

East-West University

CLERY ACT CAMPUS SECURITY POLICIES

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Clery Act

Campus Security Policies

The Campus Security Act

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to the campus. The statistics must be gathered from security, local law enforcement, and other University officials who have “significant responsibility for student and campus activities.”
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees.”
- Disclose in a public crime log “any crime that occurred on campus and is reported to the security department.”
- Devise an emergency response notification.
- Complete and report fire data to the federal government and publish an annual fire safety report.
- Enact policies and procedures to handle reports of missing students.

The East-West University Office of Security Department is responsible for preparing and distributing this report. The information is compiled with the help of the Student Housing Office and the Chicago Police Department.

We encourage members of the East-West University community to use the annual Campus Security Report as a guide for safe practices on and off campus. Each member of the East-West University community receives an email describing the availability of ASR and AFSR reports and provides its web address which is www.eastwest.edu. Paper copy is available upon request.

Reporting Crimes and Other Emergencies

All students, employees, and guests should promptly report criminal incidents, accidents, and other emergencies to the local police department by dialing 911. Individuals may also report incidents to the University official or the Security Department.

- Security Department Phone: 1 (312) 939-0133

Timely Warning Notices

To help prevent crimes or serious incidents, the Security Department Office, in conjunctions with other departments on campus, issues Campus Safety Alerts in a timely manner to notify community members about certain crimes in and around our community. Prominent postings on the East-West University website and/or flyers posted on the bulletin boards are used to issue immediate warnings.

Daily Crime Log

The Security Department maintains a Daily Crime Log that records all crimes and other serious incidents that occur on campus. Specific incidents are posted in the Daily Crime Log within two business days of receiving a report of an incident and East-West University reserves the rights to exclude reports from the log in certain circumstances.

Security of and Access to Campus Facilities

Access to campus buildings is a privilege extended to students, faculty, staff, and authorized guests. The University encourages an environment with limited constraints to ensure the reasonable protection of all members of the community. Except for residence halls, the campus buildings are open during weekday business hours.

Special Procedures for Student Housing Access

The resident floors are equipped with an automated card access control system and the traffic is monitored by the security desk. Unlimited access is available to resident students and authorized staff via the system. Guests and other visitors may visit the residence floors as long as they have been authorized by a member of the community and provide a valid ID.

Campus Law Enforcement Policy

Security personnel at the East-West University campus have the authority to detain offenders until the local police arrive. East-West University security maintains a working relationship with local, county and state police. Incidents will be documented, and copies of the reports will be kept on file in the Security Department. Incident reports are the property of East-West University and are not given to students.

Security Awareness and Crime Prevention Program

East-West University adheres to the idea that it is more prudent to prevent crimes than to react to them after the fact. East-West University encourages students and employees to be responsible for their own security and the security of others. East-West University offers students the following programs and projects implemented at:

- Rape Awareness, Sexual Assault Education and Prevention- In cooperation with the local police departments and local agencies, rape awareness and sexual assault education and prevention presentations are being made available at least twice a year to the campus community.
- An ongoing poster campaign to highlight sexual misconduct.
- Crime Prevention Presentation- Crime prevention presentations accompanied by brochures and other printed materials are made available biannually to students. As well as, focusing on poster campaigns year-round, throughout the campus.

- College Photo Identification Card- Each East-West University faculty, staff and student is issued and East-West University photo identification card. This card is to access East-West University buildings and services.
- Students, staff and faculty are encouraged to immediately report all crimes to the Security Department. Prompt and accurate reporting is essential for the apprehension of perpetrators and the protection of the community members and resources. The Security Desk can be contacted by dialing ext. 3100 from any house phone or by dialing 1(312)939-0133.
- If you are the victim of a crime and do not want to pursue action within East-West University's judicial process or through the criminal justice system, you may still want to consider making a confidential report. With your permission, the Security Department or their designee can file a report detailing the incident without revealing your identity. The purpose of a confidential report is to comply with your desire to keep the matter confidential, while taking steps to ensure the safety of yourself and others in future situations. With this information, East-West University can keep an accurate number of incidents involving students, staff and faculty to determine if there are patterns of crime with regard to a particular locations, method or assailant. This assists East-West University's Security Department in alerting the campus community regarding potentially dangerous situations. Reports filed in the manner are counted and disclosed in the annual crime statistics for the institution.
- Special Alerts are issued in a timely manner by East-West University when crimes have been reported that are considered a threat to other students and employees, with the intent to aid in the prevention of similar occurrences.

Emergency Preparedness, Response and Evacuation

The Campus Emergency Operations Plan is designed to provide East-West University with a management tool to facilitate a timely, effective, efficient, and coordinated emergency response to significant events affecting the campus or its community. It is based on integrating East-West University emergency response resources with those of other government and emergency response agencies.

Emergency Response and Evacuation Procedures

Emergency evacuation and/or preparedness exercises are conducted twice a year in East-West University student housing facilities. Students, staff and faculty are advised to become familiar with emergency exits and stairwells. Emergency evacuation maps are posted on every floor, identify the evacuation routes.

Individuals unable to safely and expeditiously maneuver the stairs or fire escapes due to permanent or temporary disability may need additional response assistance in the event of an emergency evacuation. The individuals who may need assistance either before, during or after an emergency evacuation are encouraged to voluntarily disclose/register at the Security Desk. Furthermore, persons with special needs are strongly recommended to prepare for emergencies in advance by familiarizing themselves with the location of emergency evacuation routes- the Areas of Rescue on the floor where they are located.

Do not attempt to extinguish a fire unless it is impeding your exit. If you hear the alarm, always assume a fire exists and leave the building immediately.

In the case of an Emergency Evacuation:

- Cease all activity and immediately proceed to the nearest exit.
- Check the surface of the door and/or doorknob for heat and the bottom of the door for signs of smoke before opening it and exiting a room. Slowly open the door, keeping the door between you and the corridor. Make a visual observation of the corridor for fire or smoke and proceed to the nearest exit.
- Ensure all doors are closed behind you.
- Follow the direction of the Fire Safety Marshal and leave the building via the safest and nearest available stairway exit.
- If you are an individual requiring assistance, notify security via the EMERGENCY CALL BOX (829 S. Wabash building) located in the West Stairway landings or call 911 and advise the city or first responders of your location. If safe to do so, proceed to the Area of Rescue assistance on the floor and wait for emergency responders.
- Do not use elevators.
- Evacuate at least 300 feet away from the building and await direction from first responders.

In the case of Blocked Stairway or Exit:

- Using office telephone or personal phone, notify Security Desk that all exits and/or stairwells are blocked and advise them of your location.
- Security Desk phone: 1(312) 939-0133
- Go to the nearest room and close the door.
- Place cloth under the door to prevent smoke from entering the room.
- Hang a cloth or other object out of the window to signal that the room is occupied.
- Stay close to the floor as possible when smoke enters a room.
- If necessary, break the top window first to expel smoke, then break the bottom window to admit fresh air.
- For more detailed procedures regarding emergency evacuations and procedures, visit the website at www.eastwest.edu.

Emergency Notifications

The Security Department will respond to all reports of emergencies or dangerous situations on campus. Upon confirmation by Security Department of an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, the Security Department will request and coordinate the response of additional resources, where necessary, and make appropriate notifications considering the safety of the East-West University community. Such threats may include, but not limited to, outbreaks of serious illness, gas leaks, explosions, chemical or hazardous waste spill, terrorist incident or armed intruder. East-West University will, without delay, determine the content of the notification and initiate the notification system. The Director of the Security Department, with the input from the Provost and the Director of Student Affairs, will determine the content of the notification including recommendations to shelter in place, evacuate a facility, avoid portions of the campus, or other appropriate actions; and utilize East-West University's mass emailing system to notify the campus community.

Drug and Alcohol Policy

Drug and Alcohol-Free School and Community Act

East-West University complies with the requirements of the Drug Free Schools and Communities Act. East-West University shall review this policy on an annual basis to determine its effectiveness and to ensure that the standards of conduct and disciplinary sanctions have been consistently enforced.

Standard of Conduct

The unlawful possession, use, distribution, sale or manufacture of controlled substances is prohibited on the East-West University campus. Under no circumstance will the University tolerate the use of illicit drugs or alcohol on campus or at East-West University sponsored activities.

Disciplinary Sanctions

Students who violate the prohibition against the illegal use of controlled substances and alcohol will be subject to disciplinary action up to and including dismissal.

Programs for Students Requiring Assistance

Any East-West University student who has a drug or alcohol problem may call upon the University for assistance. Anyone needing help should contact the Student Success Center or Counseling and Students Affairs office. East-West University can provide a confidential referral to a drug or alcohol treatment program.

Health Risks

The use of drugs and alcohol can have a substantial and detrimental effect on health. These effects are often permanent and can lead to severe physical and psychological impairment, disability and premature death. East-West University encourages students to lead drug-free lives.

The following agencies provide information on substance abuse:

- Alcoholics Anonymous: 1-800-371-1475(24-hour answering service)
- Center for Substance Abuse Treatment and Refer Hotline: 1-800-662-HELP

Legal Sanctions

Use of illicit drugs by any person is illegal under both the state and federal statutes. Use of alcohol by persons under 21 years of age are illegal under state law. Penalties for conviction under state and federal law include incarceration and fines varying between \$100 and \$100,000 depending on the offense. Property used in connection with illegal drugs may be confiscated. All Federal and State student loans and grants may be denied to those convicted for a violation of a criminal drug statute.

Presentation / Workshops

East-West University is being partnered with IHEC (Illinois Higher Education Center for Alcohol, other Drug & Violence Prevention Program) and the Chicago Area Alcohol Anonymous group. Both groups are contacted to provide on campus workshops once a year which includes presentations on the abuse of drugs and alcohol.

Policies and Procedures

The Student Handbook contains the following information about the Drug-Free Schools Act:

Standard of Conduct, Disciplinary Sanctions, programs for students Requiring Assistance, Health Risks, and Legal Sanctions. Also, in the Student Code of Conduct, possession of and/or use of drugs and/or alcohol on East-West University property or at any University function may result in Students are expected to adhere to the guidelines that govern student professional conduct.

Sex Offender Registration Policy

The Federal Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) requires institutions of higher education to issue a statement advising the campus community how to access information concerning registered sex offenders. In Illinois, the Illinois State Police maintain the database of registered sex offenders which is available at <http://www.isp.state.il.us/sor/sor.cfm>. You can search this database by name, city, county, or zip code. You may also visit your local police department for information regarding registered sex offenders in the area.

It also requires sex offenders already required to register in a State to provide notice, to the appropriate state agency, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

Notification of a Missing Student

If a member of the University community has reason to believe that a Flats resident is missing, he or she should immediately notify the Student Housing Office at **312.939.0012** or Security Desk at **312,939.0133**. The Housing Office will investigate, create an incident report and involve other law enforcement agencies, **as** necessary.

Should the Housing Office confirm that the student is missing, the housing office will notify the missing person's emergency contact. If the missing student is under the age of 18 and is not an emancipated individual, the Housing Office will notify the student's parent or legal guardian immediately after law enforcement has determined that the student has been missing. The Housing Office will notify the appropriate local law enforcement agency within 24 hours of the determination that the student is missing.

Students register an emergency contact when completing an application, License Agreement and Access Card during move-in. In completing the above, the student recognizes that their emergency contact will be notified by the Housing Office in the event the student is determined to be missing.

A student's emergency contact information will be accessible only by authorized Housing Office staff and law enforcement in the case of a missing person investigation.

Each time a student completes a new License Agreement or Key Card, they will provide an updated emergency contact. The License Agreement explains the related law.

Fire Awareness in Student Housing

Reporting on Fires

All fires must be immediately reported to Security Desk located in the lobby and Student Housing office. The office of Security Department in collaboration with Student Housing office is responsible for publishing the statistics in their annual fire safety report.

FIRE SAFETY EDUCATION AND TRAINING

Fire drills are conducted twice a year. At the conclusion of fire drill, presentation is made to discuss the common-sense methods of preventing fire. A poster campaign is also used throughout the year to create the awareness.

STUDENT HOUSING FIRE SAFETY SYSTEMS

The Student Housing building has the following fire safety systems:

- Complete automatic sprinkler system
- Complete building fire alarm system
- Heat detectors in each sleeping room
- 110Volt smoke detectors in each sleeping room
- Smoke alarms in each egress corridor and hallway
- Residents with disabilities accommodated according to needs
- Egress corridors and stairwells are fire rated
- Fire alarm system monitored by the alarm monitoring company
- AV alarms in all common areas

Alarm Transmission

When the fire alarm is activated, a signal will be sent to:

- The Chicago Fire Department
- Security Desk
- Alarm, Monitoring Company

The staff will then work with Emergency Personnel to ensure that the residents' safety is maintained. Fire drills are conducted twice a year to ensure residents and guests are familiar with the fire safety procedures. Fire evacuation maps are posted in the hallways. Failure to evacuate during a fire drill, failure to follow the requests from staff, or an actual fire can be cause for disciplinary action.

Policies on Portable Electrical Appliances, Smoking and Open Flames

The following are examples of items prohibited in the East-West University Student Housing:

- Portable heaters
- Halogen bulbs, and halogen desk lamps
- Extension cords, outlet adapters or multiple plugs, except for power strips with built in circuit breakers (all microwaves and all other appliances that generate heat, including but not limited to curling irons, blow dryers, halogen lamps, coffee pots, toasters and clothes irons, must be plugged directly into an outlet and the use of extension cords or power strips is not permitted with these items)
- Any gas or charcoal grill, or any other cooking devices of any kind [including supplements to existing stoves/ovens, except for small U.L. listed appliances such as a microwave or toaster]
- Any electrical appliance without a clear "U.L." label
- Electrical appliances rated higher than 6 amps (700 watts) or with an exposed heating element
- Smoking of any substance anywhere in and/or around the housing. This includes electronic devices or items used for smoking or as substitutes to simulate smoking activity. Possession of hookahs, pipes, bongs and other smoking devices is prohibited.
- Lighting or burning candles, incense or an open flame of any kind. It also includes possession of wax items with burnt wicks.
- Smoking is not permitted anywhere in the housing
- Hover boards, or self-propelled mobile/movement devices
- Open flames
- Fog/smoke machines
- Items deemed hazardous
- Gasoline engines of any kind

STUDENT HOUSING EMERGENCY EVACUATION

The following procedure outlines the process to evacuate the building in an emergency. The evacuation of housing building requires the teamwork of professional and student staff, as well as residents.

Evacuation Procedures

- Leave the building once the alarm sounds or if you are instructed to do so by an authorized personnel. Please notify others on your way out. All occupants (staff, students, and visitors) must evacuate.
- If time permits occupants should secure their room and take only the most important items from the room (such as purses, backpacks, winter coats).
- Close the door after the last person is out but do not lock it.
- Walk quickly to the nearest safe exit.
- Do not use elevators unless authorized personnel tell you to do so.
- People with disabilities, are to go to the designated areas of rescue. (*the area of rescue is located on each floor just inside the stairwell landings*)
- Security will be on hand to direct and assist with the evacuation. All occupants need to stay calm, quiet and follow the directions that may be given verbally or through a possible public address system.
- Do not re-enter the building until authorized personnel give the "all clear" signal
- Move from the building to the south side of 9th street.
- Report any missing or trapped persons to authorized emergency personnel.
- If you are not in the building when it was evacuated, go to the south side of 9th street so you **will** be accounted for.
- Rally Point SLC Building: 9th and Wabash Ave (Southeast corner)

Definitions of Clery Act Crimes

Types of Offenses

Criminal Homicide:

- Murder & Non-Negligent Manslaughter - willful killing of one human being by another.
- Negligent Manslaughter - killing of another person through gross negligence.

Sex Offenses:

- Forcible Sex Offenses- any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against that person's will where the victim is incapable of giving consent.
- Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object without the consent of the victim.
- Sodomy- oral or anal sexual intercourse with another person.
- 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 or another person.

- Fondling - the touching of the private body parts of another person for the purpose of sexual gratification.

Non-Forcible Sex Offenses - are unlawful, non-forcible sexual Intercourse.

- Incest - sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape - sexual intercourse with a person who is under the statutory age of consent

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

- Firearm
- Knife or cutting instrument
- Other dangerous weapons
- Strong arm

Aggravated Assault - *An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.*

- Firearm
- Knife or cutting instrument
- Dangerous weapons
- Hands, fists, feet, etc.

Burglary - *The unlawful entry into of a structure to commit a felony or a theft.*

- Forcible Entry
- Unlawful Entry - No Force
- Attempted Forcible Entry

Motor Vehicle Theft - *The theft or attempted theft of a motor vehicle.*

- Autos
- Trucks and Buses
- Other vehicles

Arson -*Any willful or malicious burning or attempt to burn with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft or personal property of another.*

- Structural
- Mobile
- Other

Hate Crimes - *Include any of the above crimes that manifest evidence that the victim was intentionally selected because of the perpetrator-bias.*

- Race
- Gender
- Religion
- Sexual Orientation
- Ethnicity/ national Origin
- Disability
- Larceny-theft
- Simple assault
- Intimidation
- Destruction, damage, or vandalism of property

Arrests and Referrals Disciplinary Action

- Illegal weapons possession
- Violations of drug laws
- Violations of liquor laws

Sexual Misconduct Policy

The purpose of this policy is to foster an academic and working environment free from any form of discrimination and harassment, and to provide guidelines for complaints and corrective action. This policy applies to the entire East-West University community, i.e. students, faculty, staff and visitors. The University does not tolerate *any* violence including sexual assault, sexual harassment, domestic violence, dating violence, stalking, or sexual orientation/gender-based harassment which is prohibited by Title IX of the Education Amendments of 1972 and The Violence Against Women Reauthorization Act of 2013.

- The State of Illinois Domestic Violence Act of 1986 (760 ILC5 60/) recognize domestic violence as a serious crime against the individual and society.
- The State of Illinois stalking law, Section 5/12-7.3 considers stalking a class 4 felony punishable by 1-3 years in prison and fines of up to \$25,000.

Members of the East-West community have the right to be free from discrimination, violence or threats of violence, harassment, physical and verbal abuse, on and off campus. This policy prohibits *any* and all forms of discrimination, harassment, and sexual misconduct. The policy defines, describes, and explains the policies and procedures to: file a complaint, file a report, list direct contacts to file a report or complaint, procedural details for a fair and prompt investigation, safety and security, and list a variety of support and resources.

East-West University is committed to providing resources that educate the EWU community to assist in ensuring a safe, respectful, discrimination and harassment free environment. The university uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. In campus resolution proceedings, legal terms like "guilt," "innocence" and "burdens of proof" are not applicable, but the University never assumes a responding party is in violation of University policy. Campus resolution proceedings are conducted to consider the totality of all evidence available, from all relevant sources.

DEFINITIONS OF SEXUAL MISCONDUCT

Sexual Misconduct Includes sexual assault, sexual harassment, sexual exploitation, sexual intimidation, dating violence, domestic violence, and stalking. This policy prohibits retaliation against anyone who files a complaint or participates in any investigation of a complaint under this policy.

Sexual misconduct may be a form of sex discrimination prohibited by federal and state discrimination laws, including Title IX of the Education Amendments of 1972, The Violence Against Women Reauthorization Act of 2013, and Title VII of the Civil Rights Act. In addition, some forms of sexual misconduct violate the criminal laws of the State of Illinois.

Sexual misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship.

Sexual misconduct can be committed by any gender identity and can occur between people of the same or different gender identities.

Sexual Assault is any unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger, that occurs without indication of consent of either/any of the individuals involved, or that occurs under threat or coercion. Sexual offenses include, but are not limited to, rape (also referred to as sexual assault in the State of Illinois), forcible sodomy, and sexual assault with an object, fondling or kissing without consent, incest,

statutory rape, and the threat of sexual assault. According to the Department of Justice and the FBI, rape is defined as "The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim." This definition includes any gender of the victim or perpetrator and includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity, including due to the influence of drugs or alcohol or because of age. Physical resistance from the victim is not required to demonstrate lack of consent.

Sexual Harassment is a form of sex discrimination prohibited by Title IX and Title IV. Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, request for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Examples include:

- Making unwelcome sexual advances for sexual favors and other verbal or physical conduct of a sexual nature as a condition of an employee's continued employment, or a student's academic status.
- Making submission to or rejections of such unwelcome conduct the basis for employment or academic decisions affecting an employee or student; or creating an intimidating, hostile or offensive working or education environment by such conduct, which prevents an individual from participating in a program or activity.

Sexual Orientation-Based Harassment includes verbal, non-verbal and physical acts of aggression, intimidation, or hostility based on an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or transsexuality. Use of the term "sexual harassment" throughout this policy includes sexual orientation-based harassment/misconduct.

Gender-Based Harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Use of the term "sexual harassment" throughout this policy includes gender-based harassment/misconduct.

Dating and Relationship Violence means acts, threats, or a pattern of abusive behavior of a physical or sexual nature by one partner intended to control, intimidate, manipulate, humiliate, frighten, coerce, or injure the other. These acts may be directed to a spouse, an ex-spouse, a current or former boyfriend or girlfriend, or a current or former dating partner.

Domestic Violence is defined as a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Incapacitation is the physical and/or mental inability to make informed, rational judgments that voids an individual's ability to give consent. Incapacitation may be caused by a permanent or temporary physical or mental impairment. Incapacitation may also result from the consumption of alcohol or the use of drugs.

Coercion is an unreasonable amount of pressure to engage in sexual activity, the practice of persuading or forcing someone to do something by use of force or threats.

Sexual Exploitation is taking sexual advantage of another person without effective consent. This includes, but is not limited to, causing the incapacitation of another person for a sexual purpose, causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images of another person, or allowing third parties to observe sexual acts.

Stalking is defined as harassing or threatening another person to the point where that individual fears for his/her safety or the safety of his/her family. Stalking can occur in various forms including, but not limited to, in-person, through third parties, and electronically (phone, internet, social media, texting, etc.).

Retaliation

Title IX prohibits retaliation. It is a violation of Title IX and University policy for any person or group to retaliate against, interfere with, coerce or take any other adverse action against a person or group (student, faculty member, staff member, visitor,) that: 1) reports sexual misconduct; 2) seeks advice concerning sexual misconduct; 3) assists or supports another individual or group that reports sexual misconduct; or 4) participates as a witness or in the investigation of a sexual misconduct report.

Retaliation includes threats, intimidation, and reprisals. The University will take immediate and responsive action to any report of retaliation. An individual reporting sexual misconduct is entitled to protection from retaliation following a report that is made in good faith, even if the report is later not proven. Any individual or group that violates this policy is subject to disciplinary or remedial action, which can include expulsion from the University, termination of employment, and may also be subject to criminal and/or civil action. The University recognizes a respondent can also be the subject of retaliation by the complainant or other third party and the same protections against retaliation are afforded the respondent.

Definition Of Consent

Consent is defined as a clearly and freely given word or overt action confirming a willing desire to move forward with a specific sexual request, act, or experience. Consent cannot be obtained from individuals who have a temporary or permanent mental or physical incapacity, including being under the influence of drugs or alcohol or because of age.

Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused does not constitute consent. Consent can be withdrawn at any time. Someone who is incapacitated cannot consent.

Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. The manner of dress of the victim at the time of the offense does not constitute consent. Consent to sexual activity can be withdrawn at any time. Absence of "NO" should NEVER be interpreted as "YES".

Reporting An Incident Of Sexual Misconduct

East-West University encourages anyone who is or knows someone who has been a victim of sexual harassment and/or misconduct to promptly report the incident. To report an incident involving a sexual assault, sexual harassment,

domestic violence, stalking, and dating violence, you may contact

- The Security Desk at (312) 939-0133
- Counseling and Student Affairs at (312) 939-0111 Ext 1813
- Title IX Coordinator at (312) 427-9580
- Students living at the "The Flats" may contact Director of Student Housing at (312) 939--0112
- Local Police Department 911

The victim is encouraged to contact the local police department (911) immediately for preservation of evidence and to initiate a criminal procedure. East-West University Security staff will assist the student in notifying these authorities, if the student requests the assistance of these personnel. East-West University will fully cooperate with law enforcement regarding sexual assault offenses. The University takes all reports of sexual assault very serious. Any report of sexual assault will be thoroughly investigated. Any member of the East-West University community found responsible for sexual assault will have strict disciplinary sanctions imposed which may include dismissal from the University.

Responsibilities of the Title IX Coordinator

- Responding to, overseeing and investigating all sexual misconduct complaints.
- Informing students about the options to file a formal complaint through the Office of Student Affairs/Title IX Coordinator and/or file a criminal or civil complaint with Chicago Police Department.
- Implementing Interim safety measures, this may include, but are not limited to, alternative housing arrangements, academic adjustments and referral to campus and local resources.
- Meeting with students to answer questions regarding the University's policies, procedures and services related to Title IX compliance.
- Ensuring that education and training related to Title IX is provided to the University community.

Student Contact Person:

Tasleem Raja, Facilities Manager Title IX Coordinator

819 S. Wabash Ave. Suite 610, Chicago, IL 60605

Office: (312) 427 9580

Email: tasleem@eastwest.edu

To file a complaint an individual should contact the office of the Title IX Coordinator, see contact information above. Once an incident is reported, the Title IX Coordinator will provide information concerning the University's policies and services for victims of sexual harassment and misconduct, its procedures for processing, investigating and handling of such complaints including the procedures for proceeding with a formal complaint and investigation. A formal investigation will include an interview with the complainant, the accused individual and other possible witnesses. The coordinator will also gather other related information or documents. The investigation will take no longer than sixty (60) days, unless there are extenuating circumstances requiring extended time.

At the conclusion of the investigation, the Title IX Coordinator will meet with both the victim and the accused individually to review the findings of the case and to inform both parties of the final outcome of the case. Both parties will receive written documentation of the final outcome.

Retaliation against any person who files a complaint of alleged discrimination, participates in an investigation, or opposes a discriminatory employment or education practice or policy is prohibited under University policy and by state and federal law.

An individual who believes he or she was subjected to retaliation can file a grievance about the alleged retaliation under these procedures. If it is determined that retaliation has occurred, sanctions may be imposed, including, but not limited to, suspension or dismissal.

Options for Reporting and Confidentially Disclosing Sexual Misconduct

East-West University encourages victims of sexual misconduct to report the incident so that they can get the support and assistance they need. Reporting the incident will also allow the University to respond appropriately. There are certain employees (**i.e.** faculty, staff, RA's) who have certain rights and obligations regarding sharing/reporting information.

This policy is intended to outline the various reporting and confidential disclosure options available to members of the University community—so that they can make informed choices about where to turn should they experience sexual misconduct. The University encourages those who have experienced sexual misconduct to talk to someone identified in one or more of these groups.

If the University honors the request for confidentiality, an individual must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when the University may not be able to honor an individual's request in order to provide a safe, non-discriminatory environment for all members of the University community. The University has designated the Title IX Coordinator to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual misconduct.

When weighing an individual's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the increased risk that the alleged perpetrator will commit additional acts of sexual misconduct, such as:

- whether there have been other sexual misconduct complaints about the same alleged perpetrator; whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged perpetrator threatened further sexual misconduct or other violence against the victim or others;
- whether the sexual misconduct was committed by multiple perpetrators;
- whether the sexual misconduct was perpetrated with a weapon

- whether the Individual who experienced sexual misconduct is a minor
- whether the University possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence)
- whether the complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol at a given location or by a particular group).

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If, for example, the school has credible information that the alleged perpetrator has perpetrated prior sexual misconduct, the balance of factors would compel the school to investigate the allegation and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the complainant's request for confidentiality.

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

Reporting sexual assault is a very personal decision. If an individual is not certain that they wish to file a formal complaint immediately, they should still seek support from the Confidential Resources.

The following Non-Confidential and Confidential Resources are available to assist with making a report:

1. **Responsible Employees/Non-Confidential (Obligated to Report)**

A responsible employee is required to report all details of an incident including names. If the victim would like to initiate an investigation and utilize the University's Grievance Procedure they should report to a "responsible employee". When a report is filed with a "responsible employee" it serves as a formal complaint to the University. The University is obligated to investigate the incident and take the appropriate steps to address the situation.

Every employee of the university is a "responsible employee." A "responsible employee" is a University employee who has the authority to redress sexual misconduct and who has the duty to report incidents of sexual misconduct. When an individual tells a responsible employee about an incident of sexual misconduct, the individual has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

Responsible/Non-Confidential Employees include but are not limited to:

- The Title IX Coordinator
- All faculty
- All employees

- Security Staff
- Resident Advisors(RA's)

A responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual misconduct shared by the complainant, and the University will need to determine what happened - including the names of the complainant and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report.

A responsible employee should not share information with law enforcement without the complainant's consent or unless the individual has also reported the incident to law enforcement. Before, or as soon as, an individual reveals any information about sexual misconduct to a responsible employee, the employee should ensure that the individual understands the employee's reporting obligations.

If the individual wants to maintain confidentiality, the responsible employee will direct the individual to confidential resources. If the individual wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the individual that the University will consider the request but cannot guarantee that the University will be able to honor it.

When reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Title IX Coordinator of the individual's request for confidentiality.

Responsible employees will not pressure an individual to request confidentiality, but will honor and support the individual's wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure an individual to make a full report if the individual is not ready to.

2. Requesting "Confidential" Reporting

If an individual discloses an incident of sexual misconduct to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all members of the University community, including the individual who has experienced sexual misconduct.

The University will remain *ever* mindful of the complainant's well-being and will take ongoing steps to protect the complainant from retaliation or harm and work with the complainant to create a safety plan. Retaliation against the complainant, whether by students or University employees will not be tolerated. The University will also:

- assist the complainant in accessing other available advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see section on additional support resources)
- provide other security and support, which could include issuing a no-contact order, helping arrange a

change of living or working arrangements or course schedules [Including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests;

- inform the complainant of the right to report a crime to campus or local law enforcement; and provide the complainant with assistance if the complainant wishes to do so.

Confidential Resources

- Counseling Services - Center for Personal Development 405 N. Wabash Avenue, Chicago, IL 60611 (312) 755-7000
- Life Span Center for Legal Services & Advocacy 70 E. Lake St. #700, Chicago, IL 60601 (312)-408-1210 or (773)-472-6469 Life-span.org
- Rape Victim Advocates (RVA) (Free Counseling and Legal Advocacy) 180 N. Michigan Avenue, Chicago, IL (312) 443-9603
- Porchlight Counseling: (847) 328-6531
- National Domestic Violence Hotline: (800) 799-SAFE x7233 Operates 24 hours a day, 7 days a **week** to provide immediate crisis counseling and referrals

What to do if you or someone you know have been sexually assaulted

- Get to a safe place *as* soon as you can. Call the Security Desk at (312) 939 0133, or call 911 immediately if you do not feel safe.
- Try to preserve all physical evidence. Do not shower or bathe, use the toilet, or change clothing, if you can avoid it. If you do change clothes, put all clothing that was worn at the time of the attack in a paper bag, not plastic.
- Seek medical attention. A medical examination will provide any necessary treatment and collect important evidence.
- Contact the Title IX Coordinator at (312) 427-9580 or any member of the Office of Student Affairs at (312) 939 0111 Ext 1813.
- Housing: Contact RA on duty or Director of Student Housing at (312) 939-0112.

They will assist you in contacting the police, upon request. Reporting an incident is an important decision. Reporting *may* help to protect you, and others from future assaults, apprehend the alleged assailant, and maintain future options regarding criminal prosecution, University disciplinary action, and/or civil action against

the perpetrator. Prompt reporting could be the key to successful completion of the case.

Supporting Someone Who has been Sexually Assaulted

- Believe the person and acknowledge their courage and reassure them about coming forward
- Encourage them to seek professional help
- Listen without judging and avoid "why" questions
- Encourage Independent decision making, even if you disagree
- Be aware of your limitations (utilize on and off campus resources)

Disciplinary Procedures Following a Complaint

Whether or not criminal charges are filed, the University or a person may file a complaint under the Sexual Misconduct Policy alleging that a student or employee violated the University's policy on Sexual Misconduct. Reports of all domestic violence dating violence, sexual assault and stalking made to Security staff will automatically be referred to the Title IX Coordinator for investigation regardless if the complainant chooses to pursue criminal charges.

The University disciplinary process will include a prompt, fair, and impartial investigation and resolution process. Neither the complaint nor the identity of the complainant will be disclosed except when necessary for a full investigation.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the University's policy against Sexual Harassment in order to remedy any hostile environment. All conduct proceedings against students, however, will be resolved through the "Student Conduct Committee" grievance process.

The University uses the "preponderance of evidence" (more likely than not) standard to determine if violations of this policy occurred. The University may deem it necessary to implement interim protective measures and accommodations to eliminate any hostile environment caused by the sexual misconduct and/or prevent the recurrence of any sexual misconduct.

The University may implement sanctions, remedies or corrective actions following the report of domestic violence, dating violence, sexual assault and/or stalking which may include, but not limited to the following: verbal, written warning, required counseling or therapy, no contact directive, loss of privileges, social probation, campus access restrictions, suspending or terminating accused from educational, athletic, student organizations or campus activities, relocation of housing assignment and class accommodations, social probation, suspension for various lengths of time or dismissal from the University.

Sexual assault/misconduct, domestic violence, dating violence, and stalking are violations of the Student Code of Conduct

Employees who violate this policy will be subject to discipline, up to and including termination of employment.

Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

False Reports

University will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

Change in Academic or Residential Environment

In the event that the circumstances surrounding an incident of sexual misconduct warrants a change in the academic or residential environment, the University will take the necessary steps to assist the victim in securing a safe and secure environment. Requests must be made by the victim and addressed to the Title IX Coordinator's Office at (312) 427-9580 or tasleem@eastwest.edu. All changes must be reasonable and available.

Counseling Available to Victims of Sexual Assault

The University recognizes the need for support services during this challenging time. Professional counselors are available at no charge to all students. Please contact the Office of Student Success Center at (312) 939-0111 Ext1301. All counseling sessions are confidential.

You may also contact:

- Life Span Center for Legal Services & Advocacy 70 E. Lake St. #700, Chicago, IL 60601
(312)-408-1210 or (773)-472-6469
lfe-span.org
- National Domestic Violence Hotline: (800) 799-SAFE x7233 Operates 24 hours a day, 7 days a week to provide immediate crisis counseling and referrals

Additional Support Resources Crisis Hotlines

- 24-Hour Chicago Rape Crisis Hotline: 1-888-293-2080
- 24-Hour Sarah's Inn Domestic Violence Crisis Line: 1-708-386--4225
- 24-Hour City of Chicago Domestic Violence Help Line: 1-877-863-6338
- 24-Hour Spanish Speaking Domestic Violence Hotline: 1-312-738-5358 National Domestic Violence Hotline:
(800)799-SAFE x7233 (Operates 24 hours a day, 7 days a week to provide immediate crisis counseling and referrals)
- LGBT Anti-Violence Project (Center on Halsted) 773 871-2273
- Rape Victim Advocates (RVA) (Free Counseling and Legal Advocacy) 180 N. Michigan Avenue, Chicago, IL

(312) 443-9603 <http://www.rapavictimadvocates.org/>

- Porchlight Counseling: (847) 328-6531
Porchlight provides unlimited free counseling to college students at offices throughout the Chicagoland area.
- YWCA Metropolitan Chicago Rape Crisis Hotline (Chicago RAINN Affiliate) (888) 293-2080 in Chicago Metro Area
(630) 971-3927 DuPage County
{708} 748-5672 Southern Suburbs
- Not Alone: Together Against Sexual Assault <https://www.notalone.gov/>

Hospital Emergency Room

- Northwestern Memorial Hospital 251 E. Huron Chicago, IL 60611 312-926-2000
- John H. Stroger Hospital 1969 W Ogden Ave, Chicago, IL 60612 (312) 864-6000

For additional hospitals dial “311”

- Cook County Circuit Court www.cookcountyclerkofcot.rt.org 555 W Harrison St, Chicago

TITLE IX

Students may also report sexual misconduct, harassment, or discrimination to the institutions Title IX coordinator, Tasleem Raja at (312) 427-9580.

Campus Disciplinary Procedures and Sanctions

Students

Students have the following options for addressing a grievance, incident or experience of sexual assault or harassment:

- The student complainant can request a meeting with the Title IX Coordinator or Director of CSA to discuss the incident, situation, evidence, and options for resolution.
- The student complainant can file a formal written complaint with the Title IX coordinator or Director of CSA
 - Upon receipt of a formal written complaint of sexual assault or harassment, the Title IX Coordinator and/or the Director of CSA, depending on the complainant and allegation, will conduct an investigation of the allegations.
 - Upon completion of an investigation, appropriate action will be determined and communicated to all involved parties.
- A student can request an appeal to the final decision and/or course of disciplinary action by contacting the Office of Provost at (312)939-0111 Ext1803.
- In addition to the University's disciplinary process/sanctions, a person who engages in a sexual assault may be the subject of criminal prosecution and/or civil litigation. In order for criminal prosecution to be considered, the local Police Department must be notified, and a sexual assault/abuse report must be generated.
- The Security Department will assist the student in notifying these authorities, if the student requests the assistance of these personnel. The victim should seek a medical attention as soon as possible. According to Illinois law the emergency room at a medical facility will treat the victim for injuries, STDs, and evidence will be collected at no cost to the victim.

Employees

University administrators must report all alleged sexual assault/harassment complaints or incidents to the Title IX Coordinator and the Office of Human Resources for employees, upon immediate notification.

Employee Contact Person:

Human Resources or Tasleem Raja, Title IX Coordinator.

Employees have the following options for addressing a grievance, incident or experience of sexual assault/harassment:

The employee complainant can request a meeting with the Human Resources Representative to discuss the Incident, situation, evidence, and options for resolution.

The employee complainant can file a formal written complaint with the Office of Human Resources. Upon receipt of a formal written complaint of sexual assault/harassment, the Office of Title IX coordinator and/or the Office of Human Resources, depending on the complainant and allegation, will conduct an Investigation of the allegations.

Upon completion of an investigation, appropriate action will be determined and communicated to all involved parties. An employee can request an appeal to the final decision and/or course of disciplinary action they received by contacting the Office of the Provost.

Harassment Policy

The purpose of this policy is to foster an academic and working environment free from discrimination and harassment and to provide guidelines for complaints and corrective action. This policy applies to all East-West University students and employees.

Definitions

Discrimination & Harassment

Discrimination and harassment refer to behavior that is personally offensive, impairs morale, and interferes with the work or educational environment of the University.

This policy refers to but is not limited to harassment in the following areas: gender, age, race, color, ethnicity, disability, national origin/citizenship status, religion, sexual orientation, veteran status, pregnancy, or any other legally protected category in regards to all terms and conditions of employment, admissions. Financial Aid, athletics, housing, educational programs, activities and any other programs and policies sponsored by the University. Discrimination and harassment also may include generally abusive behavior toward others.

Prohibited discriminatory practices also include retaliation against an Individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices and employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain sex, race, age, religion, or ethnic group, or individuals with disabilities. Such harassment includes unwelcome or unsolicited remarks or advances of a sexual or racial nature; gestures; unwelcome physical

contact; display or circulation of written materials or practices that are derogatory to males, females, persons with disabilities, or to racial, ethnic, religious, or any other protected group; and verbal abuse or insults directed at or made in the presence of members of a racial, ethnic, or minority group.

Sexual Harassment

Title IX of the Education Amendments of 1972 and the 1980: Amendment set forth by the Equal Employment Opportunity Commission states that sex discrimination guidelines under Title VII and Title IX to include sexual harassment, defining the terms as follows: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic performance or employment;
- Submission or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive academic or work environment.

Types of Sexual Harassment:

- "Quid pro quo" harassment occurs when submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting the individual.
- "Environmental" harassment occurs when sexual conduct unreasonably interferes with an individual's job performance or creates an intimidating, hostile, or offensive academic or working environment even if it leads to no tangible or economic academic or job consequences.
- Federal employment guidelines stipulate that sexual harassment may include the acts of non-employees when the employer or its agents or supervisory employees knows or should have known of the conduct and fails to take immediate and appropriate corrective action.

Harassment in the Higher Education Environment

- In higher education, sexual harassment may include any unwelcome sexual advances or requests for sexual favors made by a higher education representative to a student, or any conduct of a sexual nature exhibited by a higher education representative toward a student, when such conduct has the purpose of interfering with the student's educational performance or creating an intimidating, hostile, or offensive educational environment.
- Sexual harassment also includes unsolicited, deliberate, or repeated sexually explicit derogatory statements, gestures, or physical contacts that are objectionable to the recipient and that cause discomfort or humiliation, when such conduct is interpreted by students upon University staff members.

Policy Guidelines

This **policy** refers to but is not limited to harassment in the following areas: gender, age, race, color, ethnicity, disability, national origin/citizenship, status, religion, sexual orientation, veteran status, pregnancy other legally protected category In regard to all terms and conditions of employment, admissions, financial aid, athletics, housing, educational programs, activities, and any other programs and policies sponsored by the University. Discrimination and harassment also may include general abusive toward others.

Any material that is sexual, violent, or offensive in nature that is sent or received electronically is included in this policy.

Personal relationships of a romantic or sexual nature between faculty and students are prohibited. Consensual romantic relationships between a supervisor and a subordinate may result in violation of the sexual harassment policy and are strongly discouraged.

Faculty and staff are required to make their supervisors aware of any complaints of alleged harassment from students or employees. If the complaint involves one's supervisor, please contact the Office of Human Resources.

University administrators who receive any complaints of alleged harassment are required to keep the identities of all parties involved confidential, except to the extent that disclosure is necessary for implementation of a resolution.

The Office of Counseling and Student Affairs shall make a record of all reports of alleged harassment from students and the Office of Human Resources shall make a record of all reports of alleged harassment from or against employees.

Retaliation against any parties involved in a harassment complaint or anyone who interferes with the investigation of an alleged harassment incident will be subject to disciplinary action, up to and including dismissal for students, or termination for employees.

Disciplinary action against the harasser or anyone who retaliates or interferes with an investigation of harassment may include corrective action up to and including dismissal for students or termination for employees.