the rationale set forth in the Final Investigation Report and/or modified by the Review Panel or executive; the sanction(s) (if applicable) imposed against the Respondent; the rationale for any sanction(s) imposed. The Final Outcome Letter may also identify protective measures implemented with respect to the Respondent or the broader College community. The Final Outcome Letter will not disclose any remedial measures provided to the Complainant. Any such remedial measures will be shortly thereafter shared with the Complainant by separate communication. The College does not impose any restrictions on the parties regarding redisclosure of the incident, their participation in proceedings under these Procedures, or the Final Outcome Letter.

e) Decision of Review Panel/Executive is Final.

The decision outlined in this notice is final under the Policy and is not subject to further College appeal or grievance. Nothing in these Procedures abrogates post-adjudication rights as provided by state and federal law.

RECORDS RETENTION

The College shall retain all records relating to a report of Prohibited Conduct, including investigation files and personnel record documentation of disciplinary or other personnel actions, in accordance with the College's policies.