

# Annual Security & Fire Safety Report 2022

**For Emergencies on Campus:**

**Call Police, Fire or Paramedics at – 911**

**AND**

**Call Campus Security – Push "EMERGENCY" button on  
any house phone or dial (312) 899-1230**

**For Routine Calls:**

162 N. State (162 Bldg)	(312) 846-2100
7 W. Madison (Jones Hall)	(312) 516-5300
59 E. Van Buren (The Buckingham)	(312) 516-5300
280 S. Columbus (280 Bldg)	(312) 443-3760
112 S. Michigan (MacLean Center)	(312) 345-3528
37 S. Wabash (Sharp Bldg)	(312) 899-1210
36 S. Wabash/33 S. State (Sullivan Center, 12 <sup>th</sup> Fl)	(312) 629-6199
116 S. Michigan (Lakeview Bldg)	(312) 629-9422
33 E. Washington (33 East)	(312) 845-5900

**Campus Security Department  
The School of the Art Institute of Chicago**

[https://www.saic.edu/sites/default/files/security\\_fire\\_safety\\_report.pdf](https://www.saic.edu/sites/default/files/security_fire_safety_report.pdf)

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## To: The SAIC Community

This report has been prepared to meet the requirements of the Student Right to Know and Campus Security Act of 1990 (amended November 1998 and renamed the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and further amended by the Higher Education Opportunity Act of 2008 and the Violence Against Women Act of 2014). The report contains information regarding campus security and personal safety including topics such as: crime and violence prevention, fire safety, crime reporting policies, disciplinary procedures, emergency procedures and other matters of importance related to security and safety on campus. It also contains information about crime statistics for the three previous calendar years concerning reported crimes covered by the Clery Act that occurred on campus; in any off-campus buildings or property owned or controlled by SAIC; and on public property within, or immediately adjacent to and accessible from the campus. This report is available annually on October 1st to all prospective and currently enrolled students and prospective and current employees. It is also available on the School's website at [https://www.saic.edu/sites/default/files/security\\_fire\\_safety\\_report.pdf](https://www.saic.edu/sites/default/files/security_fire_safety_report.pdf).

Hard copies can be obtained from Campus Security during normal working hours.

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# Annual Security & Fire Safety Report

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# Security Report

## 1. Emergency Information

### IN CASE OF AN EMERGENCY

Please **immediately** report significant emergencies or dangerous situations that pose an immediate threat to the health and safety of the SAIC community to the Chicago Police Department and Campus Security. To report an emergency on campus you should:

- **Call 911** (8-911 from an in-house phone) and then:
- Press the emergency button on those phones in SAIC buildings that have an orange sticker with the word “**EMERGENCY**” on it next to the button or call Campus Security at (312) 899-1230.

#### Telephone Emergency Button

Most in-house phones in each SAIC building have an emergency button that automatically rings the emergency phone at the Security Desk when pressed. Security staff are available to respond 24 hours every day of the fall and spring semester.

After calling 911, we encourage our staff and students to contact Campus Security. Campus Security can then assist emergency responders by providing directions and/or guidance in reaching the desired location as quickly as possible.

### HOW TO RECEIVE INFORMATION IN AN EMERGENCY

- SAIC has contracted with Rave Campus Messenger to provide emergency notification services to the School community. The **SAIC Emergency Messaging System** is available to all students, faculty, and staff of SAIC. All students and employees who provide provide a contact phone number are registered for this service. You may choose to opt out of receiving text or phone messages when prompted by the opt-out text message sent at the beginning of the fall and spring semesters or by logging in to Self-Service.
  - <https://www.saic.edu/students/> for students
  - <https://www.saic.edu/faculty/> for faculty, or
  - <https://www.saic.edu/staff/> for staff

Click on the Self-Service icon  to enter your User ID and Password.

- Emergency notifications may also be announced via the internal public address systems in each building.
- Check the Emergency Information link on the SAIC homepage (<https://www.saic.edu/life-at-saic/campus-security/how-respond-emergency/#saic>).
- Watch your SAIC email account for Timely Warnings and/or Emergency Notifications.

## HOW TO RESPOND IN AN EMERGENCY

If Campus Security becomes aware of an emergency the **SAIC Emergency Messaging System** will be activated to notify the SAIC community regarding the emergency. As additional information regarding an emergency becomes available this same system will be used for disseminating updates.

### EVACUATION

An evacuation is implemented under conditions when it is no longer safe to remain in a building or a specific area in a building. This requires occupants to move out and away from a building to an area of refuge or out and away from a specific area within a building. This procedure is most commonly used when there is a suspected fire, hazardous material spill, flooding, gas leak, or bomb or other threat in a building.

#### **If you identify a fire, follow these procedures:**

- Notify occupants and help those needing assistance in the immediate area
- Activate the nearest fire alarm pull station
- Confine the fire by closing doors as you exit
- Evacuate the building at the nearest exit and call 911 and Campus Security (**312-899-1230** or push the EMERGENCY button on any in-house phone)
- **DO NOT**, under any circumstances, enter the building until authorized to do so by emergency personnel

#### **If you hear a fire alarm, follow these procedures:**

- Use the stairs to exit the building at the closest exit (if clear of danger). Do not use the elevator.
- Close the doors as you exit.
- Remain calm, do not panic, and proceed calmly to the exterior, assisting others whenever possible.
- Proceed to the assembly area or area of rescue assistance
- Follow directions from Campus Security and other emergency responders and inform them of any known missing or injured persons
- Do not re-enter the building until the "All Clear" signal is issued when it is safe to enter the building.
- Evacuation maps showing routes and exits are posted in each elevator lobby.
- Faculty, staff and students should know at least two evacuation routes.

If a building must be evacuated for other reasons, IRFM and Campus Security will coordinate the evacuations by giving directions about the emergency and next steps.

### LOCKDOWN

Lockdown procedures will be used when an external threat requires all outside doors to be locked immediately. The goal is to contain people in the buildings they are in until the threat is removed. In the event of a lockdown, listen for instructions from SAIC communication systems.

#### **Faculty, students and staff should:**

- Close and lock all external doors and windows
- Close window shades, blinds, or drapes
- Follow directions of Campus Security and other emergency responders
- Inform responders of any known missing persons
- Remain with your group until the "All Clear" has been received from Campus Security or other emergency responders
- If an intruder is heard or seen, call Campus Security as soon as safely possible
- Remain calm and keep everyone together
- Do not activate the fire alarm. Once in a lockdown, if the fire alarms sound, do not exit your safe area unless there is obvious danger from smoke and/or fire in your location. The hostile intruder(s) may use the alarms in order to increase the number of victims.
- Refer to the Campus Emergency Operations Plan – Annex F for additional procedures.

## **SHELTER-IN-PLACE – ENVIRONMENTAL**

An environmental shelter-in-place is a procedure where the entire building population is moved to a single or multiple location(s) in a building. This is most commonly used during weather emergencies or when an extremely hazardous substance is released into the outside atmosphere.

### **Procedures**

- Listen for instructions from SAIC's emergency communication system.
- Stay inside your building, or immediately go into the nearest building. Take protective covering in one a restroom without windows or interior corridor. Avoid lobbies, atriums, rooms with windows, and auditoriums.
- Close all windows.
- Immediately go to an area inside the building, away from exterior walls and windows.
- Await further instructions from emergency personnel.
- DO NOT evacuate the building until you receive an "All Clear" from emergency personnel.

## **SHELTER-IN-PLACE – ACTIVE ASSAILANT**

An active assailant is an individual actively engaged in killing or attempting to kill people. In most cases, active assailants use firearms, and there is no pattern or method to their selection of victims. Active assailant situations are unpredictable and evolve quickly. The strategy is to decrease vulnerability if you cannot move from your current location or to move to a place of safe harbor.

### **Procedures**

- If possible, exit the building immediately and call 911 and Campus Security (312-899-1230).
- IF YOU CANNOT EXIT: Clear the hallway immediately; remain behind closed doors in a locked or barricaded room; stay away from all windows; remain calm; and QUIETLY call 911 and Campus Security (312-899-1230).
- Close all doors and windows, shades, binds, and drapes.
- Lock and barricade your door and take cover in your current location. Stay low, remain quiet and attempt to place solid objects between you and the area of the threat.
- Shutdown all computers and office equipment that may be done so in a quick manner
- Report your presence to Campus Security if it is safe to do.
- DO NOT: Leave or unlock the door to see what is happening.
- DO NOT: Attempt to confront or apprehend the shooter, UNLESS THIS IS A LAST RESORT.
- DO NOT: Assume someone else has called Campus Security, YOU make the call.
- Evacuate the room only when emergency personnel have arrived and given the "All Clear".
- Organize assistance to those individuals with disabilities

## 2. Policies for Reporting Crimes and Emergencies

It is the policy of the School of the Art Institute of Chicago to encourage community members, students, faculty, staff, and guests to accurately and promptly report all emergencies and crimes to Campus Security and the Chicago Police Department. Campus Security will assist with filing a report when the victim of such crime elects to, or is unable to make such a report.

### **IN CASE OF AN EMERGENCY**

Please **immediately** report significant emergencies or dangerous situations that pose an immediate threat to the health and safety of the SAIC community to the Chicago Police Department and Campus Security. To report an emergency on campus you should:

- **Call 911** (8-911 from an in-house phone) and then:
- Press the emergency button on those phones in SAIC buildings that have an orange sticker with the word **“EMERGENCY”** on it next to the button or call Campus Security at (312) 899-1230.

#### **Telephone Emergency Button**

Most in-house phones in each SAIC building have an emergency button that automatically rings the emergency phone at the Security Desk when pressed. Security staff are available to respond 24 hours every day of the fall and spring semester.

After calling 911, we encourage our staff and students to contact Campus Security. Campus Security can then assist emergency responders by providing directions and/or guidance in reaching the desired location as quickly as possible.

#### **Inadvertent Calls to 911**

Occasionally, a person may inadvertently dial 911. If this happens, do not hang up as this will result in expenditure of valuable resources as the 911 Call Center attempts to determine if there is an emergency. Instead, please do the following:

1. **STAY ON THE LINE. DO NOT HANG UP.**
2. When the call is answered by the 911-Call Center, state that this is not an emergency.
3. Inform them you are calling from The Art Institute of Chicago or The School of the Art Institute of Chicago and that the wrong number was dialed.
4. Contact Campus Security to inform them that this was not an emergency.

### **REPORTING CRIMES IN NON-EMERGENCY SITUATIONS**

Please report crimes to Campus Security and the Chicago Police Department as soon as possible. To report a crime that has occurred on campus, but does not present an emergency situation, contact Campus Security at (312) 899-1230 and the Chicago Police Department at 311. If you would like, Campus Security can provide assistance in reporting crimes to the Chicago Police Department.

In addition, you may report a crime to the following SAIC staff:

Vice President, Dean of Student Affairs  
Dean, Student Life  
Assistant Dean of Student Affairs, Residence Life  
Vice President, Operations & Facilities



Additional information about making reports and resources are set out in the Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence and Stalking reprinted in Section 21 of this Report.

SAIC does not have a general policy for voluntary, confidential reporting of crime statistics for inclusion in the disclosure of crime statistics in the Annual Security and Fire Safety Report.

### 3. Contacting Security for Non-Emergencies

To report a non-emergency security related matter, call Campus Security at one of the following extensions depending upon the building you are in:

162 N. State (162 Bldg)	(312) 846-2100
7 W. Madison (Jones Hall)	(312) 516-5300
59 E. Van Buren (The Buckingham)	(312) 516-5300
280 S. Columbus (280 Bldg)	(312) 443-3760
112 S. Michigan (MacLean Center)	(312) 345-3528
37 S. Wabash (Sharp Bldg)	(312) 899-1210
36 S. Wabash/33 S. State (Sullivan Center, 12th Fl)	(312) 629-6199
116 S. Michigan (Lakeview Bldg)	(312) 629-9422
33 E. Washington (33 East)	(312) 845-5900

Campus Security is available at these respective telephone numbers to answer your call. Call the Campus Security Emergency number at (312) 899-1230 after hours for assistance. In response to a call, Campus Security will take the required action, dispatching an officer or asking the victim to report to the Campus Security desk to file an incident report. Campus Security incident reports are forwarded to the appropriate department for review and potential action. Campus Security will investigate a report when it is deemed appropriate.

### 4. Timely Warning and Emergency Notification

Campus Security is responsible for issuing (1) Timely Warnings and (2) Emergency Notifications. As explained more fully below, Emergency Notifications differ from Timely Warnings in that Timely Warnings issue only for crimes reportable under the Clery Act, while Emergency Notifications address a much wider range of threats (i.e., gas leaks, tornadoes, structural damage to a building, etc.).

#### **Timely Warnings**

Campus Security will, in a timely manner, warn the campus community of any serious or continuing threat to students and employees which arise from a crime listed below and occur on campus, in or on a non-campus building that is owned or controlled by SAIC, or on public property that is immediately adjacent to the campus.

Aggravated Assault	Motor Vehicle Theft
Arson	Robbery
Burglary	Sexual Assault
Murder/Non-Negligent Manslaughter	Stalking
Manslaughter by Negligence	Weapons: Carrying, Possessing, Etc.
Dating Violence	Larceny-Theft (if a hate crime)
Domestic Violence	Simple Assault (if a hate crime)
Drug Law Violations	Intimidation (if a hate crime)
Liquor Law Violations	Destruction/Damage/Vandalism of Property (if a hate crime)
Any Crime Involving Bodily Injury (if a hate crime)	

The warning will be issued via one or more of the following methods: cell phone text messages, voice messages to cell and land line phones, and/or saic.edu email accounts to students, faculty, and staff and/or, if appropriate, by postings in affected buildings. In addition, the Campus Security Department may post a notice on the SAIC website (<https://www.saic.edu/life-at-saic/campus-security/how-respond-emergency/#saic>).

The warning will briefly describe what happened, when and where it occurred. The name(s) of any victim(s) will be withheld as confidential. A description of the offender may be included if the victim's description of the offender is sufficiently detailed.

SAIC is not required to provide a timely warning with respect to crimes reported to a professional counselor.

Campus Security will determine whether to issue a Timely Warning. The following individuals are responsible for disseminating Timely Warnings via the SAIC Emergency Messaging System:

Executive Director of Campus Security  
Director of Campus Security  
Campus Security Managers

## Emergency Notifications

Emergency Notifications involve situations where there is an immediate threat to the health or safety of students or employees occurring on campus. The types of incidents that may cause an immediate threat to the SAIC community include, but are not limited to:

Active Assailant	Structural Damage to an SAIC Facility
Hostage/Barricade situation	Biological Threat
Riot	Significant Flooding
Suspicious Package with Confirmation of a Device	Gas Leak
Tornado	Hazardous Materials
Fire/Explosion	etc.
Suspicious Death	

SAIC will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. SAIC will issue Emergency Notifications via one or more of the following methods: cell phone text messages, voice messages to cell and/or land line phones, saic.edu email accounts and/or the internal public address systems in each building to appropriate segment of students and/or employees. In addition, Campus Security may post a notice on the SAIC website (<https://www.saic.edu/life-at-saic/campus-security/how-respond-emergency/#saic>).

If an Emergency Notification is issued there will not be a Timely Warning issued based on the same circumstances; however, follow-up information will be provided to the community as needed using some or all of the methods used to issue the original notification.

## Reporting an Emergency

Emergencies can be reported as described in Section 2: Policies for Reporting Crimes and Emergencies.

## Process for Confirmation and Notification of a Significant Emergency or Dangerous Situation

The Emergency notification capabilities of SAIC include the SAIC Emergency Messaging System, building public address systems, the SAIC website, social media (SAIC Facebook), and public media. It involves developing, coordinating, and disseminating information to our community effectively under all hazard conditions. SAIC 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 the notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The three steps used to assess and develop emergency communications are listed below.

## Step 1: Critical Incident Assessment

• **Gather facts/Assess the Situation:** Campus Security personnel will verify information about significant emergencies or dangerous situations from reports received through witnesses or based on their own observations. In some instances, local, state or federal emergency response agencies may provide information verifying a significant emergency or dangerous situation. Campus Security personnel will obtain as much detail as can be obtained regarding the emergency within the constraints of the requirement to accurately and promptly issue the notification. Campus Security personnel will notify the Executive Director of Campus Security and/or Director for Campus Security. The Executive Director and/or Director for Campus Security will determine which populations may be impacted by the emergency. Emergency notifications may be sent to the entire campus community if a situation has the potential to affect a large portion of the campus, or they may be sent to specific populations in circumstances where the impact of the situation may be limited. The notification will provide information about the emergency and instructions to promote personal safety and well-being. The content of the notification will be developed from the information obtained and confirmed to the degree possible as appropriate to the emergency. Once the message is prepared, it will be disseminated to the community using the system(s) appropriate to the nature of the emergency and the surrounding circumstances. These systems are described in the next section.

## Step 2: Incident/Protective Action Communications

• **Activate the Emergency Messaging System:** Once the decision is made to disseminate an emergency notification Campus Security will initiate and activate the SAIC Emergency Messaging System. The following individuals are responsible for activating the SAIC Emergency Messaging System:

Executive Director of Campus Security  
Director of Campus Security  
Campus Security Managers

The SAIC Emergency Messaging System can be activated online or via phone by authorized users who log in to the website to initiate and send text, voice and/or email messages to the SAIC community. Additional methods of notification may utilize building public address/voice announcement systems, electronic bulletin boards, the SAIC Website Home Page and the public media. Updates and information to the larger community will be coordinated via the SAIC Communications Office.

• **Activate the CEOC:** If the Executive Director and/or Director for Campus Security determine that the emergency reaches such proportions that it requires a closely coordinated effort on the part of leading campus officials the Campus Emergency Operations Center team (CEOC) will be activated. The CEOC serves as a centralized management center for emergency operations.

## Step 3: Evaluate Incident Response

• **Monitor Media coverage:** The CEOC, and any other assigned School officials, will monitor local media coverage to ensure accurate information is being communicated and determine if any further action is needed.

## INCIDENT ASSESSMENT TEAM

The Incident Assessment Team (IAT) is comprised of professionals from departments across campus who review conduct that could precede or follow a violent event. IAT conducts threat assessments, addresses concerning, dangerous, or threatening behavior on campus, and provides guidance and best practices for preventing violence. IAT has access to a range of support services for students, faculty, and staff members that includes mental health services, crisis management, and comprehensive services for those affected, whether provided on campus or by accessing available community resources.

SAIC faculty, staff, and students are strongly encouraged to report concerning, violent, potentially violent, or threatening behavior, in a timely manner to Campus Security at the numbers listed on the front of this report. In an emergency, contact the Campus Security 24-hour emergency number at 312-899-1230.

## 5. Emergency Response and Evacuation Procedures

SAIC Campus Security has received training in Incident Command and the National Incident Management System. When a serious incident occurs that causes an immediate threat to the campus, first responders to the scene may include SAIC Campus Security, the Chicago Police Department (CPD) or the Chicago Fire Department (CFD). SAIC Campus Security will address situations appropriate to our authority and training. SAIC Campus Security will assist CPD, CFD and other emergency responders in addressing situations that require this level of response.

Members of the SAIC community and visitors are encouraged to **immediately** report significant emergencies or dangerous situations that pose an immediate or ongoing threat to the health and safety of the SAIC community to the Chicago Police Department and Campus Security. Members of the SAIC community and visitors are encouraged to observe the following procedures (also outline in Section 1: Emergency Information – How to Respond in an Emergency) during emergencies that may occur on campus.

### **EVACUATION**

An evacuation is implemented under conditions when it is no longer safe to remain in a building or a specific area in a building. This requires occupants to move out and away from a building to an area of refuge or out and away from a specific area within a building. This procedure is most commonly used when there is a suspected fire, hazardous material spill, flooding, gas leak, or bomb or other threat in a building.

#### **If you identify a fire, follow these procedures:**

- Notify occupants and help those needing assistance in the immediate area
- Activate the nearest fire alarm pull station
- Confine the fire by closing doors as you exit
- Evacuate the building at the nearest exit and call 911 and Campus Security (**312-899-1230** or push the EMERGENCY button on any in-house phone)
- **DO NOT**, under any circumstances, enter the building until authorized to do so by emergency personnel

#### **If you hear a fire alarm, follow these procedures:**

- Use the stairs to exit the building at the closest exit (if clear of danger). Do not use the elevator.
- Close the doors as you exit.
- Remain calm, do not panic, and proceed calmly to the exterior, assisting others whenever possible.
- Proceed to the assembly area or area of rescue assistance
- Follow directions from Campus Security and other emergency responders and inform them of any known missing or injured persons
- Do not re-enter the building until the "All Clear" signal is issued when it is safe to enter the building.
- Evacuation maps showing routes and exits are posted in each elevator lobby.
- Faculty, staff and students should know at least two evacuation routes.

If a building must be evacuated for other reasons, IRFM and Campus Security will coordinate the evacuations by giving directions about the emergency and next steps.

## **LOCKDOWN**

Lockdown procedures will be used when an external threat requires all outside doors to be locked immediately. The goal is to contain people in the buildings they are in until the threat is removed. In the event of a lockdown, listen for instructions from SAIC communication systems.

### **Faculty, students and staff should:**

- Close and lock all external doors and windows
- Close window shades, blinds, or drapes
- Follow directions of Campus Security and other emergency responders
- Inform responders of any known missing persons
- Remain with your group until the "All Clear" has been received from Campus Security or other emergency responders
- If an intruder is heard or seen, call Campus Security as soon as safely possible
- Remain calm and keep everyone together
- Do not activate the fire alarm. Once in a lockdown, if the fire alarms sound, do not exit your safe area unless there is obvious danger from smoke and/or fire in your location. The hostile intruder(s) may use the alarms in order to increase the number of victims.
- Refer to the Campus Emergency Operations Plan – Annex F for additional procedures.

## **SHELTER-IN-PLACE – ENVIRONMENTAL**

An environmental shelter-in-place is a procedure where the entire building population is moved to a single or multiple location(s) in a building. This is most commonly used during weather emergencies or when an extremely hazardous substance is released into the outside atmosphere.

### **Procedures**

- Listen for instructions from SAIC's emergency communication system.
- Stay inside your building, or immediately go into the nearest building. Take protective covering in one a restroom without windows or interior corridor. Avoid lobbies, atriums, rooms with windows, and auditoriums.
- Close all windows.
- Immediately go to an area inside the building, away from exterior walls and windows.
- Await further instructions from emergency personnel.
- DO NOT evacuate the building until you receive an "All Clear" from emergency personnel.

## **SHELTER-IN-PLACE – ACTIVE ASSAILANT**

An active assailant is an individual actively engaged in killing or attempting to kill people. In most cases, active assailants use firearms, and there is no pattern or method to their selection of victims. Active assailant situations are unpredictable and evolve quickly. The strategy is to decrease vulnerability if you cannot move from your current location or to move to a place of safe harbor.

### **Procedures**

- If possible, exit the building immediately and call 911 and Campus Security (312-899-1230).
- IF YOU CANNOT EXIT: Clear the hallway immediately; remain behind closed doors in a locked or barricaded room; stay away from all windows; remain calm; and QUIETLY call 911 and Campus Security (312-899-1230).
- Close all doors and windows, shades, binds, and drapes.
- Lock and barricade your door and take cover in your current location. Stay low, remain quiet and attempt to place solid objects between you and the area of the threat.
- Shutdown all computers and office equipment that may be done so in a quick manner
- Report your presence to Campus Security if it is safe to do.
- DO NOT: Leave or unlock the door to see what is happening.
- DO NOT: Attempt to confront or apprehend the shooter, UNLESS THIS IS A LAST RESORT.
- DO NOT: Assume someone else has called Campus Security, YOU make the call.
- Evacuate the room only when emergency personnel have arrived and given the "All Clear".
- Organize assistance to those individuals with disabilities

The preceding information on emergency response and evacuation procedures for SAIC is publicized each year as part of the institution's Clery Act compliance efforts and is also available on the SAIC website (<https://www.saic.edu/life-at-saic/campus-security/how-respond-emergency/#saic>). In addition, information regarding SAIC Emergency Communications can be found in this report under Section 1: Emergency Information and Section 4: Timely Warning and Emergency Notifications.

## **TESTING THE EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **SAIC Emergency Messaging System**

SAIC tests aspects of its emergency response and evacuation procedures at various times throughout the year. The emergency notification system is tested twice yearly in pre-announced trials. An email notice is distributed before each test which includes instructions on what to expect and how to respond. In addition, SAIC conducts several emergency response exercises each year, such as tabletop exercises, and drills. These are designed to assess and evaluate the emergency plans and capabilities of the institution.

### **Evacuation Drills**

A fire evacuation drill is coordinated by Campus Security each fall and spring semester for all facilities, including residential facilities, on campus. Each drill is documented with a description of the exercise, the date, time, and whether it was announced or unannounced. Thus, the fire emergency response and evacuation procedures are assessed and evaluated twice each year. Residential students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Designated locations for long-term evacuations are affected by the circumstances particular to the evacuation. In both cases, Campus Security, Engineering and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At SAIC, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the school an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the Campus Security, Engineering, and Residence Life Departments as well as being observed by representatives from the Chicago Fire Department, when available, to evaluate egress and behavioral patterns. Deficient equipment is repaired immediately. Recommendations for improvements are submitted to the appropriate departments for consideration.

Resident students receive information about evacuation procedures during their initial floor meetings and as appropriate throughout the year. These procedures are reviewed with Residence Life Staff members who act as an on-going resource for the students living in residential facilities.

### **Shelter-in-Place Drills – Active Assailant**

A shelter-in-place drill is coordinated by Campus Security each year for all facilities, including residential facilities, on campus. Each drill is documented with a description of the exercise, the date, time, and whether it was announced or unannounced. Thus, the shelter-in-place procedures are assessed and evaluated each year. Campus Security and IRFM staffs tour the facilities to monitor compliance and document issues.

The purpose of shelter-in-place drills is to prepare building occupants in case of an emergency involving an active assailant. At SAIC, shelter-in-place drills are used as a way to educate and train occupants on how to effectively shelter-in-place. In addition to educating the occupants of each building about shelter-in-place procedures during the drills, the process also provides the school an opportunity to test the operation of building public address system components and the emergency messaging system.

Deficient equipment is repaired immediately. Recommendations for improvement are submitted to the appropriate departments for consideration.

## 6. Missing Student Policy

In compliance with the Missing Student Notification Policy and Procedures in the Higher Education Opportunity Act of 2008, SAIC has developed this policy to respond to reports of missing students. SAIC takes reports of missing students seriously. If a student suspects another student is missing, they should immediately notify Campus Security.

**Campus Security (Emergency)**

**24 Hour Number**

**(312) 899-1230**

Campus Security, working with the Office of Student Affairs staff, will investigate any report of a missing student. We encourage all students to identify an emergency contact and update their information online in Self-Service.

### **For students who reside in SAIC Residence Halls:**

Residents have the option to identify a confidential contact that will be notified within 24 hours if the student is determined to be missing by Campus Security. They may do so by contacting the Residence Life office at [stulife@saic.edu](mailto:stulife@saic.edu).

If Campus Security determines a student who resides in an SAIC residence hall is missing, SAIC staff will notify the following persons within 24 hours of that determination:

- student's confidential contact (Dean of Students)
- parents of any student under 18 years of age (who is not emancipated – Dean of Students)
- Chicago Police Department (unless CPD made the determination of missing – Campus Security)
- appropriate individuals on campus. (Dean of Students and Campus Security)

Please contact Campus Security at (312) 899-7442 or the Office of Student Affairs at (312) 629-6800 if you have questions about this policy. Contact information will be accessible only to authorized campus officials.

## 7. Policy for Reporting the Annual Disclosure of Crime Statistics

It is the policy of the School of the Art Institute of Chicago that Campus Security 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 our website at [https://www.saic.edu/sites/default/files/security\\_fire\\_safety\\_report.pdf](https://www.saic.edu/sites/default/files/security_fire_safety_report.pdf). The report is prepared with assistance from the Chicago Police Department. In addition, the Office of Student Affairs provides updated information on their educational efforts and programs to comply with the Act.

The report contains information regarding campus security and personal safety including topics such as: crime prevention, fire safety, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. It also contains information about crime statistics for the three previous calendar years concerning reported crimes covered by the Clery Act that occurred on campus; in any off-campus buildings or property owned or controlled by SAIC; and on public property within, or immediately adjacent to and accessible from the campus. Crimes, arrests, and referral statistics reported to the SAIC Campus Security Department, designated campus officials (identified in Section 2: Policies for Reporting Crimes and Emergencies), Campus Security Authorities (identified in Section 8: Campus Security Authorities) and the Chicago Police Department are included in our annual crime statistics report.

Each year, an e-mail notification is made to all enrolled students and current employees that provides the website to access the Annual Security & Fire Safety Report. Prospective staff are informed about the availability of the report when they click on the link for "Job Openings" (<https://hrweb.artic.edu/recruit/applyjob.html>) on the Art Institute of Chicago employment website. Prospective students receive an email notification articulating how and where to obtain a copy of the report which includes a link to the report online.

Copies of the report may also be obtained at the Campus Security office at 312-899-7446 or by emailing Campus Security at [campussecurity@saic.edu](mailto:campussecurity@saic.edu).



## 8. Campus Security Authorities

The federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires "Campus Security Authorities" to report campus crime statistics to the Department of Education on an annual basis. At SAIC, Campus Security gathers and compiles the statistical information from Campus Security Authorities.

"Campus Security Authorities," as specified by the Clery Act, include security officers; deans (or other senior student administrative personnel); residence hall staff; and advisors to student clubs and organizations; and other campus officials who have "significant responsibility for student and campus activities," such as, but not limited to, student housing, student conduct procedures. *Professional counselors are exempt from the reporting requirement while working within the scope of a license or certification.*

For purposes of making timely warning reports and the annual statistical disclosure for SAIC's Annual Security Report, the Campus Security Authorities at SAIC include, but are not limited to, the following: staff in the following departments.

### **Provost**

#### **Vice Provost**

- Associate Dean, Continuing Studies
- Associate Dean, Continuing Studies

#### **Associate Provost of Academic Planning**

#### **Vice President, Dean of Faculty**

- Dean, Undergraduate Studies
- Dean, Graduate Studies
- Executive Director, Exhibitions & Events

#### **Vice President, Dean of Student Affairs**

- Dean, Student Life
  - Assistant Dean, Residence Life
    - Director, Residence Life
      - Assistant Director of Residence Life (Summer Programs)
      - Assistant Director of Residence Life
        - Residence Life Programs Assistant
        - Residence Hall Director (162 Bldg)
        - Resident Advisors (162 Bldg)
        - Residence Hall Director (Jones Hall)
        - Resident Advisors (Jones Hall)
        - Residence Hall Director (The Buckingham)
        - Resident Advisors (The Buckingham)
  - Assistant Director, Student Affairs
- Associate Dean, Student Affairs-Campus Life
  - Director, Campus Life
    - Assistant Director, Campus Life-Neiman Center
    - Assistant Director, Campus Life-Student Groups
    - Receptionist
    - Faculty Advisers of Student Groups



Assistant Dean, Academic Advising  
Assistant Director, Academic Advising & Student Success  
Academic Advisors  
Retention Specialist  
Office Coordinator

Assistant Dean of Student Affairs for Student Support and Conflict Resolution

Assistant Director, Korean Student Advising

Chinese Student Liaison

Executive Director of Counseling, Health, & Disability Services  
Director, Disability & Learning Resources Center

Dean, Career and Professional Experience  
Director, Career and Professional Experience  
Assistant Director, Career and Professional Experience

Assistant Director, Employer Relations  
Internship Coordinator and Career Advisor  
Program Coordinator and Career Advisor

Director, International Affairs  
Assistant Director, International Student Services  
Assistant Director, Study Abroad  
Study Abroad Advisor  
International Student Advisor

Director, Diversity & Inclusion

**Vice President, Campus Operations**

Executive Director, Campus Security  
Director, Campus Security  
Executive Director, Facilities Services  
Executive Director, Media Services  
Executive Director, Fabrication & Instructional Resources

**Vice President, Enrollment Management**

Executive Director, Enrollment Services  
Director, Graduate Admissions  
Director, Undergraduate Admissions

**Vice President, Human Resources**

Title IX Director  
Deputy Title IX Director

Executive Director, Gene Siskel Film Center

Positions that do not meet the criteria for being campus security authorities include faculty who do not have any responsibility for student and campus activity beyond the classroom, administrative, housekeeping, and cafeteria staff.

## 9. Security of and Access to Campus Facilities

### **Building Access**

It is the policy of the School of the Art Institute of Chicago that an SAIC ID card is needed to gain building access at all hours and in all buildings, except for the SAIC Admissions and Registration offices. Students and employees are required to scan their SAIC ID card every time they enter an SAIC facility to confirm their status as a current student or employee at the SAIC security desk. Employees and students who temporarily misplace their SAIC ID cards must obtain a temporary ID label at the security desk before entering the buildings. These temporary ID labels must be scanned upon entering the buildings in the same manner that regular SAIC ID cards are scanned. Employees and students are expected to replace lost SAIC ID cards in the ARTICard Office.

All visitors and contractors entering the buildings must present an official state ID card at the security desk and receive a visitor or contractor ID label. In general, visitors and contractors must scan their ID labels to enter the premises and return their ID labels upon leaving the buildings for the day; an exception is made for visitors on SAIC guided tours who may enter and exit buildings with their SAIC tour guide.

Persons without an SAIC ID card or ID label who enter the facilities without authorization may be written up on an incident report to face disciplinary action and/or be arrested for trespass as appropriate.

### **Overnight Access**

Overnight access is available in the academic buildings is from 11:00pm until 7:00am every day during the fall and spring semesters. Students needing access to specific facilities overnight must be authorized through their department before access can be obtained. We ask that everyone complete the online overnight pass form so that security and emergency responders can quickly assist anyone who may fall ill during the overnight hours or in the event of a life-threatening emergency. Students **do not** require departmental authorization for overnight access to the General Access Lab (MacLean 901) or the Neiman Center 2<sup>nd</sup> floor (Sharp 203-204). Visitors may not be on premises during overnight access. Students are advised that it may be dangerous to leave the building late at night and should consider using SAIC's SafeRide service.

There is no overnight access during the summer and winter terms. Everyone must leave the building by 10:00pm.

### **SAIC SafeRide Service**

SafeRide is ride-sharing service provided by SAIC to current SAIC students, faculty and staff as a safe and free alternative to walking alone after dark. The service is offered for enhanced student safety and is not intended to be used as a taxi service. SafeRide is available from 9:00 pm to 5:00 am, seven days a week during the academic year when classes are in session.

Using the TransLoc app is the fastest way to get a ride. See our **How-To Guide** for more information on how to download the App ([https://sites.saic.edu/saferide/wp-content/uploads/sites/99/2019/10/UserGuide\\_October2019.pdf](https://sites.saic.edu/saferide/wp-content/uploads/sites/99/2019/10/UserGuide_October2019.pdf)).

If you don't have a smartphone, you can request a ride via a computer by visiting the TransLoc website (<https://login.transloc.com/login/?next=http%3A%2F%2Flogin.transloc.com%2F>). You may also visit a security desk or call 312-516-5300 to have a ride dispatched to you. The dispatcher will ask you for your name, SAIC ID, location, and destination. When you request a ride in person, you will not receive updates on your ride and will need to wait in the building lobby for it to arrive.

SafeRide reserves the right to reduce or suspend operations during inclement weather or during other circumstances that may place our drivers, and passengers at risk. The SafeRide service will only pickup and drop-off at pre-defined locations: <https://sites.saic.edu/saferide/coverage-area/>

## **Authorized Guests and Visitors**

A visitor is any individual who is not a currently enrolled student in good standing or active employee for SAIC. If you are ill, even if you're vaccinated and/or have mild, cold-like symptoms, stay home and contact your primary care provider for guidance.

### **Visitors to Academic Buildings**

Visitors must be escorted by an SAIC employee or student host at all times. Hosts are responsible for the conduct of their visitors. Prior to their arrival on campus, hosts should inform their visitors that they will be required to wear face coverings at all times. Masks will be available at the security desk in all buildings. Visitors are prohibited when the building is closed. SAIC employees may sign in up to three visitors at any one time for any academic buildings.

### **Prospective Students and Their Families/Guests**

Prospective students and their families/guests may tour SAIC's campus and facilities as part of an official, approved visit provided that they are escorted while on campus. Tour guides should instruct visitors that they are required to wear face coverings regardless of their vaccination status. Masks will be available at the security desk in any campus building. Tour groups may include people from more than one family but not more than 10 visitors in total. Departments scheduling tours must collect and retain clear records and contact information of all tour participants should contact tracing prove necessary.

### **Residence Hall Visitors**

Any current SAIC on-campus resident may use their ARTICard to scan in at Jones Hall or the 162 Building. As always, only Buckingham residents may access that building. All residents must be masked whenever they are outside of their own room and/or if people other than their roommate(s) are in their room. Residents may have other non-resident SAIC students and/or non-SAIC affiliated guests as visitors. External visitors are allowed to assist residents while moving in/out, following the policy shared with students during the summer. Residents may sign in up to three visitors at any one time at the residence hall where they live. All visitors must leave the building during quiet hours. Prior to their arrival on campus, hosts should inform their visitors that they will be required to wear face coverings at all times. Masks will be available at the security desk in all buildings.

Visitors will be allowed between:

- Sunday–Thursday, 8:00 a.m.–11:00 p.m.
- Friday–Saturday, 10:00 a.m.–11:59 p.m.

Visitors are only permitted in the building during this time.

Visitors must be checked out of the residence halls when they leave. Residents should escort their visitor to the security desk and notify the security officer of their departure.

All visitors must follow SAIC policies, including wearing a mask the entire time they're in the building and honoring room occupancy limits. Residents must wear a mask in their room while a visitor is present.

The School requires that all visitors of residents remain in the company of their host while on premises.

## **Key Consideration**

SAIC “hosts” who invite visitors to campus should consider whether in-person, on-campus interaction is necessary and should use remote and virtual options whenever possible.

## **Building Closures**

All School facilities, with the exception of the Jones Hall, Buckingham and 162 Building Residences, are closed on Thanksgiving and during the Winter Holiday Break (December 24<sup>th</sup> thru January 1<sup>st</sup>, approx.). The Jones Hall, Buckingham and 162 Building Residences are open to each building’s residents 24 hours every day including Thanksgiving and the Winter Holiday Break.

## **Security Considerations Used in the Maintenance of Campus Facilities**

Both Campus Security and Facilities Management patrol and inspect all on-campus facilities for security and safety issues, except for Spertus Institute and The Buckingham Chicago where we lease limited space. Campus Security completes incident and engineer reports for identified issues and immediately notifies engineering and maintenance staffs of malfunctioning equipment or other unsafe conditions that they observe on patrol or that are reported to the Security Desks.

## **10. Policies Concerning Campus Law Enforcement Authority**

Campus Security has contracted with Allied Universal Security to provide a staff of non-sworn, non-commissioned security officers to supplement the SAIC Campus Security management team. The Campus Security staff do not have arrest powers. Campus Security has the authority to enforce school policies which include requesting identification to determine whether individuals have lawful business at SAIC. The patrol boundaries of Campus Security include the interiors of each on-campus school building, except for The Buckingham Chicago Residences. Campus Security also provides SafeRide or walking escorts between on-campus school buildings during overnight hours. Criminal incidents may be referred to the Chicago Police Department, within whose jurisdiction our campus resides. When necessary, Campus Security will work with the Chicago Police Department to investigate a crime occurring on campus. Campus Security maintains a close working relationship with the Chicago Police Department. Meetings are held with law enforcement, security and public safety officials of local institutions of higher education on a formal and informal basis. There is no written memorandum of understanding between SAIC and the Chicago Police Department. The Illinois State Police Division of Patrol does not patrol within the boundaries of the city of Chicago, with the exception of Illinois roadways. None of the SAIC properties intersects Illinois roadways. SAIC Campus Security does not engage with the Illinois State Police regarding criminal incidents. There is no written memorandum of understanding between SAIC and the Illinois State Police.

For SAIC's policy on reporting crimes, see Section 2: Policies for Reporting Crimes and Emergencies. For SAIC's policy regarding counselors, see Section 7: Policy for Reporting the Annual Disclosure of Crime Statistics, heading "Counselors."

## **11. Types and Frequency of Security Programs**

At the beginning of each academic year, incoming students and Resident Advisors are informed about security & campus safety procedures and practices. This generally takes place during orientation sessions in August and September and has included presentations by security management. Slide and video presentations outline ways to maintain personal safety and security and staying safe in the city. Students are told about crime on campus as well as in the city. They are also told about the security resources available, including a description of the security protocols and reporting procedures. A presentation is provided to new employees each month on security in the workplace. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

When time is of the essence, information is released to the university community through Timely Warnings and/or Emergency Notifications. See Section 4: Timely Warning and Emergency Notification. Our security escort program employs a SafeRide van service staffed by Campus Security Officers to transport students between SAIC buildings and certain public transportation stops upon request between the hours 9:00pm and 5:00am during the fall and spring semesters. Campus Security officers provide escorts on foot between School buildings between these same hours during the winter and summer terms. Students who have concerns for their safety outside of these hours are encouraged to notify Campus Security by asking to speak to a Campus Security Manager via the security officer at the desk in their building.

## 12. Programs to Inform About Crime Prevention

Crime Prevention Programs on personal safety and theft prevention are sponsored by Campus Security, Student Affairs and Human Resources for the benefit of students, parents, and new employees, providing strategies and tips on how to protect oneself from robbery, assault, theft and other crimes. Programs used to inform students and employees concerning the prevention of crime, security procedures and practices, and encourage the SAIC community to be responsible for their own security and the security of others include:

January 2022

New Student Orientation - Campus Security presented Staying Safe in the City. This program discusses what you can do to protect yourself from falling victim to crime as well as who to contact and what to do should you feel unsafe.

July 2022

During Early College Program Summer Institute New Student Orientation, Campus Security presented "Street Smarts and Street Safety".

August 2022

During Resident Advisor training, Campus Security participated in a lunch meet and greet with the RAs.

August 2022

At the Resource and Vendor Fair, Campus Security provided information on using security and the police as resources to avoid being the victim of crime.

August 2022

New Student Orientation - Campus Security presented Staying Safe in the City. This program discusses what you can do to protect yourself from falling victim to crime as well as who to contact and what to do should you feel unsafe.

First Tuesday of Each Month - Ongoing

Campus Security gives a slide presentation on security in the workplace and responding to the threat of an active assailant to new staff in the school and museum.

Campus Security Alerts provide notice to the campus community of serious incidents of crime or situations that pose an immediate threat to our community. Campus Security alerts are distributed through text messages, voice messages, and/or email. Campus Security alerts may also be distributed through the internal public address systems in each building or via postings within the buildings. The alerts are intended to inform students, faculty, and staff of potential dangers. When issued, a Campus Security alert will provide a brief summary of the incident, when and where it occurred, and a description of the offender or suspect, if applicable.

## 13. Policies on Monitoring Crimes by Students at Non-Campus Sites Controlled by Recognized Student Organizations

None of SAIC's officially recognized student organizations owns or controls property.

## 14. Alcohol Policy

SAIC respects students' autonomy and assumes that, as adults, they will behave responsibly and follow all applicable laws. However, when violations of state and local laws and/or the SAIC Alcohol Policy come to the attention of SAIC officials, sanctions may be imposed, up to and including expulsion from SAIC. The following actions are considered a violation of the School's Rules of Conduct:

- Use, possession, or manufacturing of alcoholic beverages by any person under the legal drinking age, which in the United States is twenty-one (21) years of age;
- Providing or distributing alcohol to individuals under the age of 21;
- Possession of open containers of alcohol, regardless of age, on SAIC property including, but not limited to, classrooms, studios, and academic buildings. Guidelines for alcohol use at approved functions and in private spaces in the residence halls are found below;
- Severe intoxication resulting in concern for the student's well-being or disruptive behaviors regardless of age.

### **Alcohol in the Residence Halls**

In addition to the policies outlined above, residents, students, and guests/visitors within the residence halls must adhere to the following additional policies regarding alcohol consumption:

- Open containers of alcohol are not permitted in any public/common areas of the residence hall, regardless of age.
- Students who are under the age of 21 may not be present in a room where alcohol is being possessed or consumed, except when all of the following conditions are met:
  - The student is in their assigned residence hall room.
  - Their roommate is 21 years of age or older.
  - No other person present in the room is under the age of 21.
- Students who are 21 years of age or older may consume alcohol in the residence hall when:
  - All persons present in the room are 21 years of age or older.
  - All persons present in the room are 21 years of age or older except in cases when the assigned roommate is under 21 years old. In these cases, it must be clear that the alcohol is being possessed or consumed only by those 21 years old or older.
- Multi-quart containers (kegs, etc.) are not allowed in the residence halls.
- Guests and visitors may not consume or possess alcohol if their host (resident) is under the age of 21.

Violations of any portion of the Alcohol Policy may result in disciplinary action. All alcohol will be disposed of by Campus Security (even if the residents are 21 years of age or older) when a violation of the Alcohol Policy occurs.

## **Alcohol at Functions Approved by SAIC**

For reasons that relate to regulations governing SAIC's license to sell alcohol, its liability insurance coverage, and the fact that its academic program involves students, the majority of whom are under the legal drinking age, it is SAIC's general policy that alcohol is not served at student events. From time to time, however, SAIC may authorize an exception to this general policy. See the Events Policy in this Student Handbook for more information.

The following are the rules and procedures governing the possession, use, and/or consumption of alcohol at functions approved by SAIC:

- Signs must be posted stating the prohibition against serving alcohol to anyone under 21 years of age.
- Contracted bartenders, Campus Security or other officials may examine the student's ID card and other applicable identification to determine the age of any person in attendance at the event.
- Wine and beer are the only alcoholic beverages that may be served, and only if an approved amount of food and other nonalcoholic beverages are being served simultaneously. Students should consult with Campus Life for guidance regarding food and beverage orders.
- Students, faculty, and staff may not bring their own alcoholic beverages. At no time may donations be accepted in lieu of payment for alcoholic beverages. Wine and beer must be provided by a caterer approved by the School or the organizers must use a licensed, insured bartender approved by the School.
- Members of the SAIC community may not sell alcoholic beverages on SAIC property or at SAIC-sponsored events.

Students who violate this policy will be subject to SAIC's Student Conduct Procedures.

Should a student group wish to request an exception to SAIC's general policy that alcohol not be served at student events and host an event with alcohol, they must first contact Campus Life to discuss the event. If a student group wishes to serve alcohol, they must register their request with Campus Life through [engage.saic.edu](http://engage.saic.edu) at least 15 business days prior to the event, listing the names, addresses, and phone numbers of those students who serve as the official event organizers. These individual students will be designated as the official organizers of the event on behalf of the sponsoring organization. If the event is approved, student organizers are prohibited from consuming alcohol prior to or during the event. The student group's advisor or another approved faculty or staff member must also approve the use of alcohol and be in attendance at all times.

Campus security is responsible for the enforcement of SAIC policy regarding state underage drinking laws.



## **15. Alcohol and Drug Amnesty Policy**

It is the policy of the School of the Art Institute of Chicago that SAIC is a designated Drug Free Campus and Workplace.

SAIC seeks to facilitate access and remove barriers for students who require medical assistance in alcohol and drug-related emergencies, and to provide the opportunity for caring, nonpunitive interventions in response to such incidents.

If a student or someone they are with experiences a medical or safety emergency, they should immediately contact SAIC Campus Security. This includes events that involve the use or abuse of alcohol or drugs.

In a situation involving imminent threat or danger to the health or safety of any individual(s), students should:

- contact an SAIC Campus Security officer (24-hour emergency number is 312-899-1230);
- remain with the individual(s) needing emergency treatment and cooperate with emergency personnel, so long as it is safe to do so; and
- meet with appropriate SAIC staff members after the situation and provide appropriate information as needed.

Students who notify SAIC of a medical emergency will not be subject to a formal conduct process related to alcohol and/or illegal drug use. This applies to students who contact us on behalf of another student as well as the student having the medical emergency. The student(s) will be required to meet with an Office of Student Affairs staff member, typically a dean on call, and may be required to participate in appropriate educational programs. Students' parents and/or emergency contact(s) may be called. If an alcohol or drug related emergency involves the student encouraging or voluntarily participating in a different violation of SAIC policies, such as physical or sexual assault, violence, harassment, or the sale of alcohol or drugs, or if a student is involved in repeated conduct in violation of SAIC's drug and alcohol policies, such students may need to participate in formal conduct procedures. SAIC's amnesty policy is limited to the School's conduct procedures; it does not extend to the police or the civil or criminal legal systems, and students may face criminal charges depending on their interaction with law enforcement officials.

Campus Security is responsible for the enforcement of SAIC policy regarding alcohol and drug laws.

## **16. Marijuana, Medical Marijuana, and Illinois Law**

In order to comply with federal laws such as the Drug-Free Schools and Communities Act, SAIC prohibits the use, manufacture, sale, distribution, and possession of all marijuana, including medical marijuana, on campus and at any SAIC-sponsored event or activity off campus.

Effective January 1, 2020, the state of Illinois has passed the Illinois Cannabis Regulation and Tax Act (state 410 ILCS 705), legislation legalizing small amounts of marijuana for recreational use for those over the age of 21. Additionally, Illinois had previously passed legislation regarding medical cannabis that allows people with certain conditions to use marijuana and other cannabis derivatives for treatment. However, federal law prohibits the use of drugs including marijuana. If SAIC fails to comply with federal law, it could become ineligible for federal funding and financial aid programs for its students.

## **17. Drones**

A drone is an aircraft without a human pilot on board. The drone is controlled by an operator on the ground. Weather balloons and similar remotely controlled aerial equipment are also included in this category. A Remote Pilot in Command is a person holding an Federal Aviation Administration (FAA) -issued (1) remote pilot certificate with a small rating or (2) Remote Pilot Certificate as specified in FAA Part 107 regulations.

All SAIC-related educational and institutional use of any drone must comply with FAA regulations and any applicable local, city, state, and federal laws, rules, and regulations. It is the responsibility of any individual operating a drone to be familiar with such laws, rules, and regulations.

Any drone purchased, constructed, and/or operated by SAIC shall have a small rating, weighing less than 55 pounds total with all attachments. If flown outdoors, the drone must also be registered with the FAA.

### **Outdoor Drone Use**

All outdoor SAIC-related educational and institutional drone operation must be directly supervised by an SAIC employee who has completed all required coursework and testing to be a certified Remote Pilot in Command.

Only an SAIC-owned drone which has been registered with the FAA may be used for outdoor SAIC classroom and education purposes. Students are not authorized to use personal drones during outdoor class time. Any class assignments requiring the outdoor use of drones must be completed during class time, under the supervision of the certified Remote Pilot in Command.

Outdoor usage of drones on or above SAIC properties is not permitted. The certified Remote Pilot in Command is responsible for determining a suitable location for drone operation, in compliance with all federal, state and local laws, rules, regulations, and procedures. The Remote Pilot in Command is also responsible for determining the need for permits and acquiring them. This could include written permission from property owners, or other special permits.

The Remote Pilot in Command is responsible for conducting all required and otherwise appropriate airworthiness and safety checks, and assessing weather conditions, prior to each flight.

### **Indoor Drone Use**

Indoor usage of a small drone in SAIC buildings may be permitted only when space stakeholders have determined that the proposed space is suitable for such experimentation. The Art School Considerations committee must be consulted before any indoor drone usage can be approved. Students, faculty, and staff may always contact the Art School Considerations Advisory Group by emailing [asc\\_saic@saic.edu](mailto:asc_saic@saic.edu).

### **Hobbyist Use**

SAIC recognizes members of the community may choose to purchase or build personal use drones for artmaking and projects outside the scope of the classroom learning environment or institutional operations. In most cases, this work may fall under the small drone category of hobbyist use, which is somewhat less strictly regulated by the FAA. Hobbyist use of drones is permitted under certain circumstances without a remote pilot license, however specific FAA regulations and local ordinances, including permitting, will still apply in most cases. The operator of a drone for hobby or recreational use shall be responsible for compliance with all applicable federal, state and local laws, rules, regulations, and procedures. Any such use on or in the SAIC campus must be authorized by the Art School Considerations committee.

### **Unauthorized Use**

Unauthorized drone usage includes all uses not approved by the processes described above, or in violation of local, city, state, and federal laws. SAIC Campus Security will act on any reports of unauthorized drone flights occurring on or in SAIC properties and seek to end them. Violators will be subject to SAIC disciplinary processes. Violations of this policy and/or negligent use may result in revoked flight privileges.

## 18. Rules of Conduct

The Rules of Conduct have been established to create an environment that is conducive to artistic and personal growth and development. Committing one or more of the following acts of misconduct may subject the student to SAIC's Student Conduct Procedures.

More information about some of the Rules of Conduct can be found in the Specific Policies section of the Student Handbook.

- A. **COVID-19 Safety.** Failure to follow SAIC's guidelines regarding health and safety as it relates to COVID-19 including, but not limited to, wearing a face covering, isolating, and quarantining. In the residence halls, this also includes exceeding the maximum occupancy of a residence hall room. The maximum occupancy depends on the room/apartment type and is determined by the number of residents assigned to the room plus three additional people. (e.g., if you are in a double room, maximum occupancy is five. If you are in a Buckingham apartment with four residents, maximum occupancy is seven). SAIC's guidelines may evolve as the public health crisis evolves. SAIC's guidelines may be found at <https://www.saic.edu/maketogether> or may otherwise be published in hard copy, including signage throughout campus, or available electronically, including in emails or on SAIC's website or other locations.
- B. **Physical Harm, Threats, Intimidation, or Coercion.** Causing physical harm to any person, or verbal or physical threats, intimidation, or coercion of any person or any other conduct that threatens or endangers the health, safety, or well-being of any such person or the SAIC community.
- C. **Weapons.** Possession of any weapons or weapon facsimiles. Additional guidelines are set forth in the Weapons Policy found in the Specific Policies section of the Student Handbook.
- D. **Self-Destructive Behavior.** Behavior that is self-destructive, threatening the safety of the individual.
- E. **Discrimination, Harassment, and Retaliation.** Additional guidelines are set forth in the Discrimination, Harassment, and Retaliation Policy found in the Specific Policies section of the Student Handbook.
- F. **Sexual Misconduct Under Title IX.** Additional guidelines are set forth in the Sexual Misconduct Under Title IX Policy found in the Specific Policies section of the Student Handbook.
- G. **Sexual Assault, Domestic Violence, Dating Violence, and Stalking.** Additional guidelines are set forth in the Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy found in the Specific Policies section of the Student Handbook.
- H. **Alcohol.** Use, possession, manufacture, sale, or distribution of alcoholic beverages or other misconduct related to alcoholic beverages. Additional guidelines are set forth in the Alcohol Policy found in the Specific Policies section of the Student Handbook.
- I. **Drugs and Controlled Substances.** Use, possession, manufacture, sale, or distribution of illegal drugs as defined by federal, state, or local law (including marijuana and medical marijuana) in any form, drug paraphernalia (including hookahs), synthetic drugs, misused inhalants, and concentrates or extracts (e.g. oils) derived from illegal drugs. SAIC also prohibits students from being under the influence or in the presence of illegal drugs while on SAIC's campus or during SAIC programs or activities. Additional guidelines regarding marijuana are set forth in the Marijuana, Medical Marijuana, and Illinois Law Policy found in the Specific Policies section of the Student Handbook.
- J. **Misuse of Prescription Drugs.** Abuse, misuse, sale, or distribution of over-the-counter or prescription medications.
- K. **Fire Safety.** Behaviors that cause a fire or fire hazard. Additional guidelines are set forth in the Fire Safety Policy found in the Specific Policies section of the Student Handbook.

- L. **Smoking.** Smoking cigarettes, electronic cigarettes such as vaporizers/atomizer (vapes), pipes, or any other smoking device (either purchased or created) in all SAIC buildings, including residence halls and academic buildings, or within 15 feet of the entrance to all SAIC buildings.
- M. **Theft.** Attempted or actual theft of property in any facility owned or used by SAIC, SAIC services, or property (including artwork) of a member of the SAIC community. At its discretion, SAIC may pursue off-campus theft or allegations of theft reported by non-community members. In the residence halls, this includes removing furniture and amenities from residence halls rooms and/or residence hall common areas.
- N. **Damage.** Damage to property in any facility owned or used by SAIC, or to property (including artwork) of a member of the SAIC community. This includes graffiti and/or destruction of SAIC publications. It also includes intentional, reckless, and/or negligent behavior that threatens or endangers such property as well as damage in a residence hall room, common kitchen, or any other common space (excluding the studio) as a result of making artwork. At its discretion, SAIC may also pursue reports of property damage that occur off-campus or to property of non-community members.
- O. **Acts of Dishonesty.** Acts of dishonesty, including but not limited to academic misconduct (e.g., cheating, plagiarism, falsification of records), or knowingly furnishing false information to SAIC. Additional guidelines regarding academic misconduct are set forth in the Academic Misconduct policy found in the Specific Policies section of the Student Handbook.
- P. **Forgery.** Forgery, unauthorized alteration, or misuse of SAIC documents, records, or identification.
- Q. **Obstruction or Disruption.** Obstruction or disruption of teaching, research, administration, security, student conduct procedures, or other SAIC activities, and fire, police or emergency services.
- R. **Failure to Comply.** Failure to comply with direction of SAIC officials acting in the performance of their duties, and/or failure to identify oneself to these persons or to security staff when requested to do so.
- S. **Selling or Soliciting.** Selling or soliciting on SAIC property except through an officially sponsored and approved event or activity.
- T. **Posting and Distribution.** Posting and/or distributing announcements/flyers in SAIC without the approval of Campus Life/Residence Life and/or in areas not designated for posting.
- U. **Guests and Visitors.** Hosting a visitor in violation of SAIC's updated visitor procedures that only permits certain approved visitors. Additional guidelines are set forth in the Unauthorized Guests and Visitors Policy found in the Specific Policies section of the Student Handbook.
- V. **Access.** Unauthorized entry to or use of SAIC facilities, equipment, or resources; unauthorized possession, duplication, or use of keys/key cards to any premises owned or used by SAIC; or giving an ARTICard or residence hall room key(s) to another person.
- W. **Animals on Campus.** Possessing animals, other than service animals, registered emotional support animals in the residence halls, or non-prohibited fish in the residence halls. Additional guidelines are set forth in the Unauthorized Animals Policy found in the Specific Policies section of the Student Handbook.
- X. **Bicycles, Skates, and Boards Indoors.** Using bicycles, skateboards, scooters, hoverboards, rollerblades, or similar devices in any SAIC building. Bringing a hoverboard, an unauthorized bicycle, or a gas-powered scooter or other gas-powered items into any SAIC building. Battery-powered scooters, skateboards, Onewheels, and similar can be brought into the building but they cannot be ridden while in the building. Additional guidelines regarding bicycles are set forth in the Bicycles Policy found in the Additional Policies and Guidelines section of the Student Handbook.

- Y. **Sleeping In Unauthorized Locations.** Sleeping in lounges, studios (including private studios), or other spaces on campus.
- Z. **Misuse of Campus Facilities.** Failing to adhere to the policies or guidelines of campus facilities including but not limited to studios, labs, classrooms, other shared spaces, and leased spaces including, but not limited to Spertus Institute, Sullivan Center, and the Buckingham. Policies and guidelines may be distributed in various forms including but not limited to orientations and authorizations, signed agreements, and posted policies.
- AA. **Violating Sanction Terms.** Not completing or violating the terms of any student conduct sanction.
- BB. **Other Policies.** Violating any other SAIC policy, rule, or regulation published in hard copy or available electronically, including on SAIC's website or other locations.
- CC. **Violations of Law.** Violating any federal, state, or local law.

## 19. Weapons

Illegal or unauthorized possession of firearms, weapons, fireworks, explosives, ammunition, dangerous chemicals, or abuse of any flammable substance is expressly prohibited on SAIC property or on SAIC sponsored programs. The term weapon is defined as any object or substance designed to inflict a wound, threaten injury, cause injury, or incapacitate. Weapons may include, but are not limited to: all firearms, pellet guns, slingshots, stun guns, swords (including decorative or ceremonial), martial arts devices, switchblade knives, clubs, axes/hatchets, or anything that could be perceived or misrepresented as a weapon. Items used for other purposes (such as kitchen knives, scissors) may also be defined as a "weapon" if an individual engages in behavior which uses such an object in a threatening manner. Prop weapons, facsimiles, or any object that appears to be a weapon must be approved by SAIC administrators prior to its presence on campus. Examples may include props used in performances, critiques or class presentations, and items created in SAIC studios. Items found in violation of this policy may be confiscated.

### **Illinois Firearm Concealed Carry Act (430 ILCS 66) and SAIC's Responsibility**

This policy complies with the Illinois Firearm Concealed Carry Act of 2013 (Act) which specifically prohibits licensees under that Act from carrying firearms in museums, libraries, public and private colleges, and public parks as well as other locations. Also, as required by the Act, the Vice President and Dean of Student Affairs (or designee) must report to the Department of State Police any student who is determined to pose a "clear and present danger to himself, herself, or to others" as defined by the Act. Similarly, SAIC counselors in Counseling Services will report to the Department of Human Services any student who is determined to pose a "clear and present danger to himself, herself, or to others."

## 20. Drug or Alcohol Abuse Programs

SAIC offers a variety of programs regarding drugs and alcohol in an effort to educate our students about the potential dangers of their use or abuse. The goal of these programs is to raise awareness on issues related to drug and alcohol use on campus, and prevent students from making choices that may put their health or well-being in jeopardy.

- 9/24/2021 Residence Life Presents: FNM & Boardgame Night. This event is based on the idea of building social circles and Community within the building through multiple board games and tournament start events. Games like chess, magic the gathering, battleship, monopoly, exploding kittens, and so on. All these games Will help build a fun atmosphere will also helping students become more social with one another.
- 10/22/2021 ResLife Life and Health and Wellness Presents: Join the Health and Wellness Committee for a night of speed friending that's going to be out of this world! Mix and mingle with other students to find yourself a new crew to explore the stars with! The event will lift off at 8:30pm and return to Earth at 10:30pm!
- 11/5/2021 Residence Life Presents: Mocktail Night. Join SRA Suju for a night non-alcoholic drinks! Learn how to make mocktails and the importance of blood alcohol levels!
- 11/5/2021 Residence Life Presents: Anything but a Cup Mocktail Social. Join RA Emma in the Buckingham Sky Lounge to enjoy snacks, music, and fall mocktails with a fun twist of having to drink them out of anything but a cup.
- 11/19/2021 Residence Life Presents: Squeeze Your Stress Away! The Health & Wellness committee presents a program to help students who are nervous or anxious about going home for the break, now that holiday gatherings are no longer virtual. The holidays are even more stressful when you can't be your true self, which can affect your mental health. Join us to make stress balls and get resources on mental health and managing stress.
- 1/8/2022 Residence Life Presents: Winterim Movie Night. Join RA Alex, Emma and Jason during the winter interim for a movie night screening a Marvel movie.
- 2/12/2022 Residence Life Presents: Be My Valentine! Join SRA Suju and RA Dante for a night of trying to create your perfect partner! Grab treats and meet new friends all in the 162 Solarium on the 17th floor!
- 2/26/2022 Residence Life Presents: Drunk Goggle Mario Kart! Join SRA Jason for a night of Mario Kart fun, but with a twist - playing with drunk goggles.
- 3/5/2022 Residence Life Presents: Gamer Night! Join Buck SRA Jorge for some Nintendo Switch games, board games, and in-person socialization - everything you need to have fun in one night!
- 3/25/2022 Residence Life Presents: PROTECT UR DRINK! Join SRA Suju for a night of making mocktails and decorating your own coasters while learning about drink safety!
- 5/6/2022 Residence Life Presents: Finals Fueling Station! Working late for your finals? Enjoy some hot chocolate, coffee, soda, sandwiches and snacks on the house! Available starting 9pm until they're gone.

During the 2020-2021 academic year, Residence Life supported efforts to reduce alcohol and other substance use on campus by providing alternative programming. Resident Advisors sponsored programs for their residents such as:

- **Academic and Professional Workshops:** improvisation workshops, resume and artists statement workshops,
- **Online Gatherings:** movie nights, karaoke nights, building mixers and networking,
- **Art-making:** crochet nights, DIY: paint your clothes, community art making
- **Health and Wellness:** self-care workshops, cooking sessions, de-stress tips

# 21. Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence, and Stalking

*This policy is effective August 2020 and replaces the previous policy.*

## **I. Statement of Policy**

Our community expects that all interpersonal relationships and interactions—especially those of an intimate nature—be grounded in mutual respect, open communication, and clear consent.

The Art Institute of Chicago (“AIC”), including both the Museum and the School (“SAIC”), prohibits Sexual Assault, Domestic Violence, Dating Violence, and Stalking (defined below in Section II, “Definitions”). AIC also prohibits retaliation against anyone reporting, participating in, or thought to have reported or participated in, an allegation, investigation, or proceeding regarding Sexual Assault, Domestic Violence, Dating Violence, or Stalking regardless of whether such report is substantiated.

False accusations, made with the knowledge that they are false, are prohibited and will be treated as violations of this Policy. An individual who, in good faith, makes a report that later is not substantiated is not considered to have made a false accusation and, therefore, is not in violation of the Policy.

This Statement of Policy applies to all members of the AIC community, which includes all trustees, officers, governors, faculty, staff, and volunteers.

This Policy addresses conduct that is unwelcome and not based on consent. SAIC has an additional, separate policy that applies to consensual romantic or sexual relationships with students. That policy, called the Consensual Romantic or Sexual Relationship Policy is in the Student Handbook and Faculty Dashboard. AIC also has separate policies that apply to discrimination, harassment, and retaliation. Please see the Discrimination, Harassment, and Retaliation policies in the Student Handbook, Faculty Dashboard, and Employee Guidelines.

*Relationship to The Sexual Misconduct Under Title IX Policy.* Other language in this policy notwithstanding, Sexual Assault, Domestic Violence, Dating Violence and Stalking, as defined in the Sexual Misconduct under Title IX Policy, will be governed by the Sexual Misconduct Under Title IX Policy and processes stated therein. As explained in the Sexual Misconduct Under Title IX Policy, to be considered under that Policy, the conduct must occur within the AIC’s education programs and activities and within the United States.

Conduct that falls outside of the scope of the Sexual Misconduct Under Title IX Policy, whether or not initially raised through a formal complaint under the Sexual Misconduct under Title IX Policy, may be addressed under this policy.

## **II. Definitions**

**Sexual Assault** includes both Sexual Intercourse Without Consent and Sexual Contact Without Consent.

**Sexual Intercourse Without Consent** means having or attempting to have sexual intercourse with another individual without Affirmative Consent, as defined below. Sexual intercourse means vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.

**Sexual Contact Without Consent** means having sexual contact with another individual without Affirmative Consent, as defined below. Sexual contact means the touching of the person’s breasts, anal, groin, or genital areas, or other intimate body parts for the purpose of sexual gratification.

**Sexual Assault** is an extreme form of sexual harassment. For more information about sexual harassment, which is also prohibited by AIC's policies, please see the policies on Discrimination, Harassment, and Retaliation in the Student Handbook, Faculty Dashboard, and Employee Guidelines. If a report includes allegations of Sexual Assault, then the process and procedures set forth in this Policy will be followed in the assessment, investigation, and resolution of a report. In no event shall a report proceed simultaneously through more than one internal AIC procedure.

### **Affirmative Consent**

Consent represents the cornerstone of a respectful and healthy intimate relationship. AIC strongly encourages its community members to communicate – openly, honestly, and clearly– about their wishes and intentions when it comes to sexual behavior, and to do so before engaging in sexual conduct.

Consent is the communication of an affirmative, conscious, and freely-made decision by each participant to engage in agreed-upon forms of sexual contact. Consent requires an outward demonstration, through understandable words or actions that conveys a clear willingness to engage in sexual contact.

Consent is not to be inferred from silence, passivity, or a lack of resistance, and relying on non-verbal communication alone may result in a violation of this Policy. For example, a person who does not physically resist or verbally refuse sexual contact may not necessarily be giving consent.

There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation of this Policy.

Consent is not to be inferred from a current or previous dating or sexual relationship. Even in the context of a relationship, there must be mutual consent to engage in sexual contact.

Consent to one form of sexual contact does not constitute consent to any other form of sexual contact, nor does consent to sexual contact with one person constitute consent to sexual contact with any other person.

Additionally, consent to sexual contact on one occasion is not consent to engage in sexual contact on another occasion. A person's manner of dress does not constitute consent.

Consent cannot be obtained by coercion or force or by taking advantage of one's inability to give consent because of Incapacitation or other circumstances. Under Illinois law, a person must be at least 17 years old in order to give consent to Sexual Intercourse. It is also illegal in Illinois for a person 17 years old or older to commit sexual acts on or with a person under the age of 18 if they have a position of authority or trust over that person.

A person who has given consent to engage in sexual contact may withdraw consent at any time. However, withdrawal of consent requires an outward demonstration, through understandable words or actions that clearly conveys that the person is no longer willing to engage in sexual contact. Once consent is withdrawn, the sexual contact must cease immediately.

### **Incapacitation**

An individual who is incapacitated is unable to give Affirmative Consent. States of Incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact.



Alcohol or drug use is one of the prime causes of Incapacitation. When alcohol or drug use is involved, Incapacitation is a state beyond intoxication, impairment in judgment, or “drunkenness.” Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is Incapacitated, and therefore unable to give Affirmative Consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of sexual contact;
- Appraising the nature of one’s own conduct;
- Communicating Affirmative Consent to sexual contact; or
- Communicating unwillingness to engage in sexual contact.

When an individual’s level of impairment does not rise to Incapacitation, it is still necessary to evaluate the impact of intoxication from drug or alcohol use on Affirmative Consent. In evaluating whether Affirmative Consent was sought or given, the following factors may be relevant:

- Intoxication may impact one’s ability to give Affirmative Consent and may lead to Incapacitation (the inability to give Affirmative Consent).
- A person’s level of intoxication is not always demonstrated by objective signs; however, some signs of intoxication may include difficulty walking, poor judgment, difficulty communicating, slurred speech, or vomiting.
- An individual’s level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass, and metabolism.
- No matter the level of an individual’s intoxication, if that individual has not affirmatively agreed to engage in sexual contact, there is no Affirmative Consent.

Anyone engaging in sexual contact must be aware of both their own and the other person’s level of intoxication and capacity to give Affirmative Consent. The use of alcohol or drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. If there is any doubt as to the level or extent of one’s own or the other individual’s intoxication or Incapacitation, the safest course of action is to forgo or cease any sexual contact. An individual’s intoxication is never an excuse for or a defense of committing Sexual Assault and it does not diminish one’s responsibility to obtain Affirmative Consent.

**Domestic Violence** is violence committed by a current or former spouse, intimate partner, or family member of the other person. Domestic violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Domestic violence requires more than just two people living together; the people cohabitating must be spouses, family members, or have, or have had, an intimate relationship.

**Dating Violence** is violence committed by a person who is or has been in a relationship of romantic or intimate nature with the other person. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence of such a relationship shall take into account the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Stalking** is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to fear for their safety (or the safety of a third party) or suffer emotional distress.

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Retaliation** is defined as any adverse or negative action (or threat of an adverse or negative action) against an individual because that individual (1) in good faith, reported Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking; (2) participated as a party or witness in an investigation or a proceeding related to such allegations; or (3) is thought to have participated in a good-faith report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, or is thought to have participated as a party or witness in an investigation of such allegations.

### III. Confidentiality, Privacy, and Reporting Obligations

When making a choice about how to get help, it is important to understand the difference between seeking confidential assistance through confidential resources and making a report to AIC. Making a report to AIC means that the report, while handled with privacy, will be shared with other responsible administrators, including the Title IX Director and Director of Employee Relations and Training, and will lead to further actions to respond appropriately as outlined in this Policy.

Different employees on campus have different abilities to maintain confidentiality. Most AIC community members, including faculty and staff members, cannot maintain confidentiality because of legally imposed reporting obligations. In these circumstances, AIC is committed to maintaining the privacy of the information shared. The terms "confidentiality" and "privacy" are defined below.

#### A. Definitions

**Confidentiality**, as used in this Policy, refers to a legal obligation not to disclose information without the express written permission of the individual who provided the information, with certain exceptions, such as if there is a continuing threat of serious harm to self or others or another legal obligation to reveal such information (e.g., where there is suspected sexual abuse or neglect of a minor). **Only the professional counselors in SAIC's Counseling Services, the nurses in Health Services, and the Confidential Advisor ("Confidential Resources") can maintain confidentiality.** These Confidential Resources are available only to students. The Confidential Resources provide support to students who have experienced Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, and they are not required to report information to the Title IX Director. The Confidential Resources will not report to the Title IX Director or Director of Employee Relations and Training any personally identifiable information about a student; however, they will provide aggregate data about incidents of Sexual Assault, Domestic Violence, Dating Violence, and Stalking to the Title IX Director.

Various off-campus resources available to anyone, such as counselors, advocates, and health care providers, will also generally maintain confidentiality and not share information with AIC unless the individual providing the information requests disclosure and signs a consent form. The Employee Assistance Program (800.311.4327), which is available to faculty and staff, is considered a confidential off-campus resource even though it is paid for by AIC.

**Privacy** generally means that information related to a report will be shared only with those employees who “need to know” in order to assist in the review, investigation, or resolution of the report. While not bound by confidentiality, individuals who receive private information will be discreet and do their best to respect the privacy of all individuals involved in the process. If an investigation is required, the information may also be shared with the alleged offender or others as required to conduct a complete and fair investigation. Although AIC manages private information with discretion, it is not possible to maintain confidentiality for any information other than information provided to the Confidential Resources as noted in the definition of Confidentiality provided above.

## **B. Reporting Obligations**

All AIC and SAIC staff (excluding Confidential Resources), SAIC student Teaching Assistants and Resident Advisors, and volunteers are required to report incidents of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking to SAIC’s Title IX Director or to Employee Relations. This allows AIC to provide resources and support to those who have experienced Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking and to take consistent action to respond to reports of such conduct. In these circumstances, AIC is committed to maintain privacy. AIC does not publicize the name of crime victims nor does it include identifiable information in Campus Security’s Daily Crime Log. Please see Annual Security Report at [https://www.saic.edu/sites/default/files/security\\_fire\\_safety\\_report.pdf](https://www.saic.edu/sites/default/files/security_fire_safety_report.pdf).

## **IV. Making a Report**

### **A. How to Report**

AIC has professionals who are trained to receive reports and provide assistance. Reports can be made in person to the individuals listed below or electronically. Electronic reports may be submitted anonymously at the reporter’s option at <http://www.saic.edu/lifeatsaic/stopsexualviolence/makeareport/>. For the remainder of this Policy, the person making the report will be referred to as the “Complainant” and the person alleged to have violated the Policy will be referred to as the “Respondent.”

If a Complainant tells an employee (other than those who are Confidential Resources as described in Section III) about an incident of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, but requests that their name not be disclosed to the Respondent or that the Title IX Office not investigate or pursue action against the Respondent, the Title IX Director will need to determine whether it can honor such a request while still providing a safe and nondiscriminatory environment for all community members.

If the Title IX Director determines that it must disclose the Complainant’s identity to the Respondent, the Title IX Director will advise the Complainant of this decision and will endeavor to do so prior to making the disclosure. In addition, at the request of the Complainant, AIC will inform the Respondent that the decision to go forward was made by SAIC rather than the Complainant.

If the Complainant chooses not to inform AIC of the Respondent’s name, the Title IX Office’s ability to investigate and take appropriate action may be limited.

In some cases, the Title IX Director may determine that the report, even if substantiated, is insufficient to state a violation of the Policy and will notify the Complainant that the matter will be closed without a referral for either informal or formal resolution.

### **For All Community Members**

SAIC Campus Security  
312-899-1230  
Available 24 hours a day, seven days a week

Robert Babcock, Ed. D.  
Title IX Director  
116. S. Michigan Ave., 12th floor  
Chicago, IL 60603  
312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

Verron Fischer  
Deputy Title IX Director  
116 S. Michigan Ave., 12th floor  
Chicago, IL 60603  
312-499-3904 | [title9@saic.edu](mailto:title9@saic.edu)

### **For Students**

Robert Babcock, Ed. D.  
Title IX Director  
116. S. Michigan Ave., 12th floor  
Chicago, IL 60603  
312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

Verron Fischer  
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312-499-3904 | [title9@saic.edu](mailto:title9@saic.edu)

### **For Faculty**

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116. S. Michigan Ave., 12th floor  
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312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

Adam Mack  
Faculty Liaison  
112 S. Michigan Ave.  
Chicago IL 60603  
312-345-3787 | [amack1@saic.edu](mailto:amack1@saic.edu)

### **For Staff & Visitors**

Robert Babcock, Ed. D.  
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116. S. Michigan Ave., 12th floor  
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312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

Alan Hooker  
Employee Relations and Training Manager  
116 S. Michigan Ave., 12th floor  
Chicago, IL 60603  
312.629.3385 | [ahooker@artic.edu](mailto:ahooker@artic.edu)

Timeka Young  
Employee Relations and Training Manager  
116 S. Michigan Ave., 12th Floor  
Chicago, IL 60603  
312.629.3378 | [tyoung6@artic.edu](mailto:tyoung6@artic.edu)

## **B. Written Notice Provided by AIC**

When an AIC community member reports to AIC that they have been a victim of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, AIC will give them a written explanation of their rights and options, as described in this Policy, including, but not limited to:

- Confidentiality, Privacy, and Reporting Obligations, Section III
- Making a Report, Section IV.A
- Interim Protective Measures, Section V
- Resources, Section VII
- Information Regarding Sexual Assault, Domestic Violence, Dating Violence, and Stalking, Section VIII
- Orders of Protection, Section X

## **V. Supportive Measures**

AIC will provide information about interim protective measures to the individual who makes a report and will arrange such measures if the individual requests them and they are reasonably available. AIC will also provide such measures, if reasonably available, upon the request of the individual who is the subject of a report. Examples of supportive measures include: mutual no contact instructions, changes to academic or work schedules such as extension of deadlines or other course-related adjustments, leaves of absence, or housing, counseling services, campus escort services, and increased security and monitoring of certain areas of the campus. Although supportive measures are not punitive or disciplinary in nature, they may impose a burden, albeit a reasonable one, on a member or members of SAIC's community. AIC will maintain as private any supportive measures provided to an individual, except as necessary to provide the supportive measure; for example, both individuals would be informed of a mutual no contact instruction. The Title IX Office also reassesses the availability and implementation of supportive measures on an ongoing basis.

## **VI. Process and Applicable Procedures**

### **A. Informal Resolution**

In a diverse community, disagreements and conflicts of various degrees of seriousness are inevitable. In many instances, an informal approach can be useful in resolving instances of inappropriate conduct. Problems are sometimes easier to resolve in an informal atmosphere that encourages people to identify the difficulty, talk it out, and agree how to deal with it.

An informal process is a flexible approach to resolving disagreements. As a result, there is no fixed format. It can involve a meeting between the two parties to facilitate an informal discussion, arranging to channel communications through a third party if the parties do not want to meet, or some other approach suitable to the circumstances. In some cases, both parties have to agree to the informal resolution process.

If a Complainant wishes to pursue an informal process, the Title IX Director or designee will facilitate it. If the Complainant and the facilitator are satisfied the issue has been resolved, no further action will be taken.

If an informal process ends without a satisfactory resolution, the Complainant may choose to pursue a formal process if they wish. An informal process is voluntary; a Complainant does not have to agree to an informal process and if they do pursue an informal resolution, the Complainant may end it at any time. Note: Face-to-face mediation (even on a voluntary basis) is not appropriate or permitted if there are allegations of Sexual Assault.

If an informal process is not used or fails to resolve the matter, the Title IX Director will promptly initiate an investigation. The Title IX Director is responsible for overseeing the investigation and for determining the appropriate scope of the investigation.

## **B. Formal Process**

The Title IX Director will determine the next steps in the process based on the identity of the Respondent.

- If the Respondent is a student, the Title IX Director will oversee the investigation; the Vice President and Dean of Student Affairs (“VPSA”) will decide whether a policy violation occurred and if so, the appropriate sanction; and any appeals will be decided by the Provost. The investigation and resolution of matters in which the Respondent is a student are governed by Section C of this Policy and the Student Conduct Procedures. Anyone with a report that a student engaged in Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking should refer to that section of this Policy and the Student Conduct Procedures. The Student Conduct Procedures may be found here:  
<https://www.saic.edu/sites/default/files/Student%20Handbook.pdf>
- If the Respondent is a faculty member, the Title IX Director will oversee the investigation in consultation with the Faculty Liaison; the Dean of Faculty and Vice President for Academic Affairs will decide whether a policy violation occurred and if so, the appropriate sanction; and any appeals will be decided by the Dean of Faculty and Vice President for Academic Affairs. The investigation and resolution of matters in which the Respondent is a faculty member are governed by Section D of this Policy, and anyone with a report that a faculty member engaged in Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking should refer to that section of this Policy.
- If the Respondent is a staff member, the Title IX Director and the Director of Employee Relations will oversee the investigation; the Chief Human Resources Officer will decide whether a policy violation occurred and if so, the appropriate sanction; and the Chief Human Resources Officer will also decide any appeals. The investigation and resolution of matters in which the Respondent is a staff member are governed by Section E of this Policy. Anyone with a report that a staff member engaged in Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking should refer to that section of this Policy.
- The Title IX Director will determine the appropriate process to be used, including who will conduct the investigation and who will decide the matter (including appeals), in the following circumstances: (a) if the Respondent is a third party on our premises or in an AIC program, (b) if the Respondent has dual status in the community (such as a student employee or a staff member who also teaches), and (c) if the Respondent alleges that the Complainant also violated this Policy or another policy so that there are cross-reports from the Complainant against the Respondent and the Respondent against the Complainant. In these cases, the Title IX Director may use one of the processes outlined above or may combine or coordinate processes as appropriate to the circumstances. The Title IX Director will notify both the Complainant and the Respondent of the process to be used.

AIC administrators involved in the investigation and resolution of reports of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking receive annual training on these issues. It is the responsibility of AIC, not the involved parties, to gather the relevant information relating to the report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking.

### C. Procedures Applicable to Students

If the Respondent is a student, the Student Conduct Procedures will be utilized for the investigation, resolution, and any appeal, in conjunction with the terms set forth below. The Student Conduct Procedures can be found in the Student Handbook.

1. **Investigation.** The Title IX Director will designate an investigator (“Investigator”), generally a member of their staff, to investigate the report. The Investigator is responsible for ensuring that the investigation is prompt, thorough, and fair. During the investigation, both the Complainant and the Respondent will be offered the opportunity to explain their understanding of the circumstances and offer any additional information they believe is relevant. AIC may also meet with and/or gather information from other individuals who may have relevant information.
2. **Time Frame for Investigation and Resolution.** AIC endeavors to complete the investigation and resolution of a report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking as promptly as possible. As a general matter, AIC strives to complete its investigation and resolution (excluding any appeal) of this type of report within ninety (90) calendar days; however, the timeframe for resolution of any particular report will depend on a variety of factors, such as the complexity of the investigation and the severity and extent of the alleged conduct. In addition, if there is a parallel criminal investigation or if the process occurs partially during school breaks, the time needed for investigation and resolution may exceed ninety (90) days. If the Title IX Director determines that it must extend the time frame for investigation and resolution of a report, it will provide written notice to the Complainant and the Respondent of the revised time frame.
3. **Advisors.** During any investigation into a report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, the Complainant and Respondent have the right to be assisted by an advisor. The advisor’s role can include helping the Complainant/Respondent prepare their statements (whether written or oral) and/or being a nonparticipating supporter at any meeting that may occur. However, the Complainant/Respondent must speak for themselves and present information on their own. While the party may consult with the advisor, the advisor may not present information or make statements or arguments during any meetings that may occur. Furthermore, the advisor may only be present when the person whom they are advising is also present. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. An individual may not serve as an advisor if they are a witness or otherwise have information relevant to the report. If either the Complainant or the Respondent intends to bring an advisor to a meeting, then, in advance of the meeting, the party must notify the VPSA in writing of the advisor’s name, occupation, relationship to the party, and relationship to the School, if any. Additional information regarding the role of an advisor in a Student Conduct Meeting is set forth in the Student Conduct Procedures in the Student Handbook, Section 2(D). A party may choose to consult with an attorney of their choice at their own expense. Because attorneys for AIC represent AIC rather than any individual, these attorneys are not available to advise the Complainant or Respondent.
4. **Notice of Meetings.** The Complainant and the Respondent will receive timely notice of meetings at which the Complainant, the Respondent, or both, are invited to be present.
5. **Information Available.** The Complainant and the Respondent will be provided with timely and equal access to any information that will be reviewed during the Student Conduct Meeting. After receipt of this information, both the Complainant and the Respondent have the opportunity to respond in writing to provide additional information and/or to submit questions to the VPSA that they suggest be posed to the other during the Student Conduct Meeting. The VPSA shall determine, in an exercise of their discretion, whether to pose such questions.

6. **Conflict of Interest.** Both the investigation and the Student Conduct Meeting will be conducted by School administrators who do not have a conflict of interest or a potential conflict of interest with the Complainant or the Respondent (e.g., because of familial, intimate, financial, business, or other relationship). An administrator will be considered to have a conflict of interest in the event of a circumstance that would prevent them from being impartial in their review of the report. For example, no administrator should conduct the investigation or serve on a Student Conduct Board if their actions are the subject of the report.

The Complainant and Respondent shall be given prior notice of the individual(s) who will investigate a report or participate in Student Conduct Meetings. Within twenty-four (24) hours of receiving this notice, the Complainant and/or the Respondent shall notify the VPSA if they believe that any of those individuals has a conflict of interest. The notification shall include the basis of the alleged conflict. The VPSA shall determine whether the alleged conflict disqualifies that individual. If an individual is disqualified, the VPSA will select a substitute and the process for identifying conflicts set forth above shall be followed for any such additional individuals.

7. **Resolution.** Refer to the Student Conduct Procedures in the Student Handbook.
8. **Sanction.** Potential sanctions are set forth in the Student Conduct Procedures section of the Student Handbook under Sanctions.
9. **Simultaneous Notification of Decision.** The Complainant and the Respondent will be simultaneously notified, in writing, of the decision whether a violation of this Policy was found to have occurred; if so, the sanction; the rationale for the result and any sanction; and the appeal process will be shared. The Complainant will also be notified of any individual remedies offered or provided to the Complainant and steps AIC has taken to eliminate the hostile environment, if AIC finds one to exist, and prevent recurrence.
10. **Appeal.** Either the Complainant or the Respondent may appeal the decision made by the VPSA within five (5) business days after receiving notice of the decision. An appeal must be made to the Title IX Director. An appeal must be made in writing, and must state the basis for the appeal. Appeals are only permitted to proceed if the written notice of the appeal identifies (a) a procedural error that allegedly occurred; (b) new information that was not available at the time of the Student Conduct Meeting and that would substantially change the outcome, or (c) one (1) or more reasons why the sanction is disproportionate with the violation.

The appeal shall be decided by the Provost or their designee. The Title IX Director will advise both the Complainant and the Respondent of the individual who will decide the appeal (“Appeal Reviewer”). Within twenty-four (24) hours of receiving this notice, the Complainant and/or the Respondent shall notify the Title IX Director if they believe that the Appeal Reviewer has a conflict of interest that would preclude them from deciding the appeal. The notification shall include the basis of the alleged conflict. The Title IX Director shall determine whether the alleged conflict disqualifies that individual. If an individual is disqualified from a particular appeal, the School will select a substitute and the process for identifying conflicts set forth above shall be followed.

After the Appeal Reviewer is determined, they will first evaluate the notice of appeal to determine whether one of the three (3) bases for appeal is alleged. If not, the appeal will be dismissed. If so, the Appeal Reviewer will notify the Complainant and the Respondent that the appeal is under consideration as well as whether any change to the prior decision will be made pending resolution of the appeal. The Appeal Reviewer may undertake any inquiries that they deem appropriate, including but not limited to requesting the Title IX Director’s office to conduct additional investigation. Following their examination of the matter, the Appeal Reviewer may grant or deny the appeal or take any action that they deem appropriate. The Appeal Reviewer will simultaneously notify the Complainant and the Respondent, in writing, of the decision on appeal, any changes to the result, and that the decision is final. This notice must be provided within seven (7) business days of the decision of the appeal. The Appeal Reviewer will also notify the VPSA of the decision.



Underage Drinking/Drug Protection: SAIC will not find a student responsible for violating the School's Rules of Conduct with respect to use of alcohol or drugs if they are sexually assaulted while under the influence of alcohol or drugs or if they report, in good faith, an alleged violation of this Policy and were engaged in underage drinking or illegal use of drugs during the incident. However, the School may provide referrals to counseling and/or require educational sessions to address the alcohol or drug use in such cases. Excluded from this protection are all students accused of encouraging or voluntarily participating in the assault/sexual assault.

#### **D. Procedures Applicable to Faculty**

In reports where the Respondent is a faculty member, the following procedures will be used to ensure a prompt, fair, and impartial process.

1. **Investigation.** The Title IX Director will designate an investigator ("Investigator"), generally a member of their staff, to investigate the report. The Investigator is responsible for ensuring that the investigation is prompt, thorough, and fair. The Investigator will collaborate with the Faculty Liaison on the investigation.

During the investigation, both the Complainant and the Respondent will be offered the opportunity to explain their understanding of the circumstances and offer any additional information that they believe is relevant. The Investigator may also meet with and/or gather information from other individuals who may have relevant information.

2. **Time Frame for Investigation and Resolution.** AIC will endeavor to complete the investigation and resolution of a report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking as promptly as possible. As a general matter, AIC strives to complete its investigation and resolution (excluding any appeal) of this type of report within ninety (90) calendar days; however, the time frame for resolution of any particular report will depend on a variety of factors, such as the complexity of the investigation and the severity and extent of the alleged conduct. In addition, if there is a parallel criminal investigation or if the process occurs partially during school breaks, the time needed for investigation and resolution may exceed ninety (90) days. If the Title IX Director determines that it must extend the time frame for investigation and resolution of a report, it will provide written notice to the Complainant and the Respondent of the revised time frame.
3. **Advisors.** During any investigation into a report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, the Complainant and Respondent have the right to be assisted by an advisor. The advisor's role can include helping the Complainant/Respondent prepare their statements (whether written or oral) and/or being a nonparticipating supporter at any meeting that may occur. However, the Complainant/Respondent must speak for themselves and present information on their own. While the party may consult with the advisor, the advisor may not present information or make statements or arguments during any meetings that may occur. Furthermore, the advisor may only be present when the person whom they are advising is also present. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. An individual may not serve as an advisor if they are a witness or otherwise have information relevant to the report. If either the Complainant or the Respondent intends to bring an advisor to a meeting, then, in advance of the meeting, the party must notify the Title IX Director in writing of the advisor's name, occupation, relationship to the party, and relationship to the School, if any. A party may choose to consult with an attorney of their choice at their own expense. Because attorneys for AIC represent AIC rather than any individual, these attorneys are not available to advise the Complainant or Respondent.
4. **Notice of Meetings.** The Complainant and the Respondent will receive timely notice of meetings at which the Complainant, the Respondent, or both, are invited to be present.

5. **Information Available.** The Complainant and the Respondent will be provided with timely and equal access to investigative materials submitted by the Investigator as well as any other information that the Dean of Faculty will review in reaching a decision.
6. **Conflict of Interest.** Both the investigation and resolution of a report will be conducted by School administrators who do not have a conflict of interest or a potential conflict of interest with the Complainant or the Respondent (e.g., because of familial, intimate, financial, business, or other relationship). An administrator will be considered to have a conflict of interest in the event of a circumstance that would prevent them from being impartial in their review of the report. For example, no administrator should conduct the investigation or make the determination if their actions are the subject of the report. If a question arises as to whether the Investigator, the Faculty Liaison, or the Dean of Faculty has a conflict of interest, the Title IX Director will review the alleged conflict and determine whether a conflict exists and, if so, will designate another administrator to perform the role of the disqualified administrator.
7. **Resolution.** Upon completion of the investigation, the Dean of Faculty will determine whether the Respondent violated this Policy. The determination shall be made on the basis of whether it is more likely than not that the Respondent violated this Policy. If the Dean of Faculty determines that the Respondent violated this Policy, then they will also determine the appropriate sanction and take prompt and appropriate action to stop the prohibited conduct. The Dean of Faculty will also take action to ensure that the violation will not recur. Even where a violation is not found, it may be appropriate to counsel individuals regarding their behavior.
8. **Sanction.** Violations of this Policy can lead to corrective action ranging from a notation in the Respondent's file up to and including termination. In cases where the Dean of Faculty determines that termination is the appropriate sanction, they must first advise the President of the School. If the President agrees, the faculty member will be terminated immediately, except that faculty members with tenure or whose term appointment has not expired. For those faculty, the matter will proceed in accordance with Section 9.C., AAUP Statements on Academic Due Process Procedures, in the Faculty Handbook Supplement. If the President disagrees with the Dean of Faculty's determination that the Respondent should be terminated, the Dean will determine an appropriate alternative sanction.
9. **Simultaneous Notification of Decision.** The Complainant and the Respondent will be simultaneously notified, in writing, of the decision whether a violation of this Policy was found to have occurred; if so, the sanction; the rationale for the result and any sanction; and the appeal process. The Complainant will also be notified of any individual remedies offered or provided to the Complainant and steps the Dean of Faculty has taken to eliminate the hostile environment, if the Dean of Faculty finds one to exist, and prevent recurrence.
10. **Appeal.** Either the Complainant or the Respondent may appeal the decision of the Dean of Faculty within five (5) business days after receiving notice of the decision. The Dean of Faculty has the discretion to decide whether any sanction that may have been imposed will be carried out, revised, or held in abeyance during this five (5) day period and also while an appeal is being considered and decided. An appeal must be made in writing, must be submitted to the Dean of Faculty, and must state the basis for appeal. Appeals are only permitted to proceed if the written notice of appeal identifies new information that was not available at the time of the investigation and resolution and the new information would substantially change the outcome. If the notice indicates that there is such new information, the Dean of Faculty will notify the Complainant and the Respondent of the need to follow up on the new information. The Dean of Faculty may undertake any inquiries that they deem appropriate, including but not limited to requesting the Title IX Director's office to conduct additional investigation. Following their examination of the matter, the Dean of Faculty may grant or deny the appeal or take any action that they deem appropriate. The Dean of Faculty will notify the Complainant and the Respondent simultaneously, in writing, of the decision on the appeal, any changes to the result, and that the decision is final.

## E. Procedures Applicable to Staff

In matters where the Respondent is a staff member, the following procedures will be used to ensure a prompt, fair, and impartial process.

1. **Investigation.** The Title IX Director will designate an investigator (“Investigator”), generally a member of their staff, to conduct an investigation into the report. The Investigator is responsible for ensuring that the investigation is prompt, thorough, and fair. During the investigation, the Respondent and the Complainant will each be offered the opportunity to explain their understanding of the circumstances and offer any additional information that they believe is relevant. The investigation typically includes interviews with the Complainant, the Respondent, and any witnesses.
2. **Time Frame for Investigation and Resolution.** AIC will endeavor to complete the investigation and resolution of a report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking as promptly as possible. As a general matter, AIC strives to complete its investigation and resolution (not including any appeal) of this type of report within ninety (90) calendar days; however, the time frame for resolution of any particular report will depend on a variety of factors, such as the complexity of the investigation and the severity and extent of the alleged conduct. In addition, if there is a parallel criminal investigation or if the process occurs partially during school breaks, the time needed for investigation and resolution may exceed ninety (90) days. If the Title IX Director determines that it must extend the time frame for investigation and resolution of a report, it will provide written notice to the Complainant and the Respondent of the revised time frame.
3. **Advisors.** During any investigation into a report of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, the Complainant and Respondent have the right to be assisted by an advisor. The advisor’s role can include helping the Complainant/Respondent prepare their statements (whether written or oral) and/or being a nonparticipating supporter at any meeting that may occur. However, the Complainant/Respondent must speak for themselves and present information on their own. While the party may consult with the advisor, the advisor may not present information or make statements or arguments during any meetings that may occur. Furthermore, the advisor may only be present when the person whom they are advising is also present. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. An individual may not serve as an advisor if they are a witness or otherwise have information relevant to the report. If either the Complainant or the Respondent intends to bring an advisor to a meeting, then, in advance of the meeting, the party must notify the Title IX Director in writing of the advisor’s name, occupation, relationship to the party, and relationship to the School, if any. A party may choose to consult with an attorney of their choice at their own expense. Because attorneys for AIC represent the AIC rather than any individual, these attorneys are not available to advise the Complainant or Respondent.
4. **Notice of Meetings.** The Complainant and the Respondent will receive timely notice of meetings at which the Complainant, the Respondent, or both, are invited to be present.
5. **Information Available.** The Complainant and the Respondent will be provided with timely and equal access to information that the Chief Human Resources Officer will review in reaching a decision on the resolution of the report.
6. **Conflict of Interest.** Both the investigation and resolution of a report will be conducted by administrators who do not have a conflict of interest or a potential conflict of interest with the Complainant or the Respondent (e.g., because of familial, intimate, financial, business, or other relationship). An administrator will be considered to have a conflict of interest in the event of a circumstance that would prevent them from being impartial in their review of the report. For example, no administrator should conduct the investigation or make the determination if their actions are the subject of the report. If a question arises as to whether the Investigator or the Chief Human Resources Officer has a conflict of interest, the Title IX Director will review the alleged conflict and determine whether a conflict exists and, if so, will designate another administrator to perform the role of the disqualified administrator.

7. **Resolution.** Upon completion of the investigation, the Chief Human Resources Officer will determine whether the Respondent violated this Policy. The determination shall be made on the basis of whether it is more likely than not that the Respondent violated this Policy. If a violation is found, the Chief Human Resources Officer will then determine the appropriate sanction and take prompt and appropriate action to stop the prohibited conduct. The Chief Human Resources Officer will also take action to ensure that the violation will not recur. Even where a violation is not found, it may be appropriate to counsel individuals regarding their behavior.
8. **Sanction.** Violations of this Policy can lead to corrective action ranging from a notation in the Respondent's file, up to and including termination.
9. **Simultaneous Notification of Decision.** The Complainant and the Respondent will be simultaneously notified, in writing, whether a violation of this Policy was found to have occurred; if so, the sanction; the rationale for the result and any sanction; and the appeal process. The Complainant will also be notified of any individual remedies offered or provided to the Complainant and the steps the Chief Human Resources Officer has taken to eliminate the hostile environment, if the Chief Human Resources Officer finds one to exist, and prevent recurrence.
10. **Appeal.** Either the Complainant or the Respondent may appeal the decision of the Chief Human Resources Officer within five (5) business days after receiving notice of the decision. The Chief Human Resources Officer has the discretion to decide whether any sanction that may have been imposed will be carried out, revised, or held in abeyance during this five (5) day period and also while an appeal is being considered and decided. An appeal must be made in writing, must be submitted to the Chief Human Resources Officer, and must state the basis for appeal. Appeals are only permitted to proceed if the written notice of appeal identifies new information that was not available at the time of the investigation and resolution and the new information would substantially change the outcome of the finding. If the notice indicates that there is such new information, the Chief Human Resources Officer will notify the Complainant and the Respondent of the need to follow up on the new information. The Chief Human Resources Officer may undertake any inquiries that they deem appropriate. Following their examination of the matter, the Chief Human Resources Officer may grant or deny the appeal or take any action that they deem appropriate, including but not limited to requesting the Title IX Director's office to conduct additional investigation. The Chief Human Resources Officer will notify the Complainant and the Respondent simultaneously, in writing, of the decision on the appeal, any changes to the result, and that the decision is final.

## **VII. Resources**

AIC is committed to providing support and resources that are broadly accessible to all AIC community members.

Anyone who has experienced Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking is urged to immediately seek help. Help includes seeking medical assistance, seeking confidential counseling or crisis response, filing a report with law enforcement, and/or making a report to AIC. The Title IX Office will help any individual who has experienced Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, including providing transportation to the hospital, assisting with contacts to law enforcement, and offering information about resources. Although AIC encourages all members of its community to report any incidents of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking to the police, the individual who experienced Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking may choose not to make a report to the police.

## Emergency Resources

### On-Campus Resources

#### SAIC Campus Security

312-899-1230

Available 24/7

Ask to speak to manager on duty

### Off-Campus Resources

#### Northwestern Memorial Hospital Emergency Department

250 E. Erie St.

312.926.5188

*Hospitals are required to provide a no-cost medical examination for a person who has experienced sexual assault.*

#### Chicago Police Emergency Call 911

#### Chicago Police Department

1718 South State Street

312.745.4290

## Confidential Resources (Medical/Counseling/Advocacy)

### On-Campus Resources

#### Confidential Advisor (Students)

Teresa J. Sit

312.499.4271 | [tsit@saic.edu](mailto:tsit@saic.edu)

#### Counseling Services (Students)

312.499.4271 | [counselingservices@saic.edu](mailto:counselingservices@saic.edu)

#### Health Services (Students)

312.499.4288 | [healthservices@saic.edu](mailto:healthservices@saic.edu)

#### Employee Assistance Program (Faculty/Staff)

800-311-4327

### Off-Campus Resources

#### Northwestern Memorial Hospital Emergency Department

250 E. Erie St.

312.926.5188

#### Porchlight Counseling Services

Evanston, IL

773.750.7077

#### Center on Halsted

773.472.6469

LGBTQ Violence Resource Line

773.871.2273

#### KAN-WIN (multilingual advocacy)

773.583.1392

<http://kanwin.org/>

#### City of Chicago Domestic Violence Helpline

877.863.6338

#### Resilience

180 N. Michigan Ave., suite 600

312.443.9603

#### YWCA Metropolitan Chicago

1 N. LaSalle St., suite 1150

312.372.6600

## Additional Resources

### On-Campus Resources

#### **SAIC Student Financial Services (financial assistance)**

36 S. Wabash Ave., suite 1200  
Chicago, IL 60603  
312.629.6660 (extension 9 for Receptionist)

### Off-Campus Resources

#### **Life Span Center for Legal Services & Advocacy**

70 E. Lake St., Suite 600  
312.408.1210 | [life-span@life-span.org](mailto:life-span@life-span.org)

#### **Legal Assistance Foundation of Chicago**

<https://lafchicago.org/>

#### **National Immigrant Justice Center**

208 S. LaSalle St., suite 1300  
312.660.1370  
<https://immigrantjustice.org/>

Additional information on what to do if you have experienced Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking is available in Section VIII, Information Regarding Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

## **VIII. Information Regarding Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

### **What to Do if You are the Victim of Sexual Assault**

These are important steps to take right away after an assault:

- Get away from the person who assaulted you and to a safe place as fast as you can. Then call 911.
- Call a friend or family member you trust. You may also want to call a crisis center or a hotline to talk with a counselor. Hotline resources include the National Sexual Assault Hotline at 800.656.HOPE (4673) or the Chicago Rape Crisis Hotline (888.293.2080). Feelings of shame, guilt, fear, and shock are normal. It is important to get counseling from a trusted professional.
- Do not wash, comb, or clean any part of your body. Do not change clothes if possible, so that hospital staff can collect evidence. Do not touch or change anything at the scene of the assault. The police or other investigators may be able to collect more evidence if the scene has not been cleaned or disturbed.
- Go to your nearest hospital emergency room as soon as possible. You need to be examined, treated for any injuries, and screened for possible sexually transmitted infections (STIs) or pregnancy. The doctor will collect evidence using a rape kit for fibers, hairs, saliva, semen, or clothing that the person who assaulted you may have left behind. This evidence may help the police and prosecutors find and charge the perpetrator or may help you if you seek an order of protection. Illinois law requires hospitals to provide free treatment to sexual assault survivors. You may want to contact the Rape Victim Advocates to assist you.

While at the hospital:

- If you decide you want to file a police report, you or the hospital staff can call the police from the emergency room.
- Ask the hospital staff to connect you with the local rape crisis center. The center staff can help you make choices about reporting the attack and getting help through counseling and support groups.

Adapted from <https://www.womenshealth.gov/>

## **Domestic Violence or Dating Violence—Warning Signs and How to Get Help**

Domestic Violence or Dating Violence can happen to anyone of any race, age, sexual orientation, religion, or gender. It can happen to couples who are married, living together, or dating. Domestic Violence or Dating Violence affects people of all socioeconomic backgrounds and education levels.

The following are not necessarily Policy violations; whether there is a Policy violation depends on the specific circumstances. However, these are some warning signs that you may be experiencing emotional or physical abuse if your partner has done or repeatedly does any of the following:

- Monitors what you're doing all the time
- Unfairly accuses you of being unfaithful all the time
- Prevents or discourages you from seeing friends or family
- Prevents or discourages you from going to work or school
- Gets very angry during and after drinking alcohol or using drugs
- Controls your use of needed medicines
- Decides things for you that you should be allowed to decide (like what to wear or eat)
- Humiliates you in front of others
- Destroys your property or things that you care about
- Threatens to hurt you, the children, or pets
- Hurts you (by hitting, beating, pushing, shoving, punching, slapping, kicking, or biting)
- Uses (or threatens to use) a weapon against you
- Forces you to have sex against your will
- Controls your birth control or insists that you get pregnant
- Blames you for their violent outbursts
- Threatens to self-harm when upset with you
- Says things like, "If I can't have you then no one can."

If you think someone is abusing you, get help. Abuse can have serious physical and emotional effects. No one has the right to hurt you.

Adapted from <https://www.womenshealth.gov/>

## How to Get Help

- Contact the Chicago Police Department (911), Campus Security (312-899-1230), or the Domestic Violence Hotlines (national: 800.799.7233; Chicago/local: 877.863.6338) to get information on campus and local resources as well as your legal options. Please see Section III, Difference between Confidentiality and Privacy, which explains the duties of various AIC employees with respect to confidentiality.
- Identify your partner's use and level of force so that you can assess the risk of physical danger to you and others before it occurs.
- If possible, have a phone accessible at all times and know what numbers to call for help. Know where the nearest public phone is located. Know the phone number to your local battered women's shelter. If your safety is at risk, call the Chicago Police Department (911).
- Let trusted friends and neighbors know of your situation and develop a plan and visual signal for when you need help.

*Adapted from the National Domestic Violence Hotline: <https://www.thehotline.org/>*

## Stalking—Warning Signs and How to Get Help

Stalking is a crime. A stalker can be someone you know well or not at all. Most stalkers have dated or been involved with the people they stalk. The following are not necessarily Policy violations; whether there is a Policy violation depends on the specific circumstances. However, these are some warning signs that you may be experiencing stalking. Stalkers may:

- Repeatedly call you, including hang-ups or contact you repeatedly through electronic communication and social media
- Follow you and show up wherever you are
- Send unwanted gifts, letters, texts, or emails
- Damage your home, car, or other property
- Monitor your phone calls or computer use
- Use technology, like hidden cameras or global positioning systems (GPS), to track where you go
- Drive by or hang out at your home, school, or work
- Threaten to hurt you, your family, friends, or pets
- Find out about you by using public records or online search services, hiring investigators, going through your garbage, or contacting friends, family, neighbors, or coworkers
- Other actions that control, track, or frighten you

*Adapted from the National Center for Victims of Crime: <https://victimsofcrime.org/>*



## **How to Get Help if You Are Being Stalked**

Stalking is unpredictable and dangerous. No two stalking situations are alike. There are no guarantees that what works for one person will work for another, yet you can take steps to increase your safety.

- If your safety is at risk, call 911.
- Trust your instincts. Don't downplay the danger. If you feel you are unsafe, you probably are.
- Take threats seriously.
- Contact Campus Security, a crisis hotline, a victim services agency, or a domestic violence or rape crisis program. They can help you devise a safety plan, give you information about local laws, refer you to other services, and weigh options such as seeking an order of protection. (For more information, see Section IV, Resources.) Please see Section III, Difference between Confidentiality and Privacy, which explains the duties of various SAIC employees with respect to confidentiality.
- Develop a safety plan, including things like changing your routine, arranging a place to stay, and having a friend or relative go places with you. Also, decide in advance what to do if the stalker shows up at your home, work, school, or somewhere else. Tell people how they can help you.
- Don't communicate with the stalker or respond to their attempts to contact you.
- Keep evidence of the stalking. When the stalker follows you or contacts you, write down the time, date, and place. Keep emails, phone messages, letters, or notes. Photograph anything of yours the stalker damages and any injuries the stalker causes. Ask witnesses to write down what they saw.
- Contact the police, as Illinois has a stalking law. SAIC staff and local resources are available to assist should you choose to contact law enforcement.
- Consider getting a court order that tells the stalker to stay away from you.
- Tell your family, friends, roommates, coworkers, Campus Security, and the Office of Student Affairs about the stalking and seek their support.

## **Keeping Safe when Traveling Around Campus and the City**

- Try to arrive at and leave social gatherings with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take their number instead of giving out yours.
- Keep track of your drinking. Watch your drink as it is made and don't leave it unattended; avoid group drinks.
- If you feel extremely tired or drunk for no apparent reason, find your friends and ask them to leave with you as soon as possible.
- Make sure your cell phone is easily accessible and fully charged.
- Be familiar with where emergency phones are installed in SAIC buildings.
- Avoid dimly lit places; take major, public paths rather than less populated shortcuts.

- Pay attention to your surroundings. Avoid putting music headphones in your ears and/or using your smartphone when walking alone.
- If walking feels unsafe, especially after dark, try to walk with a friend or contact Campus Security to request an escort or utilize the SAIC Safe Ride service (9:00 p.m.–6:00 a.m. during fall and spring semesters) or request an SAIC Safe Walk escort (9:00 p.m.–6:00 a.m. during summer and winter terms).
- Carry a noisemaker (like a whistle) and/or a small flashlight on your keychain.

### **What to Do if Someone You Know is at Risk of Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

AIC is a community, and we all have a responsibility to support each other. A “bystander” is someone other than the victim who is present when an act of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse. Examples of active bystander intervention include:

- Not leaving an overly intoxicated person in a bar/party alone
- Calling police when a potentially violent situation is unfolding
- Not leaving an unconscious person alone; instead, alert Campus Security or a staff member
- Intervening when someone is being belittled, degraded, or emotionally abused; instead, walking the victim away from the abuser and/or contact an SAIC staff member for help

If you become aware that a member of the AIC community is the victim of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, contact the Chicago Police Department (911), Campus Security, the Title IX Director, or the Director of Student Conflict Resolution. Additional resources are listed in Section VII, Resources.

### **IX. Education and Prevention Programs**

SAIC provides education programs to promote awareness of Sexual Assault, Domestic Violence, Dating Violence, and Stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new staff and faculty. It also includes ongoing awareness and prevention campaigns for students, staff, and faculty. Learning outcomes for these programs include that participants will be able to:

- Identify Sexual Assault, Domestic Violence, Dating Violence, and Stalking as prohibited conduct;
- Define Sexual Assault, Domestic Violence, Dating Violence, and Stalking under SAIC’s Policy and under Illinois law;
- Define behavior that constitutes consent to sexual activity under Illinois law;
- Provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking against a person other than the bystander;
- Provide information on risk reduction so that students, staff and faculty may recognize warning signs of abusive behavior and how to avoid potential attacks;
- Provide an overview of information contained in the Annual Security Report in compliance with the Clery Act.

SAIC has developed an annual educational campaign consisting of presentations that include: New Student Orientation, New Employee Orientation, New Faculty Orientation, Communication Program (to include signage, brochures, and email), Campus Security Authority Training, Investigator/Adjudicator Training, Web-based Manager Training, and Security Officer Training.

In addition, AIC, by means of this Policy, provides written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to those who have experienced Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, both within AIC and in the community. See Section VII, Resources.

## **X. Orders of Protection**

Orders of protection (also referred to as restraining orders) are legal orders, put in place by a judge, that restrict or limit the amount of contact a person can have with another person.

AIC takes all existing orders of protection seriously.

If you have an order of protection, protecting you from someone else, we ask that you please inform Campus Security so that they have it on record. This will help SAIC in case there is an issue with the offender. To do so, please email Campus Security, [campussecurity@saic.edu](mailto:campussecurity@saic.edu).

If you are having an issue with a person, Campus Security can help explain the process for obtaining an order of protection.

For more information on obtaining an order of protection, please visit this website:

[https://womenslaw.org/laws\\_state\\_type.php?id=509&state\\_code=IL&open\\_id=11067](https://womenslaw.org/laws_state_type.php?id=509&state_code=IL&open_id=11067)

## **XI. Applicable Illinois State Law**

Under the Violence Against Women Reauthorization Act of 2013, AIC is required to provide the following information about applicable Illinois State law.

**Definition of “Consent” to Sexual Act:** In the Illinois law addressing criminal sexual assault, “consent” is defined as:

- "Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.
- "Unable to give knowing consent" includes when the accused administers any intoxicating or anesthetic substance, or any controlled substance causing the victim to become unconscious of the nature of the act and this condition was known, or reasonably should have been known by the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:
  - (1) was unconscious or asleep;
  - (2) was not aware, knowing, perceiving, or cognizant that the act occurred;
  - (3) was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact; or
  - (4) was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

720 ILCS 5/11-0.1

(Source: P.A. 102-567, eff. 1-1-22.) For more information, please visit this website:

<https://ilga.gov/legislation/ilcs/ilcs4.asp?DocName=072000050HArt%2E+11+Subdiv%2E+1&ActID=1876&ChapterID=53&SeqStart=14500000&SeqEnd=14700000>

The law also states:

- “A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.”

720 ILCS 5/11---1.70(c)

(Source: P.A. 102-567, eff. 1-1-22.) For more information, please visit this website:

<https://www.ilga.gov/legislation/ilcs/documents/072000050K11-1.70.htm>

### **Definition of “Domestic Violence”**

In the Illinois Domestic Violence Act of 1986 <https://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2100&ChapterID=59>, “domestic violence” is defined as “Abuse”:

“Abuse” means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.

“Domestic violence” means abuse as defined in paragraph (1).

750 ILCS 60/103, Sections (1) and (3).

(Source: P.A. 96---1551, eff. 7---1---11; 97---1150, eff. 1---25---13.)

There is no definition for the term “Dating Violence” in our local jurisdiction.

### **Illinois Stalking Statutes**

#### **Stalking, 720 ILCS 5/12-7.3:**

<https://www.ilga.gov/legislation/ilcs/documents/072000050K12-7.3.htm>

(a) A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to:

1. fear for his or her safety or the safety of a third person; or
2. suffer other emotional distress.

(a-3) A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and:

1. at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or
2. places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.

(a-5) A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion:

1. follows that same person or places that same person under surveillance; and
2. transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.

(a-7) A person commits stalking when he or she knowingly makes threats that are a part of a course of conduct and is aware of the threatening nature of his or her speech.

(b) Sentence. Stalking is a Class 4 felony; a second or subsequent conviction is a Class 3 felony.

(c) Definitions. For purposes of this Section:

3. "Course of conduct" means 2 or more acts, including but not limited to acts in which a defendant directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, engages in other non-consensual contact, or interferes with or damages a person's property or pet. A course of conduct may include contact via electronic communications.
4. "Electronic communication" means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system. "Electronic communication" includes transmissions by a computer through the Internet to another computer.
5. "Emotional distress" means significant mental suffering, anxiety or alarm.
6. "Family member" means a parent, grandparent, brother, sister, or child, whether by whole blood, half-blood, or adoption and includes a step-grandparent, step-parent, step-brother, step-sister or step-child. "Family member" also means any other person who regularly resides in the household, or who, within the prior 6 months, regularly resided in the household.
7. "Follows another person" means (i) to move in relative proximity to a person as that person moves from place to place or (ii) to remain in relative proximity to a person who is stationary or whose movements are confined to a small area. "Follows another person" does not include a following within the residence of the defendant.
8. "Non-consensual contact" means any contact with the victim that is initiated or continued without the victim's consent, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim.
9. "Places a person under surveillance" means: (1) remaining present outside the person's school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or (2) placing an electronic tracking device on the person or the person's property.
10. "Reasonable person" means a person in the victim's situation.
11. "Transmits a threat" means a verbal or written threat or a threat implied by a pattern of conduct or a combination of verbal or written statements or conduct.

(d) Exemptions.

1. This Section does not apply to any individual or organization (i) monitoring or attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements, or (ii) picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute, including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements.
2. This Section does not apply to an exercise of the right to free speech or assembly that is otherwise lawful.
3. Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.

(d-5) The incarceration of a person in a penal institution who commits the course of conduct or transmits a threat is not a bar to prosecution under this Section.

(d-10) A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code, is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.

(Source: P.A. 102-547, eff. 1-1-22.)

**Aggravated stalking, 720 ILCS 5/12-7.4:**

<https://ilga.gov/legislation/ilcs/documents/072000050K12-7.4.htm>

(a) A person commits aggravated stalking when he or she commits stalking and:

1. causes bodily harm to the victim;
2. confines or restrains the victim; or
3. violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986.

(a-1) A person commits aggravated stalking when he or she is required to register under the Sex Offender Registration Act or has been previously required to register under that Act and commits the offense of stalking when the victim of the stalking is also the victim of the offense for which the sex offender is required to register under the Sex Offender Registration Act or a family member of the victim.

(b) Sentence. Aggravated stalking is a Class 3 felony; a second or subsequent conviction is a Class 2 felony.

(c) Exemptions.

1. This Section does not apply to any individual or organization (i) monitoring or attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements, or (ii) picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the managing or maintenance of collective bargaining agreements, and the terms to be included in those agreements.
2. This Section does not apply to an exercise of the right of free speech or assembly that is otherwise lawful.

Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.

(d) A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code, is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.

(Source: P.A. 96-686, eff. 1-1-10; 96-1551, eff. 7-1-11; 97-311, eff. 8-11-11; 97-468, eff. 1-1-12; 97-1109, eff. 1-1-13.)

**Cyberstalking, 720 ILCS 5/12-7.5:**

<https://www.ilga.gov/legislation/ilcs/documents/072000050K12-7.5.htm>

(a) A person commits cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person, and he or she knows or should know that would cause a reasonable person to:

1. fear for his or her safety or the safety of a third person; or
2. suffer other emotional distress.

(a-3) A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and:

1. at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; or
2. places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or
3. at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.

(a-4) A person commits cyberstalking when he or she knowingly, surreptitiously, and without lawful justification, installs or otherwise places electronic monitoring software or spyware on an electronic communication device as a means to harass another person and:

1. at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person;
2. places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or
3. at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.

For purposes of this Section, an installation or placement is not surreptitious if:

1. with respect to electronic software, hardware, or computer applications, clear notice regarding the use of the specific type of tracking software or spyware is provided by the installer in advance to the owners and primary users of the electronic software, hardware, or computer application; or
2. written or electronic consent of all owners and primary users of the electronic software, hardware, or computer application on which the tracking software or spyware will be installed has been sought and obtained through a mechanism that does not seek to obtain any other approvals or acknowledgement from the owners and primary users.

(a-5) A person commits cyberstalking when he or she, knowingly and without lawful justification, creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours, and which contains statements harassing another person and:

1. which communicates a threat of immediate or future bodily harm, sexual assault, confinement, or restraint, where the threat is directed towards that person or a family member of that person, or
2. which places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint, or
3. which knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.

(b) Sentence. Cyberstalking is a Class 4 felony; a second or subsequent conviction is a Class 3 felony.

(c) For purposes of this Section:

1. "Course of conduct" means 2 or more acts, including but not limited to acts in which a defendant directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, engages in other non-consensual contact, or interferes with or damages a person's property or pet. The incarceration in a penal institution of a person who commits the course of conduct is not a bar to prosecution under this Section.
2. "Electronic communication" means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system. "Electronic communication" includes transmissions through an electronic device including, but not limited to, a telephone, cellular phone, computer, or pager, which communication includes, but is not limited to, e-mail, instant message, text message, or voice mail.

2-1 "Electronic communication device" means an electronic device, including, but not limited to, a wireless telephone, personal digital assistant, or a portable or mobile computer.

2-2 "Electronic monitoring software or spyware" means software or an application that surreptitiously tracks computer activity on a device and records and transmits the information to third parties with the intent to cause injury or harm. For the purposes of this paragraph (2.2), "intent to cause injury or harm" does not include activities carried out in furtherance of the prevention of fraud or crime or of protecting the security of networks, online services, applications, software, other computer programs, users, or electronic communication devices or similar devices.



3. "Emotional distress" means significant mental suffering, anxiety or alarm.
4. "Harass" means to engage in a knowing and willful course of conduct directed at a specific person that alarms, torments, or terrorizes that person.
5. "Non-consensual contact" means any contact with the victim that is initiated or continued without the victim's consent, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim.
6. "Reasonable person" means a person in the victim's circumstances, with the victim's knowledge of the defendant and the defendant's prior acts.
7. "Third party" means any person other than the person violating these provisions and the person or persons towards whom the violator's actions are directed.

(d) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.

(e) A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code, is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.

(f) It is not a violation of this Section to:

1. provide, protect, maintain, update, or upgrade networks, online services, applications, software, other computer programs, electronic communication devices, or similar devices under the terms of use applicable to those networks, services, applications, software, programs, or devices;
2. interfere with or prohibit terms or conditions in a contract or license related to networks, online services, applications, software, other computer programs, electronic communication devices, or similar devices; or
3. create any liability by reason of terms or conditions adopted, or technical measures implemented, to prevent the transmission of unsolicited electronic mail or communications.

(Source: P.A. 100-166, eff. 1-1-18.)

## **Illinois Criminal Sexual Assault Statutes**

### **Criminal Sexual Assault. 720 ILCS 5/11-1.20**

<https://www.ilga.gov/legislation/ilcs/ilcs4.asp?ActID=1876&SeqStart=14900000&SeqEnd=16400000>

(a) A person commits criminal sexual assault if that person commits an act of sexual penetration and:

1. uses force or threat of force;
2. knows that the victim is unable to understand the nature of the act or is unable to give knowing consent;
3. is a family member of the victim, and the victim is under 18 years of age; or
4. is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

(b) Sentence.

1. Criminal sexual assault is a Class 1 felony, except that:
  - a. A person who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of criminal sexual assault or the offense of exploitation of a child, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of criminal sexual assault or to the offense of exploitation of a child, commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 30 years and not more than 60 years, except that if the person is under the age of 18 years at the time of the offense, he or she shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (A) to apply.
  - b. A person who has attained the age of 18 years at the time of the commission of the offense and who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (B) to apply. An offender under the age of 18 years at the time of the commission of the offense covered by this subparagraph (B) shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections.
  - c. A second or subsequent conviction for a violation of paragraph (a)(3) or (a)(4) or under any similar statute of this State or any other state for any offense involving criminal sexual assault that is substantially equivalent to or more serious than the sexual assault prohibited under paragraph (a)(3) or (a)(4) is a Class X felony.

(Source: P.A. 99-69, eff. 1-1-16.)

**Aggravated Criminal Sexual Assault. 720 ILCS 5/11-1.30**

<https://www.ilga.gov/legislation/ilcs/documents/072000050K11-1.30.htm>

(a) A person commits aggravated criminal sexual assault if that person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense:

1. the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
2. the person causes bodily harm to the victim, except as provided in paragraph (10);
3. the person acts in a manner that threatens or endangers the life of the victim or any other person;
4. the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony;

5. the victim is 60 years of age or older;
6. the victim is a person with a physical disability;
7. the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes;
8. the person is armed with a firearm;
9. the person personally discharges a firearm during the commission of the offense; or
10. the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.

(b) A person commits aggravated criminal sexual assault if that person is under 17 years of age and: (i) commits an act of sexual penetration with a victim who is under 9 years of age; or (ii) commits an act of sexual penetration with a victim who is under 9 years of age; or (ii) commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act.

(c) A person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is a person with a severe or profound intellectual disability.

(d) Sentence.

1. Aggravated criminal sexual assault in violation of paragraph (2), (3), (4), (5), (6), or (7) of subsection (a) or in violation of subsection (b) or (c) is a Class X felony. A violation of subsection (a)(1) is a Class X felony for which 10 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(8) is a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(9) is a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(10) is a Class X felony for which 25 years or up to a term of natural life imprisonment shall be added to the term of imprisonment imposed by the court. An offender under the age of 18 years at the time of the commission of aggravated criminal sexual assault in violation of paragraphs (1) through (10) of subsection (a) shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections.
2. A person who has attained the age of 18 years at the time of the commission of the offense and who is convicted of a second or subsequent offense of aggravated criminal sexual assault, or who is convicted of the offense of aggravated criminal sexual assault after having previously been convicted of the offense of criminal sexual assault or the offense of predatory criminal sexual assault of a child, or who is convicted of the offense of aggravated criminal sexual assault after having previously been convicted under the laws of this or any other state of an offense that is substantially equivalent to the offense of criminal sexual assault, the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply. An offender under the age of 18 years at the time of the commission of the offense covered by this paragraph (2) shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections.

(Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15; 99-642, eff. 7-28-16.)

## **22. Sexual Misconduct Under Title IX Policy**

*This policy is effective September 8, 2020 and replaces the previous policy.*

### **I. Statement of Policy**

Consistent with its Non-Discrimination and Equal Employment Opportunity Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX") (see 34 C.F.R. § 106 *et seq.*), the School of the Art Institute of Chicago ("SAIC") prohibits Sexual Misconduct that occurs within its Education Programs and Activities (as defined herein).

As further defined herein, Sexual Misconduct includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

SAIC also prohibits Retaliation (as defined herein) against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

False accusations, made with knowledge that they are false, are prohibited and will be treated as violations of this Policy. An individual who, in good faith, makes a report or complaint that later is not substantiated is not considered to have made a false accusation and, therefore, is not in violation of this Policy. Further, charging an individual with a violation for making a materially false statement in bad faith during a grievance proceeding under this Policy does not constitute retaliation. A determination regarding responsibility, alone, is insufficient to conclude that any party made a materially false statement in bad faith.

### **II. Scope of Policy**

This Policy applies to Sexual Misconduct that occurs within SAIC's Education Programs and Activities, as that term is defined below, and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the SAIC community.

This policy does not apply to Sexual Misconduct that occurs off-campus, in a private setting, and outside the scope of the SAIC's Education Programs and Activities; such Sexual Misconduct may be prohibited by the Rules of Conduct in the Student Handbook, SAIC's Policies Prohibiting Discrimination, Harassment, and Retaliation, the Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence and Stalking and other SAIC policies and standards, as applicable.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this Policy does not apply to Sexual Misconduct that occurs outside the geographic boundaries of the United States, even if the Sexual Misconduct occurs in SAIC's Education Programs and Activities, such as a study abroad program. Sexual Misconduct that occurs outside the geographic boundaries of the United States is governed by the Rules of Conduct in the Student Handbook, SAIC's Policies Prohibiting Discrimination, Harassment, and Retaliation, the Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence and Stalking and other SAIC policies and standards, as applicable.

This Policy addresses conduct that is unwelcome and/or not based on consent. SAIC has an additional, separate policy that applies to consensual romantic or sexual relationships with students. That policy, called the Consensual Romantic or Sexual Relationship Policy is in the Student Handbook and Faculty Dashboard. SAIC also has separate policies that apply to discrimination, harassment, and retaliation. Please see the Discrimination, Harassment, and Retaliation policies in the Student Handbook, Faculty Dashboard, and Employee Guidelines.

### III. Policy Definitions

#### A. Sexual Misconduct, under this Policy, includes the following definitions:

##### i. Sexual Harassment. Conduct on the basis of sex that satisfies one or more of the following:

- An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to SAIC's Education Programs and Activities.

##### ii. Sexual Assault. Conduct that includes Sexual Intercourse Without Consent, Sexual Contact Without Consent, Incest, and Statutory Rape.

- Sexual Intercourse Without Consent means having or attempting to have sexual intercourse with another individual without Affirmative Consent, as defined below. Sexual intercourse means vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.
- Sexual Contact Without Consent means the touching of the person's breasts, anal, groin or genital areas for the purpose of sexual gratification without Affirmative Consent, as defined below.
- Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

##### iii. Affirmative Consent

Consent represents the cornerstone of a respectful and healthy intimate relationship. SAIC strongly encourages its community members to communicate – openly, honestly and clearly– about their wishes and intentions when it comes to sexual behavior, and to do so before engaging in sexual conduct.

Consent is the communication of an affirmative, conscious, and freely-made decision by each participant to engage in agreed upon forms of sexual contact. Consent requires an outward demonstration, through understandable words or actions that conveys a clear willingness to engage in sexual contact.

Consent is not to be inferred from silence, passivity, or a lack of resistance, and relying on non-verbal communication alone may result in a violation of this Policy. For example, a person who does not physically resist or verbally refuse sexual contact may not necessarily be giving consent. There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation of this Policy.

Consent is not to be inferred from a current or previous dating or sexual relationship. Even in the context of a relationship, there must be mutual consent to engage in sexual contact.

Consent to one form of sexual contact does not constitute consent to any other form of sexual contact, nor does consent to sexual contact with one person constitute consent to sexual contact with any other person. Additionally, consent to sexual contact on one occasion is not consent to engage in sexual contact on another occasion. A person's manner of dress does not constitute consent.

A person who has given consent to engage in sexual contact may withdraw consent at any time. However, withdrawal of consent requires an outward demonstration, through understandable words or actions that clearly conveys that the person is no longer willing to engage in sexual contact. Once consent is withdrawn, the sexual contact must cease immediately.

Consent cannot be obtained by coercion or force or by taking advantage of a person's inability to give consent because of Incapacitation or other circumstances. Under Illinois law, a person must be at least 17 years old in order to give consent to Sexual Intercourse. It is also illegal in Illinois for a person 17 years old or older to commit sexual acts on or with a person under the age of 18 if they have a position of authority or trust over that person.

#### **iv. Incapacitation**

An individual who is incapacitated is unable to give Affirmative Consent. States of Incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact.

Alcohol or drug use is one of the prime causes of Incapacitation. Where alcohol or drug use is involved, Incapacitation is a state beyond intoxication, impairment in judgment, or "drunkenness." Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is Incapacitated, and therefore unable to give Affirmative Consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of sexual contact;
- Appraising the nature of one's own conduct;
- Communicating Affirmative Consent to sexual contact; or
- Communicating unwillingness to engage in sexual contact.

Where an individual's level of impairment does not rise to Incapacitation, it is still necessary to evaluate the impact of intoxication from drug or alcohol use on Affirmative Consent. In evaluating whether Affirmative Consent was sought or given, the following factors may be relevant:

- Intoxication may impact one's ability to give Affirmative Consent and may lead to Incapacitation (the inability to give Affirmative Consent).
- A person's level of intoxication is not always demonstrated by objective signs; however, some signs of intoxication may include difficulty walking, poor judgment, difficulty communicating, slurred speech, or vomiting.
- An individual's level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass, and metabolism.
- No matter the level of an individual's intoxication, if that individual has not affirmatively agreed to engage in sexual contact, there is no Affirmative Consent.

Anyone engaging in sexual contact must be aware of both their own and the other person's level of intoxication and capacity to give Affirmative Consent. The use of alcohol or drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. If there is any doubt as to the level or extent of one's own or the other individual's intoxication or Incapacitation, the safest course of action is to forgo or cease any sexual contact. An individual's intoxication is never an excuse for or a defense to committing Sexual Assault and it does not diminish one's responsibility to obtain Affirmative Consent.

**v. Domestic Violence.** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Illinois, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Illinois.

**vi. Dating Violence.** Violence committed by a person who is or has been in a relationship of a romantic or intimate nature with the other person. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence of such a relationship shall take into account the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**vii. Stalking.** A course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to fear for their safety (or the safety of a third party) or suffer emotional distress.

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **B. Other Policy Definitions.**

**i. Retaliation.** Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

**ii. Designated Officials.** Designated Officials are those officials who have the authority to institute corrective action and are required to inform the Title IX Director of reports of Sexual Misconduct. These individuals are the Vice President and Dean of Student of Affairs, Provost and Senior Vice President of Academic Affairs, Dean of Faculty, Chief Human Resources Officer, and President.

**iii. Education Programs and Activities.** All the operations of SAIC, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, residence life, dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by SAIC. It also includes off-campus locations, events, or circumstances over which SAIC exercises substantial control over the Respondent and the context in which the Sexual Misconduct occurs. This Policy does not apply to conduct that occurred in a private, off-campus location and is not a part of SAIC's Education Programs and Activities.

**iv. Formal Complaint.** A Formal Complaint is a signed document filed by the Complainant or signed by the Title IX Director alleging Sexual Misconduct as defined under this Policy against Respondent(s) and requesting an investigation of the allegation of Sexual Misconduct under this Policy. Only a Complainant or the Title IX Director may file a Formal Complaint.

**v. Complainant.** The person who is alleged to have experienced the conduct that could constitute Sexual Misconduct will be referred to as the "Complainant."

**vi. Respondent.** The person who is the subject of the Formal Complaint and alleged to have violated the Policy will be referred to as the "Respondent."

**vii. Appeal Reviewer.** An SAIC administrator responsible for reviewing and determining the outcome of appeal(s) filed by the Complainant or Respondent.

#### IV. Reporting Obligations

All SAIC staff (excluding Confidential Resources), SAIC student Teaching Assistants and Resident Advisors, and volunteers are required to report incidents or allegations of Sexual Misconduct to the Title IX Director. This allows SAIC to provide resources, options, and rights to those who have reported they have experienced Sexual Misconduct and those who are the subject of the report. This allows for SAIC to take consistent action to respond to reports of such conduct. In these circumstances, SAIC is committed to maintain privacy. SAIC does not publicize the name of crime victims nor does it include identifiable information in Campus Security's Daily Crime Log. Please see Annual Security Report at [https://www.saic.edu/sites/default/files/security\\_fire\\_safety\\_report.pdf](https://www.saic.edu/sites/default/files/security_fire_safety_report.pdf).

#### V. Confidentiality vs. Privacy

When making a choice about how to get help, it is important to understand the difference between seeking confidential assistance through Confidential Resources and making a report to SAIC. Making a report to SAIC means that the report, while handled with privacy, will be shared with other administrators, and will lead to further actions to respond appropriately as outlined in this Policy.

Different employees on campus have different abilities to maintain confidentiality. Most SAIC community members, including faculty and staff members, cannot maintain confidentiality because of reporting obligations. In these circumstances, SAIC is committed to maintain the privacy of the information shared. The terms "confidentiality" and "privacy" are defined below.

**Confidentiality**, as used in this Policy, refers to a legal obligation not to disclose information without the express written permission of the individual who provided the information, with certain exceptions, such as if there is a continuing threat of serious harm to self or others or another legal obligation to reveal such information (e.g., where there is suspected sexual abuse or neglect of a minor). Only the professional counselors in SAIC's Counseling Services, the nurses in Health Services, and the Confidential Advisor ("Confidential Resources") can maintain confidentiality. These Confidential Resources are available only to students. The Confidential Resources provide support to students who have experienced Sexual Misconduct. Confidential Resources (excluding the Confidential Advisor) also provide support to students who are the subject of a report alleging Sexual Misconduct. Confidential Resources are not required to report information to the Title IX Director. The Confidential Resources will not report to the Title IX Director any personally identifiable information about a student; however, they will provide aggregate data about incidents of Sexual Misconduct to the Title IX Director.

Various off-campus resources available to anyone, such as counselors, advocates, and health care providers, will also generally maintain confidentiality and not share information with SAIC unless the individual providing the information requests disclosure and signs a consent form. The Employee Assistance Program (800.311.4327), which is available to faculty and staff, is considered a confidential off-campus resource even though it is paid for by SAIC.

**Privacy** generally means that information related to a report will be shared only with those employees who "need to know" in order to assist in the review, investigation, or resolution of a report. While not bound by confidentiality, individuals who receive private information will be discreet and do their best to respect the privacy of all individuals involved in the process. If an investigation is required, the information may also be shared with the alleged offender or others as required to conduct a complete and fair investigation. Although SAIC manages private information with discretion, it is not possible to maintain confidentiality for any information other than information provided to the Confidential Resources as noted in the definition of *Confidentiality* provided above.



## VI. Making a Report

Reports can be made in person to the individuals listed below under “Making a Report” or electronically. Electronic reports may be submitted anonymously at the reporter’s option at <https://www.saic.edu/life-at-saic/stop-sexual-violence/make-a-report>.

### For All Community Members

#### SAIC Campus Security

312-899-1230

Available 24 hours a day, seven days a week

#### Robert Babcock, Ed. D.

Title IX Director

116. S. Michigan Ave., 12th floor

Chicago, IL 60603

312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

#### Verron Fischer

Deputy Title IX Director

116 S. Michigan Ave., 12th floor

Chicago, IL 60603

312.499.3904 | [title9@saic.edu](mailto:title9@saic.edu)

### For Students

#### Robert Babcock, Ed. D.

Title IX Director

116. S. Michigan Ave., 12th floor

Chicago, IL 60603

312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

#### Verron Fischer

Deputy Title IX Director

116 S. Michigan Ave., 12th floor

Chicago, IL 60603

312.499.3904 | [title9@saic.edu](mailto:title9@saic.edu)

*After business hours, students may contact the Dean on Call, who is a staff member in the Office of Student Affairs who has received training in responding to reports of Sexual Misconduct. A Dean on Call is available 24 hours a day. You can reach them by contacting Campus Security at 312.899.1230 and asking for the Dean on Call.*

### For Faculty

#### Robert Babcock, Ed. D.

Title IX Director

116. S. Michigan Ave., 12th floor

Chicago, IL 60603

312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

#### Adam Mack

Faculty Liaison

112 S. Michigan Ave

Chicago IL 60603

312.345.3757 | [amack1@saic.edu](mailto:amack1@saic.edu)

### For Staff & Visitors

#### Robert Babcock, Ed. D.

Title IX Director

116. S. Michigan Ave., 12th floor

Chicago, IL 60603

312.499.4165 | [title9@saic.edu](mailto:title9@saic.edu)

#### Alan Hooker

Employee Relations and Training Manager

116 S. Michigan Ave., 12th floor

Chicago, IL 60603

312.629.3385 | [ahooker@artic.edu](mailto:ahooker@artic.edu)

#### Timeka Young

Employee Relations and Training Manager

116 S. Michigan Ave., 12th Floor

Chicago, IL 60603

312.629.3378 | [tyoung6@artic.edu](mailto:tyoung6@artic.edu)

## VII. Intake & Supportive Measures

Upon receiving a report of Sexual Misconduct, the Title IX Office will determine the identity of the alleged victim of the reported Sexual Misconduct (who may be the reporting party) and provide that individual information about rights, options, and resources, which include supportive measures and the process for filing a Formal Complaint. Upon receiving a report, the Title IX Office will arrange for supportive measures if the individual requests them and they are reasonably available.

Supportive measures are designed to restore and preserve equal access to SAIC's Education Programs and Activities. Examples of supportive measures include: mutual no contact instructions, changes to academic or work schedules such as extension of deadlines or other course-related adjustments, leaves of absence, or housing, counseling services, campus escort services, and increased security and monitoring of certain areas of the campus. Although supportive measures are not punitive or disciplinary in nature, they may impose a burden, albeit a reasonable one, on a member or members of SAIC's community. SAIC will maintain as private any supportive measures provided to an individual, except as necessary to provide the supportive measure; for example, both individuals would be informed of a mutual no contact instruction. Supportive measures are available to both the individual making a report and the individual who is the subject of a report; and they are available before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. The Title IX Office also reassesses the availability and implementation of supportive measures on an ongoing basis.

## VIII. Formal Complaint

1. *Formal Complaint.* A Formal Complaint is a document filed by the Complainant, who experienced the alleged Sexual Misconduct, or signed by the Title IX Director alleging Sexual Misconduct (as defined herein) against Respondent(s), and requesting an investigation of the allegation of Sexual Misconduct under this Policy. Only a Complainant or the Title IX Director may file a Formal Complaint.

A Complainant may file a Formal Complaint with the Title IX Director in person, by mail, or by electronic mail, provided that the document or electronic submission contains the Complainant's physical or digital signature or otherwise indicates that the Complainant is the person filing the Formal Complaint. At the time of filing, a Complainant must be participating in or attempting to participate in SAIC's Education Programs and Activities with which the Formal Complaint is filed.

The Title IX Director has discretion to initiate a Formal Complaint when the Title IX Director believes that, with or without a Complainant's participation, an investigation is required. The Title IX Director, in deciding whether to sign a Formal Complaint, may consider a variety of factors, including a pattern of alleged misconduct by a Respondent, violence involved, use of weapons, minor involved, or similar factors. The Title IX Director's decision to sign a Formal Complaint includes taking into account the wishes of the person who reported experiencing Sexual Misconduct regarding how SAIC should respond to their report; to this end, the Title IX Director will seek to contact that person to discuss the availability of supportive measures, consider that person's wishes with respect to supportive measures, and explain the process for filing a Formal Complaint. Where a Title IX Director signs a Formal Complaint, the Title IX Director is not a Complainant or otherwise a party.

The Title IX Director has discretion to consolidate Formal Complaints in situations that arise out of the same facts or circumstances and involve more than one Complainant, more than one Respondent, or allegations between the Complainant and Respondent.

2. *Notice of Formal Complaint.* Upon receipt of a Formal Complaint, the Title IX Director will provide written notice to the Complainant(s) and the Respondent(s) that includes:

- a. Notice of the allegations of Sexual Misconduct under Title IX, as defined above, including the conduct allegedly constituting Sexual Misconduct under Title IX, the identity of the individuals involved in the incident, if known, and the date and location of the incident, if known.
- b. Notice of SAIC's grievance process, including any informal resolution process.
- c. A statement that the Respondent(s) is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- d. Information regarding the role of advisors in the grievance process.
- e. Information regarding the prohibition on knowingly making false statements.

If, in the course of an investigation, the Title IX Director determines that additional allegations, that were not in the Notice, will be investigated, the Title IX Director will provide a supplemental notice of those allegations to all known Complainant(s) and Respondent(s).

3. *Assessment of Formal Complaint.* The Title IX Director, upon receipt of a Formal Complaint and throughout the investigation, will assess the information presented to determine whether:
  - a. the Complainant in a Formal Complaint (i) experienced the conduct reported while in the United States and (ii) is participating or attempting to participate in a program or activity of SAIC at the time the Formal Complaint was made; and
  - b. the alleged conduct occurred in SAIC's Education Programs and Activities.

If, at any point, the Title IX Director determines that these requirements are not met, the Title IX Director will proceed with a Dismissal of Formal Complaint, as set forth below.

In addition, if the Title IX Director determines that the conduct alleged, even if substantiated, would not constitute Sexual Misconduct under Title IX (see "III. Policy Definitions"), then the Title IX Director will proceed with a Dismissal of Formal Complaint, as set forth below.

4. *Dismissal of Formal Complaint*

(1) *Mandatory Dismissal:* If the conduct alleged in the Formal Complaint, even if substantiated, would not constitute Sexual Misconduct, did not occur in SAIC's education program or activity, or did not occur against a person in the United States, then the Title IX Director will dismiss the Formal Complaint with regard to that conduct for purposes of Sexual Misconduct under Title IX. This dismissal does not preclude action under another SAIC policy.

(2) *Discretionary Dismissal:* The Title IX Director may dismiss a Formal Complaint or any allegations in the Formal Complaint, if at any time during the investigation or hearing, a Complainant notifies the Title IX Director, in writing, that the Complainant would like to withdraw the Formal Complaint or any allegations in the Formal Complaint; the Respondent is no longer enrolled or employed by SAIC; or specific circumstances prevent gathering information sufficient to reach a determination as to the Formal Complaint or allegations in the Formal Complaint.

Upon a mandatory or discretionary dismissal, the Title IX Director will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the Complainant and Respondent. In addition, in the written notice of a dismissal or a subsequent written notice, the Title IX Director will inform the Complainant and the Respondent if the conduct will be reviewed under another SAIC policy.

5. *Dismissal Appeal.* Both parties may appeal a dismissal within five (5) business days after receiving notice of the dismissal. An appeal must be made in writing, must be submitted to the Appeal Reviewer, and must state the basis for appeal. The appeal procedures and bases for appeal are outlined in “28. Appeal” and “29. Notice of Appeal” below.
6. *Notice of Meetings.* The Title IX Office will provide written notice to Complainant(s) and/or Respondent(s) of any meeting where their participation is invited or expected, including the date, time, location, purpose, and participants in the meeting, including investigative interviews, hearings, or other meetings.
7. *Emergency Removal & Administrative Leave.*
  - a. Students. Students may be removed on a temporary basis only if: (1) an individualized safety and risk analysis conducted by SAIC administrators determines that an immediate threat to physical health or safety of any student or other individual arising from the alleged Sexual Misconduct justifies removal, and (2) the student is given immediate written notice by the Title IX Office and opportunity to contest the removal. The student may contest the removal by providing written notice to the Title IX Director outlining the basis for contesting the temporary removal within five (5) business days of receiving written notice of temporary removal.
  - b. Faculty and staff. Faculty and staff may be placed on administrative leave or suspension pending an investigation and/or resolution of a Formal Complaint or informal resolution.
  - c. For all other Respondents. SAIC retains broad discretion to prohibit individuals (including contractors, guests, and visitors) from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Misconduct or otherwise.
  - d. Other policies and standards implicated. Where the conduct referenced in a Formal Complaint could constitute a violation of some other applicable institutional policy or standard, irrespective of whether it constitutes Sexual Misconduct under this policy, SAIC retains full discretion to take interim measures under other applicable policies or standards.
8. *Conflict of Interest.*
  - a. The Title IX Director, investigator, decision maker(s), or any person designated by SAIC to facilitate a resolution process, must not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent. The Complainant and Respondent will be given simultaneous, prior notice of the individual(s) who will investigate a Formal Complaint, who will be the decision maker(s), and, if the Complainant and Respondent voluntarily seek to engage in informal resolution, the facilitator of such informal resolution. Within twenty-four (24) hours of receiving notice of such individual(s), the Complainant and/or the Respondent shall notify the Title IX Director or designee if they believe that any of those individuals has a conflict of interest. The notification shall include the basis of the alleged conflict. The Title IX Director or designee shall review the alleged conflict, and determine whether the alleged conflict disqualifies that individual. If an individual is disqualified, the Title IX Director or designee will select a substitute and the process for identifying conflicts set forth above shall be followed for any such additional individuals.
  - b. An individual will be considered to have a conflict of interest in the event of a circumstance that would prevent them from being impartial in their review of the Formal Complaint. Factors that may be relevant, include if their actions are the subject of the Formal Complaint or if they have relevant information regarding the factual allegations in the Formal Complaint. In addition, if an individual has a potential conflict of interest with the Complainant(s) or the Respondent(s) (e.g., because of familial, intimate, financial, business or other relationship), they should not serve as the Title IX Director, investigator, decision maker(s), or any person designated by SAIC to facilitate a resolution process. Whether bias exists requires an examination of the particular facts and circumstances of a situation and does not rest on generalizations.

9. *Presumption of Not Responsible.* A Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
10. *Time Frame.* SAIC will endeavor to complete an informal resolution or investigation and resolution of a Formal Complaint of Sexual Misconduct as promptly as possible. As a general matter, SAIC strives to complete its investigation, resolution, and appeal within ninety (90) calendar days. However, the time frame for any Formal Complaint may be extended for good cause such as: absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The Title IX Director will provide simultaneous written notice to the Complainant and the Respondent of any extensions.
11. *Advisor.* During any investigation of a Formal Complaint, the Complainant and Respondent have a right to be accompanied by an advisor of their choice to any related meeting or grievance process. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. The advisor's role can include helping the Complainant(s) or Respondent(s) prepare their statements (whether written or oral), advising on the procedural aspects of the matter, and being a nonparticipating supporter at any meeting which may occur. Complainant(s) and Respondent(s) must speak for themselves and present their own cases; while the party may consult with the advisor, the advisor may not present information or make statements or arguments during any meetings which may occur, with the sole exception of conducting cross-examination at the hearing. Only the advisor for a Complainant or a Respondent may conduct cross-examination in the hearing. Finally, the advisor may only be present when the person that they are advising is also present. If either the Complainant or the Respondent intends to bring an advisor to any meeting, then, in advance of the meeting, the party must notify the Title IX Director in writing of the advisor's name, occupation, relationship to the party, and relationship to SAIC, if any.
12. *Investigation of Formal Complaint.* The Title IX Director will designate an investigator ("Investigator"), generally a member of their staff, to investigate the Formal Complaint. The Investigator is responsible for ensuring that the investigation is prompt, thorough, and fair.
  - a. *Gathering Information.* SAIC is responsible for performing the investigation and gathering relevant information. During the investigation, the Investigator will offer both the Complainant and the Respondent an equal opportunity to identify individuals who may have relevant information, including fact and expert witnesses, and other information that they believe is relevant to show responsibility or that exculpates the Respondent from responsibility. The Investigator may also meet with and/or gather information from other individuals who may have relevant information. All relevant information gathered during the course of the investigation will be included in an investigative report.
  - b. *Right to Review & Inspect Information Gathered in Investigation.* The Investigator will provide both the Complainant(s) and the Respondent(s) with an equal opportunity to inspect and review any information obtained by the Investigator as part of the investigation that is directly related to the allegations raised in the Formal Complaint. This includes both information that SAIC does not intend to rely on in reaching its decision as well as information relevant to show responsibility or that exculpates the Respondent from responsibility. Prior to completion of the investigative report, the Investigator will send to the Complainant(s) and the Respondent(s) and their respective advisors, if any, the information subject to inspection and review in an electronic format or a hard copy. The parties and their respective advisors will maintain the confidentiality of the investigative report. The Complainant(s) and the Respondent(s) will be given ten (10) calendar days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
  - c. *Right to Review Investigative Report.* At least ten (10) calendar days prior to a hearing, the Investigator will send the investigative report to the Complainant(s) and the Respondent(s) and their respective advisors, if any, in an electronic format or a hard copy, for their review and written response. Any written response to the final investigative report must be submitted at least three (3) calendar days prior to the hearing. Written responses to the final investigative report will be shared simultaneously with the parties and their respective advisors.

d. *Investigation Information Available at Hearing.* The Investigator will make such information available to the Complainant(s) and the Respondent(s) and their respective advisors for inspection and review at any hearing to give each an equal opportunity to refer to such information during the hearing, including for purposes of cross-examination.

13. *Educational Rather Than Judicial Setting.* A Formal Complaint sets in motion a process that will occur in an educational rather than a judicial setting. The hearing shall be private and will not require application of legal rules, such as rules of evidence, that govern a civil or criminal case or other judicial or quasi-judicial proceedings. In addition, as this is an educational process, not a judicial one, neither the Complainant(s) nor the Respondent(s) can depose parties or witnesses or invoke a court system's subpoena powers to compel parties or witnesses to appear at hearings, which are common features of procedural rules governing litigation and criminal proceedings.

14. *Hearing.* Once the investigation is complete, the Title IX Office will convene a hearing with all parties (Complainant, Respondent, witnesses, and other participants such as advisors and decision maker(s)). The hearing will be arranged to have everyone physically present in the same geographic location or present virtually with technology enabling participants simultaneously to see and hear each other in real time.

a. *Hearing.* The decision maker(s) in, and format of, the hearing may depend on whether the Respondent(s) are student(s), faculty, or staff.

i. If the Respondent is a student, the Vice President and Dean of Student Affairs (VPSA), or designee, will serve as the decision maker. A Student Conduct Board, as described in the Student Conduct Procedures in the Student Handbook, will be convened. The Student Conduct Board consists of representatives from SAIC's administration, faculty, and student body. As the Chair and member of the Student Conduct Board, the VPSA may determine, in their reasonable discretion, that the Student Conduct Board Meeting shall proceed in the absence of a representative from one of those three groups. The Student Conduct Board shall make a recommendation, including any proposed sanctions, and the reasons therefore, to the VPSA. The VPSA shall have final discretion as to the disposition of the case and any sanctions.

ii. If the Respondent is a faculty member, Dean of Faculty and Vice President for Academic Affairs, or designee, will serve as the decision maker.

iii. If the Respondent is a staff member, the Chief Human Resources Officer, or designee, will serve as the decision maker.

b. *Pre-Hearing Review of Investigative Report and Information.* Prior to commencement of the hearing, the decision maker(s) will review the investigative report and a copy of all information transmitted to the parties by the Investigator. This review of materials is provisional and intended to provide background and orientation to the decision maker(s) in planning and conducting the hearing. The decision maker(s) must exclude from consideration in deliberation any information developed during the investigation that is deemed inadmissible at the hearing, including specifically, but not limited to, the statements of any party or witness who refuses to submit to questioning by a party advisor.

c. *Convening of Hearing.* The Title IX Director, designee, will convene the hearing and clearly state for the record the date, time, and location of the hearing; the names of the Complainant and Respondent; the parties present at the hearing; any accommodations that have been provided at the request of a party or in SAIC's discretion; whether all or a portion of the hearing is being conducted virtually; and any other introductory matters that the decision maker deems appropriate.

d. *Recording of Hearing.* The Title IX Director, or designee, will make an audio or audiovisual recording, or transcript, of the hearing available to the parties for inspection and review after the hearing has concluded.

15. *Statements of the Parties.* After convening the hearing, the decision maker(s) will invite the Complainant to provide a statement to the decision maker(s) regarding the events in question and identify and comment on any non-testimonial information the Complainant believes is relevant. After the Complainant has made a statement, or waived the right to make a statement, the Complainant will be subject to questioning by the decision maker(s), followed by questioning from the advisor for the Respondent. After questioning of the Complainant is complete, the decision maker(s) will invite the Respondent to provide a statement to the decision maker(s) regarding the events in question and to identify and comment on any non-testimonial information the Respondent believes is relevant. After the Respondent has made a statement, or waived the right to make a statement, the Respondent will be subject to questioning by the decision maker(s), followed by questioning from the advisor for the Complainant.
16. *Testimony of Witnesses.* After questioning of the parties is complete, witnesses will be called to testify in the order determined by the decision maker(s). Unlike the parties, witnesses will not be invited to make a statement but, instead, will be subject to questioning from the decision maker(s) followed by questioning from each party's advisor commencing first with questioning from the advisor for the Complainant followed by questioning from the advisor for the Respondent.
17. *Cross Examination.* Cross-examination at the hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. Any cross examination is subject to the following rules of decorum and enforced within the discretion of the decision maker(s): (1) cross examination must be conducted in a respectful manner; and (2) engaging in abusive and intimidating behavior such as yelling or badgering is strictly prohibited and is subject to immediate removal from hearing. Further, all parties, advisors, and other persons present at a hearing are required to act professionally, maintain decorum, and abide by the Policy, these procedures, and any other rules specified by the decision maker(s). Any party, advisor, or other person who materially disrupts the proceeding or violates applicable policies, procedures, and rules, may be barred from further participation and/or have their participation limited, as the case may be, by the decision maker(s).
18. *Relevancy.* Before the Complainant, Respondent, or witness answers a cross-examination or other question, the decision maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. In addition to ruling on questions of relevancy, the decision maker(s) may limit cumulative and redundant questioning. The decision maker(s) will make these relevancy determinations by applying logic and common sense and not against a backdrop of legal expertise. Among other things, rules of evidence do not apply to these proceedings.
19. *Advisor During a Hearing.* During a hearing, advisors to the parties must play a passive role in the hearing with the sole exception that advisors are permitted to question parties and witnesses. Advisors are not permitted to speak for their advisee, make objections, present arguments, or engage in any other active role. If the Complainant or Respondent does not have an advisor present at the hearing, SAIC will provide an advisor of their choice, without fee or charge to the Complainant or Respondent, as applicable, to conduct cross-examination on their behalf. As this is an educational process, not a judicial one, there is no requirement that the advisor be an attorney.
20. *Prior Sexual Behavior.* Questions and information about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and information about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and information concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
21. *Privilege.* Questions and information that constitute, or seek disclosure or, information protected under a legally recognized privilege, such as medical records, unless the person holding such privilege has waived the privilege.

22. *Investigation Materials.* After the questioning of witnesses is complete, the decision maker(s) will identify any portion of the information developed during the investigation that the decision maker(s) has determined should be excluded from the hearing record based on rulings made at the pre-hearing conference, during the hearing itself, due to the refusal of a party or witness to submit to questioning by a party advisor, or for any other reason. The decision maker(s) will then provide the parties a final opportunity to raise any additional objections to inclusion of any other portions of the investigation record into evidence and resolve any such objections. All information from the investigation and hearing not specifically excluded by the decision maker(s) shall be deemed admitted into the hearing record and may be considered by the decision maker(s) as part of the deliberation.
23. *Access to and Use of Investigation Information.* During the hearing, the parties and their advisors shall have access to the investigative report and a copy of all information transmitted to the parties by the Investigator. Such information may be utilized in the questioning of witnesses where relevant. Nontestimonial information utilized during the hearing shall be marked and referred to in such a manner as to make it clearly identifiable by audio (i.e., such as sequential marking of "Records")
24. *Closing Statement.* After the questioning of the witnesses is complete, the decision maker(s) will invite the Complainant to make a closing statement. After the Complainant has made a closing statement, or waived the right to make a closing statement, the hearing officer will invite the Respondent to make a closing statement.
25. *Deliberation and Determination.* After closing statements are complete, the decision maker(s) will conclude the hearing and deliberate and render a determination. The decision maker(s)'s determination shall be made on the basis of whether it is more likely than not that the Respondent violated the Policy. The decision maker(s) must provide a written determination to both the Complainant(s) and the Respondent(s) simultaneously. The determination becomes final on either the date that SAIC provides the parties with the result of the appeal, if any, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The determination will include the following:
  - a. Identification of the allegation(s) of Sexual Misconduct;
  - b. Description of the procedural steps taken from the filing of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, methods used to gather other information, and hearings held;
  - c. Findings of fact supporting the determination;
  - d. Conclusions regarding the application of the Sexual Misconduct definitions to the facts;
  - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to SAIC's Programs and Activities will be provided to the Complainant; and
  - f. Appeal bases.



26. *Timing and Extensions.* The decision maker(s) will have discretion to set the overall length of the hearing and may set time limits for statements of the parties, questioning of parties and witnesses, and closing statements. A hearing will not exceed three (3) hours in length absent extraordinary circumstances. Once a hearing is commenced, it will be extended only for good cause as determined by the decision maker(s).

27. *Sanctions.* The decision maker(s) will be responsible for assigning any sanctions if a determination of responsibility is made.

- a. If the Respondent is a student, potential sanctions are set forth in the Student Conduct Procedures section of the Student Handbook under Sanctions.
- b. If the Respondent is a faculty member, potential sanctions may include corrective action ranging from a notation in the Respondent's file, up to and including termination. In cases where the Dean of Faculty and Vice President for Academic Affairs, or designee, determines that termination is the appropriate sanction, they must first advise the President of SAIC. If the President agrees, the faculty member will be terminated immediately, except that faculty members with tenure or whose term appointment has not expired. For those faculty, the matter will proceed in accordance with Section 9.C., AAUP Statements on Academic Due Process Procedures, in the Faculty Handbook Supplement. If the President disagrees with the Dean of Faculty's determination that the Respondent should be terminated, the Dean of Faculty will determine an appropriate alternative sanction.
- c. If the Respondent is a staff member, potential sanctions may include corrective action ranging from a notation in the Respondent's file, up to and including termination.

28. *Appeal.* Either the Complainant or the Respondent may appeal the determination of the decision maker(s) within five (5) business days after receiving notice of the determination. An appeal must be made in writing, must be submitted to the Appeal Reviewer, and must state the basis for appeal. The following are the bases for an appeal:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New information that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. The Title IX Director, investigator(s), or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and/or
- d. One or more reasons why the sanction is disproportionate with the violation.

29. *Notice of Appeal.* If an appeal is made, the Appeal Reviewer, or designee, will notify, in writing, the non-appealing party of the appeal. Both parties have an equal opportunity to submit a written statement in support of, or challenging, the determination or dismissal within three (3) business days after receiving notice of the appeal. The Appeal Reviewer, or designee, will provide simultaneous written notice of the outcome of the appeal(s), including the rationale, to both parties. The Appeal Reviewer, or designee, may undertake any inquiries that they deem appropriate, including but not limited to requesting the Title IX Director's Office to conduct additional investigation. Following their examination of the matter, the Appeal Reviewer, or designee, may grant or deny the appeal or take any action that they deem appropriate. The Appeal Reviewer, or designee, will notify the Complainant and the Respondent simultaneously, in writing, of the decision on the appeal and rationale, any changes to the result, and that the determination is final.

30. *Discretion in Application.* SAIC retains discretion to interpret and apply these procedures in a manner that is not clearly unreasonable, even if SAIC's interpretation or application differs from the interpretation of the parties. Despite SAIC's reasonable efforts to anticipate all eventualities in these procedures, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably be addressed by the express language of these procedures, in which case SAIC retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

## IX. Informal Resolution

In a diverse community, disagreements and conflicts of various degrees of seriousness are inevitable. In many instances, an informal approach can be useful in resolving instances of inappropriate conduct. Problems are sometimes easier to resolve in an informal atmosphere that encourages people to identify the difficulty, talk it out, and agree how to deal with it.

At any time after the Complainant(s) and Respondent(s) are provided written notice of the Formal Complaint, and before the completion of any appeal specified in "28. Appeal" and "29. Notice of Appeal," the Complainant(s) and Respondent(s) may voluntarily consent, with the Title IX Director's approval, to participate in an informal resolution process, the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the Complainant(s) and Respondent(s).

An informal resolution is a flexible approach to resolving disagreements. As a result, there is no fixed format. It can involve a meeting between the two parties to facilitate an informal discussion, arranging to channel communications through a third party if the parties do not want to meet, or some other approach suitable to the circumstances. Informal resolutions may include facilitated mediations.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Director, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Director will transmit a written notice to the parties that: (1) describes the parameters and requirements of the informal resolution process to be utilized, (2) identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Director, another SAIC administrator, or a suitable third-party), (3) explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint, and (4) explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

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

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

If the parties reach a resolution through the informal resolution process, and the Title IX Director agrees that the resolution is not clearly unreasonable, the Title IX Director will document the agreed resolution and present the resolution to the parties for their written signature. Once both parties and the Title IX Director sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by SAIC, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or where required to avoid a manifest injustice to either party or to SAIC. Informal resolution is not subject to appeal.

A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

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

Other language in this section, notwithstanding, an informal resolution will not be permitted in any form if the Respondent is a non-student employee accused of committing Sexual Misconduct against a student.

## X. Resources

SAIC is committed to providing support and resources that are broadly accessible to all SAIC community members.

Anyone who has experienced Sexual Misconduct is urged to immediately seek help. Help includes seeking medical assistance, seeking confidential counseling or crisis response, filing a report with law enforcement, and/or making a report to SAIC. The Title IX Office will help any individual who has experienced Sexual Misconduct, including providing transportation to the hospital, assisting with contacts to law enforcement, and offering information about resources. Although SAIC encourages all members of its community to report any incidents of Sexual Misconduct to the police, the individual who experienced Sexual Misconduct may choose not to make a report to the police.

### Emergency Resources

#### On-Campus Resources

##### SAIC Campus Security

312-899-1230

Available 24/7

Ask to speak to manager on duty

#### Off-Campus Resources

##### Northwestern Memorial Hospital Emergency Department

250 E. Erie St.

312.926.5188

*Hospitals are required to provide a no-cost medical examination for a person who has experienced sexual assault.*

##### Chicago Police Emergency

Call 911

##### Chicago Police Department

1718 South State Street

312.745.4290

### Confidential Resources (Medical/Counseling/Advocacy)

#### On-Campus Resources

##### Confidential Advisor (Students)

Teresa J. Sit

312.499.4271 | [tsit@saic.edu](mailto:tsit@saic.edu)

##### Counseling Services (Students)

312.499.4271 | [counselingservices@saic.edu](mailto:counselingservices@saic.edu)

##### Health Services (Students)

312.499.4288 | [healthservices@saic.edu](mailto:healthservices@saic.edu)

##### Employee Assistance Program (Faculty/Staff)

800-311-4327

#### Off-Campus Resources

##### Northwestern Memorial Hospital Emergency Department

250 E. Erie St.

312.926.5188

##### Center on Halsted

773.472.6469

LGBTQ Violence Resource Line

773.871.2273

##### City of Chicago Domestic Violence Helpline

877.863.6338

##### Porchlight Counseling Services

Evanston, IL

773.750.7077

##### KAN-WIN (multilingual advocacy)

773.583.1392

<http://kanwin.org/>

##### Resilience

180 N. Michigan Ave., suite 600

312.443.9603

##### YWCA Metropolitan Chicago

1 N. LaSalle St., suite 1150

312.372.6600

## Additional Resources

### On-Campus Resources

#### **SAIC Student Financial Services (financial assistance)**

36 S. Wabash Ave., suite 1200  
Chicago, IL 60603  
312.629.6660 (extension 9 for Receptionist)

### Off-Campus Resources

#### **Life Span Center for Legal Services & Advocacy**

70 E. Lake St., Suite 600  
312.408.1210 | [life-span@life-span.org](mailto:life-span@life-span.org)

#### **Legal Assistance Foundation of Chicago**

<https://lafchicago.org/>

#### **National Immigrant Justice Center**

208 S. LaSalle St., suite 1300  
312.660.1370

<https://immigrantjustice.org/>

## **23. Discrimination, Harassment, and Retaliation Policy**

### **A. Policy**

The Art Institute of Chicago (“AIC”), including both the School (“SAIC”) and the Museum, is committed to maintaining an educational and working environment that is free from any form of prohibited discrimination. SAIC prohibits discrimination or harassment based on race, color, gender, religion, national origin, disability, age, actual or perceived sexual orientation, gender-related identity, marital status, parental status, military or former military status, or any other basis protected by federal, state, or local law. SAIC also prohibits retaliation against anyone reporting or participating, or thought to have reported or participated in, an allegation, an investigation, or proceeding regarding discrimination or harassment, regardless of whether any discrimination or harassment is substantiated. For purposes of this Policy, the term “AIC” includes all trustees, officers, governors, faculty, staff, and volunteers. False accusations, made with knowledge that they are false, are prohibited and will be treated as violations of this Policy. An individual, who in good faith, makes a report that later is not substantiated is not considered to have made a false accusation and, therefore, is not in violation of the Policy.

### **Relationship with Other Policies**

**Consensual Romantic or Sexual Relationship Policy.** This Policy addresses conduct that is unwelcome and not conduct based on consent. AIC has an additional, separate policy that applies to consensual romantic or sexual relationships with students. See Consensual Romantic or Sexual Relationship Policy found at [https://www.saic.edu/sites/default/files/SAIC\\_CRSR\\_Policy.pdf](https://www.saic.edu/sites/default/files/SAIC_CRSR_Policy.pdf).

**Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence, and Stalking.** AIC also has an additional, separate policy that applies to sexual assault, domestic violence, dating violence, and stalking. See Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence, and Stalking, found online at <https://www.saic.edu/life-at-saic/stop-sexual-violence>.

**Sexual Misconduct Under Title IX Policy.** The Sexual Misconduct Under Title IX Policy uses the definition of Sexual Harassment that is required by Title IX. That definition differs from the definition of Sexual Harassment provided in this Policy. Allegations of sexual misconduct that (i) arise in the context of an SAIC educational program or activity occurring within the United States and (ii) meet the definition of Sexual Harassment provided in the Sexual Misconduct Under Title IX Policy will be governed exclusively by the Sexual Misconduct Under Title IX Policy and processes stated therein, even if the alleged conduct also meets the definition of Sexual Harassment stated in this Policy. All other allegations of sex-based discrimination will be governed by this Policy. Please see Sexual Misconduct Under Title IX Policy at [www.saic.edu/life-at-saic/stop-sexual-violence](http://www.saic.edu/life-at-saic/stop-sexual-violence).

Except as noted above, where an allegation of misconduct implicates more than one policy, AIC reserves the right to determine the specific resolution process that will be followed.

## B. Definitions

**Discrimination** is defined as unequal, adverse treatment of an individual because of their protected legal status. This means that unequal, adverse treatment is prohibited if it is because of a person's race, color, gender, religion, national origin, disability, age, actual or perceived sexual orientation, gender-related identity, marital status, parental status, military or former military status, or any other basis protected by federal, state, or local law.

**Harassment** is one form of discrimination and is defined as unwelcome, hostile, or inappropriate conduct directed toward an individual because of their protected legal status. The determination of what constitutes illegal harassment varies with the particular circumstances, but it must be so severe, persistent, or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates a hostile or abusive educational or working environment. It must include something beyond the mere expression of opinions, views, words, symbols, or thoughts that someone finds offensive.

**Sexual Harassment** is a form of harassment prohibited by this Policy and it is illegal in the City of Chicago. Sexual harassment includes the following:

- (i) any unwelcome sexual advances or unwelcome conduct of a sexual nature; or
- (ii) requests for sexual favors or other verbal or physical conduct of a sexual nature when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of employment or obtaining an education; or
  - Submission to or rejection of such conduct by an individual is used as a factor affecting that individual's employment or education; or
  - Such conduct has the purpose or effect of substantially interfering with an individual's employment or education, e.g., it is so severe, pervasive, or persistent that it creates an intimidating, threatening, offensive, or hostile living, educational, or employment environment under both an objective (a reasonable person's view) and subjective (the complainant's view) standard; or
- (iii) any behavior of a sexual nature that involves coercion, abuse of authority, or misuse of an individual's employment position.

**Retaliation** is defined as an adverse or negative action (or threats of adverse or negative action) against an individual because that individual:

- In good faith, reported discrimination, harassment, or retaliation; or
- Participated as a party to or witness in an investigation or a proceeding relating to such allegations; or
- Is thought to have participated in a good-faith report of discrimination, harassment, or retaliation, or is thought to have participated as a party or witness in an investigation or proceeding relating to such allegations.

Retaliation for reporting sexual harassment is illegal in the City of Chicago.

**Confidentiality**, as used in this Policy, refers to a legal obligation not to disclose information without the express written permission of the individual who provided the information, with certain exceptions, such as if there is a continuing threat of serious harm to self or others or another legal obligation to reveal such information (e.g., where there is suspected abuse or neglect of a minor). On SAIC's campus, only the confidential advisor, professional counselors in Counseling Services, and the nurses in Health Services ("Confidential Resources") can maintain confidentiality. Further information about confidentiality and reporting obligations is provided below.

**Privacy** generally means that information related to a report will be shared with those employees who “need to know” in order to assist in the review, investigation, or resolution of the report. While not bound by confidentiality, these individuals who receive private information will be discreet and do their best to respect the privacy of all individuals involved in the process. If an investigation is required, the information may also be shared with the alleged offender(s) or others as required to conduct a complete and fair investigation. Although AIC manages this information with discretion, it is not possible to maintain confidentiality for any information other than information provided to the Confidential Resources.

### **C. Confidential Resources and Reporting Obligations**

Different employees on campus have different abilities to maintain confidentiality. Most AIC employees, including faculty members, cannot maintain confidentiality because of legally-imposed reporting obligations. In these circumstances, AIC is committed to maintaining the privacy of the information shared. The terms “confidentiality” and “privacy” are defined above.

#### **Confidential Resources**

Information shared with a Confidential Resource will not be disclosed to anyone, except under very limited circumstances. (See the definition of “Confidentiality” above.) SAIC provides the following on-campus Confidential Resources for students:

- The Confidential Advisor, Teresa Sit, may be reached at 312.499.4271 or [tsit@saic.edu](mailto:tsit@saic.edu).
- Counseling Services may be reached at 312.499.4271 or [counselingservices@saic.edu](mailto:counselingservices@saic.edu).
- Health Services may be reached at 312.499.4288 or [healthservices@saic.edu](mailto:healthservices@saic.edu).

These resources will not report any personally identifiable information about an individual student to the Title IX Director, but they will provide aggregate data about incidents of sexual violence.

In addition to the on-campus Confidential Resources available only to students, various off-campus resources such as counselors, advocates, and health care providers are available to anyone. These off-campus resources will also generally maintain confidentiality and not share information with AIC unless the person providing the information requests disclosure and signs a consent form. Contact information for some off-campus resources is listed in “Resources” in the Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

#### **Reporting Obligations**

All AIC and SAIC staff (excluding Confidential Resources), SAIC student Teaching Assistants and Resident Advisors, and volunteers are required to report incidents or allegations of discrimination, harassment, and retaliation to the Title IX Director. This allows SAIC to provide resources and support to those who have experienced discrimination, harassment, and retaliation and to take consistent action to respond to reports of such conduct.

### **D. How to Report Discrimination, Harassment, or Retaliation**

Any student who believes that they have been subjected to discrimination, harassment, or retaliation, as defined above, is urged to report the incident as soon as possible to SAIC’s Title IX Director. The Title IX Director is available to receive reports, and both will provide information and resources to anyone who submits a report. The Title IX Director is also responsible for overseeing the investigation and process, as described further below.

Prompt reporting is strongly encouraged, as it can be more difficult to determine what happened long after an incident has occurred. A student may make a report by phone, email, or in person. Reports of gender discrimination and sexual harassment may also be made online. To make a report, a student should:

- Contact the Title IX Director, Robert Babcock, Ed. D., at 312.499.4165 or [title9@saic.edu](mailto:title9@saic.edu); or
- File an online report using the following link: <https://www.saic.edu/lifeatsaic/stopsexualviolence/makeareport/>.

After receiving a report, the Title IX Director will endeavor to meet with the student to review the student's concerns and to share with the student this Policy and other applicable policies, such as the Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy.

The Title IX Director will also provide information about available resources and will discuss with the student how they wish to proceed. The options include doing nothing beyond getting resource information, engaging in an informal process, or pursuing a formal process.

After the student has the chance to review the applicable policy or policies and think about their options, the student should inform the Title IX Director how they wish to proceed.

Please note that in some cases, the Title IX Director may determine SAIC has an obligation to conduct an investigation even if the student does not seek to do so themselves. The student is encouraged to participate in the process in such cases, but the extent of the student's participation, if any, is ultimately up to the student. In addition, the Title IX Director may determine in certain cases that the report, even if substantiated, is insufficient to state a violation of the Policy and will notify the Complainant that the matter will be closed without a referral for either informal or formal resolution.

## **E. Supportive Measures**

The Title IX Director will provide information about supportive measures. Examples of supportive measures include: mutual no contact instructions, changes to academic or work schedules such as extension of deadlines or other course-related adjustments, leaves of absence, or housing changes, counseling services, campus escort services, and increased security and monitoring of certain areas of the campus. Although supportive measures are not punitive or disciplinary in nature, they may impose a burden, albeit a reasonable one, on a member or members of SAIC's community. SAIC will maintain as private any supportive measures provided to an individual, except as necessary to provide the supportive measure; for example, both individuals would be informed of a mutual no contact instruction. Supportive measures are available to both the individual making a report and the individual who is the subject of a report. The Title IX Office also reassesses the availability and implementation of supportive measures on an ongoing basis.

## **F. Applicable Procedures and Responsible Administrators**

After learning of a report of discrimination, harassment, or retaliation, the Title IX Director will determine which procedures apply and who is responsible for implementing those procedures. This determination will be based on the identity of the person alleged to have violated the Policy, who is referred to as the "Respondent." The person making the allegations will be referred to as the "Complainant."

- If the Respondent is a student, the Title IX Director will oversee the process. The Vice President and Dean of Student Affairs will decide whether a policy violation occurred and if so, the appropriate sanction. **The investigation and resolution of matters in which the Respondent is a student are governed by the procedures set forth below.**

- If the Respondent is a faculty member, SAIC's Title IX Director will oversee the process in consultation with the Faculty Liaison. The Dean of Faculty and Vice President for Academic Affairs will decide whether a policy violation occurred and if so, the appropriate sanction. **The investigation and resolution of matters in which the Respondent is a faculty member are governed by the Faculty Policy Against Discrimination, Harassment, and Retaliation, and anyone with a report that a faculty member engaged in discrimination, harassment, or retaliation should refer to that Policy. The Faculty Policy is on the Faculty Dashboard on SAIC's website and may also be found here:** <https://www.saic.edu/sites/default/files/Faculty-Discrimination-Harassment-and-Retaliation.pdf>.
- If the Respondent is a staff member, the Director of Employee Relations will oversee the process as appropriate. In cases where the Complainant is a student, the Title IX Director will oversee the process instead. The Chief Human Resources Officer will decide whether a policy violation occurred and if so, the appropriate sanction. **The investigation and resolution of matters in which the Respondent is a staff member are governed by the Discrimination, Harassment, and Retaliation Policy found in the Employee Guidelines. Anyone with a report that a staff member engaged in discrimination, harassment, or retaliation should refer to that Policy.**
- The Title IX Director will determine the appropriate process to be used, including who will conduct the investigation and who will decide the matter (including appeals), in the following circumstances: (a) if the Respondent is a third party on our premises or in a School program, (b) if the Respondent has dual status in the community (such as a student employee or a staff member who also teaches), and (c) if the Respondent alleges that the Complainant also violated this Policy or another AIC policy so that there are cross-reports from the Complainant against the Respondent and the Respondent against the Complainant. In these cases, the Title IX Director may use one of the processes outlined above or may combine or coordinate processes as appropriate to the circumstances. The Title IX Director will notify both the Complainant and the Respondent of the process to be used.

## **G. Process if Respondent is a Student**

This section explains the process used to address allegations that a student engaged in discrimination, harassment, and retaliation in violation of this Policy. This process is an administrative process, not a legal proceeding, and can take place before, during, or after criminal and/or civil proceedings relating to the same incident. The duties of any administrator named in this Policy, such as the Vice President and Dean of Student Affairs, the Title IX Director may be carried out by a designee of that administrator.

### **1. Informal Resolution**

In a diverse community, disagreements and conflicts of various degrees of seriousness are inevitable. In many instances, an informal approach can be useful in resolving instances of inappropriate conduct and perceived instances of discrimination, harassment, or retaliation. Problems are sometimes easier to resolve in an informal atmosphere that encourages people to identify the difficulty, talk it out, and agree on how to deal with it.

An informal process is a flexible approach to resolving disagreements. As a result, there is no fixed format. It can involve a meeting between the two parties to facilitate an informal discussion, arranging to channel communications through a third party if the parties do not want to meet, or some other approach suitable to the circumstances. In some cases, both parties have to agree to the informal resolution process.

If a Complainant wishes to pursue an informal process, the Title IX Director will facilitate it. If the Complainant and the facilitator are satisfied the issue has been resolved, no further action will be taken. If an informal process ends without a satisfactory resolution, the Complainant may choose to pursue a formal process if they wish.

An informal process is voluntary; a Complainant does not have to agree to an informal process and if they do pursue an informal resolution, either the Complainant or the facilitator may end it at any time.



Note: Face-to-face mediation (even on a voluntary basis) is not appropriate if there are allegations of sexual assault. As noted above, if a report includes allegations of sexual assault, then the policies and procedures set forth in the Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence, and Stalking will be followed in the assessment, investigation, and resolution of the matter. In no event shall a report proceed simultaneously through more than one procedure.

## **2. Formal Process**

If an informal process is not used or fails to resolve the matter, the Title IX Director will promptly initiate an investigation. The Title IX Director is responsible for carrying out the investigation and for determining the appropriate scope of the investigation.

In any investigation, each party will be offered the same opportunities to present information, including but not limited to the opportunity to explain their understanding of the circumstances and offer any additional information that they believe is relevant to the investigation.

After an investigation has begun, the Title IX Director may consult with the parties about whether a resolution may be reached either before the investigation is fully completed or using a process other than that set forth below. Any such alternative approach will only be undertaken with the written consent of both parties.

When the investigation is completed, the Student Conduct Procedures will be utilized for the decision(s), any sanction(s), and any appeal(s). The Student Conduct Procedures may be found below in the Student Handbook.

If a violation of this policy is found, SAIC will take prompt and appropriate action to stop the discriminatory, harassing, or retaliatory conduct. SAIC will also take action to ensure that the violation will not recur. Even when a violation is not found, it may be appropriate to counsel individuals regarding their behavior.

## **3. Timeframe**

SAIC strives to complete its investigation and resolution of reports of discrimination, harassment, or retaliation reasonably promptly, taking into consideration factors such as the complexity of the investigation, the severity and extent of the alleged conduct, and the timing of school breaks. SAIC strives to complete the investigation and resolution (excluding any appeal) within ninety (90) calendar days, though that timeframe may be extended based on factors such as those just noted. In cases where the investigation may be lengthy, SAIC endeavors to give the Complainant and the Respondent periodic updates on the anticipated timeframe for resolution.

## **H. Title IX Information**

Title IX of the Education Amendments of 1972, as amended, is a comprehensive federal law that prohibits discrimination on the basis of sex as well as retaliation for making a Title IX report in any federally-funded education program or activity. The Title IX Director is responsible for coordinating SAIC's efforts to comply with its obligations under Title IX and the Title IX regulations. The Title IX Director's duties and responsibilities include: monitoring and oversight of overall implementation of Title IX at SAIC, including coordination of training, education, communications, and administration of report procedures for faculty, staff, students, and visitors. The Title IX Director is available to meet with any party to discuss the School's policy or any Title IX related concerns.

### **SAIC's Title IX Director is:**

Robert Babcock, Ed. D.  
116. S. Michigan Ave., 12th Floor  
Chicago, IL 60603  
312.499.4165  
[title9@saic.edu](mailto:title9@saic.edu)

Sex discrimination includes sexual harassment and sexual assault. For SAIC’s policy on sexual assault as well as available resources, please see the Policy Prohibiting Sexual Assault, Domestic Violence, Dating Violence, and Stalking in the Student Handbook.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another) when alleged violations of the policy are being addressed at the same time. All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the student, faculty, and staff handbooks.

### **I. Local, State, and Federal Options**

Apart from the process set forth in the Student Handbook, if you believe that you have been subjected to discrimination, harassment, or retaliation, you may also seek other recourse by contacting:

**The Chicago Commission on Human Relations**  
740 N. Sedgwick St., suite 400, Chicago, IL 60654;

**The United States Equal Employment Opportunity Commission**

230 S. Dearborn St., suite 1866, Chicago, IL 60604; and/or

**The Illinois Department of Human Rights (IDHR), James R. Thompson Center**  
100 W. Randolph St., 10th floor, Chicago, IL 60601;

**U.S. Department of Education Office for Civil Rights**  
400 Maryland Ave. SW, Washington, D.C. 20202-1100

**The Office for Civil Rights/Chicago—U.S. Department of Education**  
Citigroup Center, 500 W. Madison St., suite 1475, Chicago, IL 60661;

However, as noted above, students are encouraged to report to SAIC’s Title IX Director in any instances that they believe constitute discrimination, harassment, or retaliation.

## **24. Student Conduct Procedures**

As members of the SAIC community, all students and recognized student groups and organizations are expected to follow SAIC’s Rules of Conduct. Student behavior that is alleged to have violated the Rules of Conduct is referred to in these procedures as “alleged misconduct.” SAIC provides a range of resolution approaches for resolving alleged misconduct. The sections below describe these resolution options in detail. Procedures for resolving alleged misconduct by a faculty or staff member can be found in the Faculty Handbook and the SAIC Employee Guidelines.

SAIC is committed to providing a prompt, equitable, and impartial process for addressing reports of alleged misconduct. The Student Conduct Procedures are educational, rather than legal, procedures. The procedures do not require application of legal rules or formal/technical rules of evidence applicable to civil and criminal cases. Because these procedures are designed to further the goals of the SAIC community, they can take place before, during, or after criminal and/or civil proceedings related to the same incident.

Students may not make an audio or video recording of meetings related to the Student Conduct Procedures.

### **Reporting**

SAIC faculty, staff, students, and others may report alleged misconduct. Prompt reporting is strongly encouraged as it is often difficult to trace the facts of the incident(s) long after it has occurred. Any report should be made to the following offices:

- Office of Student Affairs
- Campus Security
- Title IX Office

## **Accommodations**

Students with disabilities may request a reasonable accommodation to facilitate their participation in any of the resolution processes outlined below. To request an accommodation, the student should submit a request to the Disability and Learning Resource Center (DLRC), which can be reached at 312.499.4278. Before, or simultaneously with, initiating the process of requesting an accommodation from the DLRC, the student should notify their point of contact in the Office of Student Affairs that they intend to pursue an accommodation; this will allow their point of contact to consider this when implementing the resolution process, including, for example, scheduling meetings. To support the request for accommodation, the student will need to provide appropriate documentation of the disability to the DLRC.

### **1. Definitions**

The following terms are used throughout the Student Conduct Procedures.

#### **Vice President and Dean of Student Affairs (VPSA)**

The Vice President and Dean of Student Affairs is responsible for the Student Conduct Procedures. The Vice President and Dean of Student Affairs often designates individuals within the Office of Student Affairs, such as a Dean on Call or Residence Life Staff member, to review and resolve reports of alleged misconduct. The Vice President and Dean of Student Affairs or designee is referred to as VPSA for the remainder of this section.

#### **Rules of Conduct**

For the purposes of these procedures, the Rules of Conduct refers to all Rules of Conduct, Residence Hall Rules of Conduct, Additional Policies and Guidelines, and Resources and Procedures as found in the Student Handbook.

#### **Report**

A report refers to information provided to SAIC regarding alleged misconduct by a student. For more information about how to report alleged misconduct, refer to the Reporting section above.

#### **Respondent**

The Respondent refers to the student reported to have engaged in alleged misconduct.

#### **Complainant**

The Complainant refers to an SAIC community member who was the subject of the alleged misconduct and who seeks to pursue a formal or voluntary resolution through the Student Conduct Procedures. The Complainant is typically a student, but may also be a faculty or staff member. The VPSA has the discretion to determine if the School will proceed without an individual Complainant. Circumstances when this may occur include, but are not limited to, when the alleged misconduct was not specific to an individual. When the School proceeds without an individual Complainant, references to a Complainant in the sections below will not apply to a particular individual.

#### **Advisor**

The Complainant and the Respondent may each have one advisor with them in any meetings related to the Student Conduct Procedures. The advisor may be a student, a member of the faculty or staff, or an individual from outside SAIC. The advisor should not be someone who has relevant information regarding the factual allegations of the report (e.g. somebody who could be interviewed as part of an investigation).

Complainants and Respondents may consult with their advisor throughout the resolution process, including before, during, and after any meeting. The Complainant and Respondent are always responsible for presenting information themselves in the resolution process. Therefore, the advisor may not present information or question staff members during any meeting.

The advisor may only be present during meetings when the person that they are advising is permitted to be present. If the advisor is unavailable for a meeting, SAIC may make reasonable attempts to reschedule a meeting. However, given the limited role of an advisor and the compelling interest of SAIC in concluding the matter expeditiously, meetings may proceed despite the unavailability of an advisor.

If the individual intends to bring an advisor, they must provide advance written notification to the staff member with whom they are meeting. This notification must include the advisor's occupation, contact information, their relationship to the individual requesting the advisor, and any relationship to the School. An advisor may not be permitted to attend a meeting if this notification is not provided at least one business day before the meeting.

### **Privacy/Confidentiality**

Most SAIC employees, including faculty members, have legally-imposed reporting obligations and, as a result, cannot maintain confidentiality. In these circumstances, SAIC is committed to maintaining the privacy of the information shared.

*Privacy* means that information related to a report will be shared with those school employees who "need to know" in order to assist in the review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of all individuals involved in the process. If an investigation is required, the information may also be shared with the Respondent, Complainant, or others who have information regarding the report as required to conduct a complete and fair investigation. Although SAIC manages this information with discretion, it is not possible to maintain confidentiality for any information other than information provided to confidential resources.

*Confidentiality*, as used in this section, refers to a legal obligation not to disclose information without the express written permission of the individual who provided the information, with certain exceptions, such as if there is a continuing threat of serious harm to self or others or another legal obligation to reveal such information (e.g., where there is suspected abuse or neglect of a minor). On SAIC's campus, only the confidential advisor, the counselors in Counseling Services, and the nurses in Health Services have a legal obligation to maintain confidentiality.

### **Student Groups and Organizations**

A student group/organization is a recognized community of students that has completed a registration process. Members and leaders of student groups/organizations are responsible for following SAIC's Rules of Conduct and all other SAIC policies, and applicable federal, state, and local laws. The VPSA has discretion to hold a student group/organization collectively responsible for a policy violation. Factors in making this determination include, but are not limited to:

- If a student acted in their capacity as a member of the group/organization;
- If a member received the consent or encouragement of the leaders;
- If the violation occurred at or in connection with an event sponsored or promoted by the group.

The VPSA may direct leaders to take appropriate action designed to prevent or end violations of SAIC policy. The student group/organization may also receive additional sanctions including revocation or denial of registration, as well as other appropriate sanctions. If a student group is being held collectively responsible for a policy violation, the process will follow the procedures described below and leaders of the group will be considered the Respondent.

### **2. Overview of Student Conduct Procedures**

The following sections describe the resolution processes for alleged misconduct. However, the Discrimination, Harassment, and Retaliation Policy and the Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy have certain procedures that are different from those described below. **Refer to those specific policies in the Student Handbook for more information.**

## **A. Initial Evaluation of a Report that a Student Engaged in Alleged Misconduct**

Upon receiving a report of alleged misconduct, the VPSA will review the report to determine how to proceed. The extent of the review of the report is left to the discretion of the VPSA. The VPSA may determine, at any time in the process, that the information presented is insufficient to state a violation of the Rules of Conduct and the matter will be closed. Actions after reviewing the report include, but are not limited to;

- implementing an Interim Action (See Section 2.B.);
- initiating an investigation (See Section 2.C.) and/or;
- pursuing a resolution process (See Section 3).

## **B. Interim Action**

At any time in the process, the VPSA may take action to protect the safety of member(s) of the SAIC community and/or preserve SAIC property. Such actions include, but are not limited to:

- No Contact Instruction—A restriction between members of the SAIC community that they may not contact each other.
- Campus Restrictions—This can take various forms, such as interim suspension or otherwise limiting a student's access to campus, to certain areas of campus, or to attend class(es).

When given a Campus Restriction, the VPSA will notify the student of the reasons for the Campus Restriction and the student will be given an opportunity to appeal. The student may appeal within five (5) days of their receipt of the decision by submitting a written statement to the VPSA stating the basis for the appeal. The VPSA has the discretion to leave the Campus Restriction in place during this five (5) day period and also while an appeal is being considered and decided. After considering the student's appeal, the VPSA may confirm, modify, or cancel the Campus Restriction.

## **C. Investigation.**

SAIC may conduct an investigation to gather more information regarding the report. SAIC has discretion regarding the scope of the investigation. The scope will vary depending on the particular facts and information available in each case, as well as the resolution process being pursued. This may include speaking with the Respondent, Complainant, or individuals who have information relevant to the report. It also may include, but is not limited to, reviewing documentation, materials available electronically, or requesting written statements from any individual with information regarding the incident. The Complainant and Respondent may provide information and/or suggest individuals to be interviewed with information directly relevant to the report. In general, investigations will not include character or expert witness statements.

Students who provide information as part of an investigation must provide truthful information. Providing information that is not truthful constitutes a violation of the Rules of Conduct.

The Complainant and/or Respondent may, if they wish, present letters of support from members of the community or others. These letters will not be part of the investigation, but the VPSA may, if appropriate, allow these materials to be presented to decision makers during a Student Conduct Meeting with an explanation of who provided the materials and that they are not part of the investigation.

## **3. Resolution Processes**

SAIC offers different resolution options to address reports of alleged misconduct. The VPSA has discretion regarding which resolution option will be used to address the allegation. If appropriate, the VPSA may seek input from the Respondent and/or Complainant regarding which resolution option to pursue. The Respondent and/or Complainant may also make a request to the VPSA to pursue a certain resolution process. The VPSA may decide to end one resolution process and begin another at any point in the process. Generally, two resolution processes may not be pursued simultaneously and once a resolution process is complete, a different resolution option will not be pursued for the same report.

There are four different resolution options for reports of alleged misconduct. The appropriateness of each resolution option depends on the circumstances of the case including the severity, complexity, and location of the alleged violation.

**Informal Resolution**—an informal approach can be useful in resolving conflicts between students or reports that may not be sufficient to state a violation of policy. Informal Resolutions can take a variety of forms including facilitated discussions between students, agreements about contact, or some other approach suitable to the circumstances. For more information regarding Informal Resolution options, see Section 3.A. Informal Resolution below.

**Voluntary Resolution**—when SAIC receives a report, a Respondent may accept a finding of responsibility and an appropriate sanction for the behavior. In these cases, the VPSA may offer a Voluntary Resolution to the Complainant and Respondent as an option to provide them with an expedited resolution. For more information regarding Voluntary Resolutions, see Section 3.B. Voluntary Resolution below.

**Formal Resolution**—for most other reports of alleged misconduct, SAIC staff members will review the information available to them to make a determination regarding if the Respondent violated SAIC policy and, if so, what the sanctions will be. For more information regarding Formal Resolutions, See Section 3.C. Formal Resolution below.

**Pre-Attendance Resolution**—to address a report of alleged misconduct that occurred prior to a student first beginning classes at SAIC, the VPSA will have the discretion to follow either the Student Conduct Meeting Resolution procedures or the Pre-Attendance Resolution procedures. If a report of alleged misconduct comes to the attention of SAIC prior to the student's first day of class, then the process will be managed by the Vice President of Enrollment Management. For more information regarding Pre-Attendance Resolutions, see Section 3.D. Pre-Attendance Resolution below.

## **A. Informal Resolution**

An Informal Resolution is a flexible approach to resolving conflicts between community members and may be used to address alleged misconduct when the involved parties do not wish to pursue a Formal Resolution process.

Informal Resolutions can involve either Conflict Coaching or Guided Conversation as described in the Conflict Resolution at SAIC section in this Student Handbook. SAIC also may implement other measures such as:

- An instruction for community members not to contact each other;
- Changes in academic, work, or living arrangements.

The VPSA will facilitate the informal process. In order for an informal process to be utilized, the Respondent and Complainant must agree in writing or by other means to participate. If either party does not agree to or abide by the terms of an information resolution, the VPSA may pursue a different resolution option instead. An informal resolution does not result in findings related to responsibility or in sanctions.

## **B. Voluntary Resolution**

In some situations, after being notified of a report of alleged misconduct, a Respondent may choose to accept a finding of responsibility for the alleged misconduct. Under those circumstances, the VPSA may offer the possibility of a "Voluntary Resolution" to the Complainant and Respondent. If the Complainant and Respondent accept the use of a Voluntary Resolution, the VPSA will proceed by notifying the Complainant and the Respondent of the VPSA's potential finding and proposed sanction(s). The Complainant and Respondent will then have the opportunity to accept the finding and the sanction(s).

If both the Complainant and Respondent accept the finding and the sanction(s), the VPSA will send a notification to the Complainant and Respondent of the decision and sanctions, and the process will end.

If either the Complainant or Respondent reject both the finding and the sanction(s), the VPSA will end its consideration of a Voluntary Resolution and determine next steps. Possible next steps include, but are not limited to, pursuing further investigation and/or pursuing a Formal Resolution process (See Section C below).

If both the Complainant and Respondent accept the finding, but either rejects the sanction(s), a Student Conduct Meeting will be convened for the sole purpose of considering and recommending appropriate sanction(s), if any, to the VPSA. The VPSA will have final discretion with respect to the sanction(s). The Complainant and Respondent will be notified of the sanction(s) as well as of the process for appeal of the sanctions. See Section C below for more information about the Formal Resolution process and the Student Conduct Meeting.

### **C. Formal Resolution**

The Formal Resolution process involves convening a Student Conduct Meeting where trained staff members make a determination of whether the Respondent violated SAIC policy. The Student Conduct Meeting is intended to be educational in nature and allows the Complainant and Respondent an opportunity to address the alleged misconduct. Student Conduct Meetings include Administrative Conduct Meetings and Conduct Board Meetings as explained below.

Student Conduct Meetings can be facilitated in several ways. Students may meet with one or two staff members designated by the VPSA (such as a Residence Life professional staff member, a Dean on Call, or the Dean of Student Life) referred to as an Administrative Conduct Meeting. Students may also meet with a board consisting of representatives from SAIC's administration, faculty, and student body referred to as a Conduct Board Meeting. As the Chair of the Student Conduct Board, the VPSA may determine, in their reasonable discretion, that the Student Conduct Board Meeting shall proceed in the absence of a representative from one of those three groups. The Complainant and Respondent will be notified of the format of the meeting in the Notice of Alleged Misconduct.

- **Notice of Alleged Misconduct**

In advance of the Student Conduct Meeting, the VPSA will send a written Notice of Alleged Misconduct (Notice) to the Complainant and the Respondent. The Notice shall identify the Rules of Conduct or other policies under review, and state the date, time, place, and format of the meeting to resolve the report. As a general matter, the VPSA will provide this Notice at least five business days before the scheduled date of the meeting. In extreme circumstances when the VPSA is unable to provide the Notice five days before the scheduled date of the meeting, the VPSA will provide as much notice as is reasonable under the circumstances.

- **Student Response to Notice of Alleged Misconduct**

The Complainant and Respondent have the opportunity to respond in writing to the Notice if either wishes to oppose the allegation and/or provide additional information. If the Complainant and/or Respondent choose to provide a response, they must provide that response to the VPSA on the date indicated in the Notice, typically at least forty-eight (48) hours in advance of the Student Conduct Meeting. No determination of responsibility or sanctions will be based solely on the absence of a response to the Notice.

- **Attendance at the Student Conduct Meeting**

A Student Conduct Meeting may be conducted in the absence of the Complainant and/or the Respondent, if either or both do not attend. No determination of responsibility or sanctions will be based solely upon their absence from the Student Conduct Meeting.

Admission of any person to the Student Conduct Meeting shall be at the discretion of the VPSA. In all matters, both the Complainant and Respondent are entitled to the same opportunities to have others present during the meeting and the VPSA shall exercise their discretion accordingly.

No individual other than that individual's advisor, if any, shall be present while any other individual is making a statement, or otherwise appearing in the Student Conduct Meeting.

- **Information Reviewed**

The alleged misconduct will be reviewed during the Student Conduct Meeting. Information at the Student Conduct Meeting shall be presented at the discretion of the VPSA. In all matters, both the Complainant and the Respondent are entitled to the same opportunities to present information during the meeting.

- **Determination of Responsibility**

The determination of whether the Respondent is found responsible for any violation shall be made on the basis of whether it is more likely than not that the Respondent violated the policy in question. This standard is called the "preponderance of the evidence" standard.

- **Deliberations and Decision Making**

The Complainant, Respondent, and any advisors shall not be present during deliberations. In the case of an Administrative Conduct Meeting, the VPSA shall make the decision. In the case of a Student Conduct Board, the Student Conduct Board shall make a recommendation, including any proposed sanctions, and the reasons therefore, to the VPSA. The VPSA shall have final discretion as to the determination of responsibility and any sanctions.

At any time during the proceedings, including during the deliberations, the VPSA has the discretion to ask for additional information from any person, including persons who have previously appeared before the Student Conduct Board/staff member(s) and those who have not.

- **Outcome**

- The Respondent will be notified of the decision and sanctions (if any) resulting from the Student Conduct Meeting.
- The Complainant will be notified of the decision and, where permitted by law, any sanctions resulting from the Student Conduct Meeting that apply directly to them (for example, in a complaint of discrimination based on sex, including sexual harassment).
- In a matter regarding an alleged violation of sexual assault, domestic violence, dating violence and/or stalking, the VPSA will simultaneously notify the Complainant and the Respondent, in writing, of the decision; the sanction, if any; the rationale for the result and the sanction; and the appeal process. This notice will be provided within seven business (7) days of the decision.
- Upon written request, SAIC will disclose to the alleged victim of any crime of violence (including sexual violence), the decision and any sanction that is imposed on the Respondent (not just those that directly relate to the Complainant) or, if the alleged victim is deceased as a result of the crime, the next of kin of such victim may request such disclosure.

- **Appeal**

Either the Complainant or the Respondent may appeal the decision made by the VPSA within five business (5) days after receiving notice of the decision. The VPSA has the discretion to decide whether any sanction that has been imposed will be carried out, revised, or held in abeyance during this five (5) day period and also while an appeal is being considered and decided. An appeal must be made in writing, submitted to the VPSA, and must state the basis for the appeal. Appeals are only permitted to proceed if the written notice of the appeal indicates that there is new information that was not available at the time of the Student Conduct Meeting that would substantially change the outcome. If the notice indicates that there is such new information, the VPSA may undertake any inquiries that they deem appropriate. Following their examination of the matter, the VPSA shall have final discretion to determine the disposition of the appeal, including granting or denying the appeal or taking any action that they deem appropriate. The VPSA will provide written notification of their final decision to the Complainant and the Respondent.



## D. Pre-Attendance Resolution

To resolve matters involving a report of alleged misconduct that occurred prior to a student first beginning classes at SAIC, the VPSA or the Vice President of Enrollment Management, as applicable, will have the discretion to apply the Formal Resolution procedures or the procedures outlined below.

The VPSA, the Vice President of Enrollment Management or the appointed designee will first notify the Respondent of the report and then seek to gather information relevant to the report, including but not limited to information from the Respondent. Once the investigation is complete, the VPSA, the Vice President of Enrollment Management or the appointed designee will review the allegation of misconduct and render a determination as to whether it is more likely than not that the Respondent violated the Rules of Conduct. If the Respondent is found responsible, the VPSA or the Vice President of Enrollment Management will determine the sanction, if any, to be imposed upon the student. The Respondent will be notified of the decision and sanction, if applicable.

## 4. Sanctions

SAIC may impose sanctions against a student who violates School standards, which include the Rules of Conduct, Residence Hall Policies, and other SAIC policies, rules, and regulations. Sanctions are intended to be educational in nature and prevent any further behavior that violates these standards. When considering the sanctions to be imposed, a range of factors may be considered, including the nature, context, and severity of an incident, level of accountability and responsibility taken by the student, and the disciplinary history of the student. These sanctions are defined as follows:

- **Letter of Warning:** A letter of formal warning regarding SAIC's policies. After receipt a Letter of Warning, any other violations of SAIC policy, rules, or regulations may result in probation from SAIC and/or the residence halls or further sanctions.
- **Residence Hall Probation:** A residential probationary status for a specified period of time, during which the student must demonstrate behavior acceptable to SAIC. Additional restrictions or conditions may be imposed. Violations of the terms of the probation, or any other violations of SAIC policy, rules, or regulations during the period of probation may result in suspension or expulsion from SAIC and/or the residence halls.
- **Probation (nonacademic):** A probationary status for a specified period of time, during which the student must demonstrate behavior acceptable to SAIC. Additional restrictions or conditions may be imposed. In general, students may not participate in an SAIC Study Abroad or Internship Program while they are on probation; however, exceptions may be granted in extenuating circumstances as determined by the VPSA. Violations of the terms of the probation, or any other violations of SAIC policy, rules, or regulations during the period of probation may result in suspension or expulsion from SAIC and/or the residence halls.
- **Loss of Privileges:** Denial of specified privileges (e.g. guest and visitation privileges in the residence hall or ability to participate in an SAIC study trip) for a designated period of time.
- **Restrictions:** Restrictions that limit a student's access to specific areas of campus or ability to communicate with certain community members.
- **Residence Hall Suspension:** Exclusion for a period of time from the residence halls. Students may be suspended from the residence halls without being suspended from classes. Students suspended from the residence halls may not be signed in as a guest/visitor.
- **Suspension:** Exclusion for a period of time from one or more classes, SAIC premises and/or other privileges or activities as set forth in the notice of suspension. Notice of a suspension may appear on the student's academic transcript for up to two years after the date on which the suspension was concluded.
- **Residence Hall Expulsion:** Permanent removal and loss of privileges associated with living on campus. Students may be expelled from the residence halls without being expelled from classes. Students expelled from the residence halls may not be signed in as a guest. An expulsion from the residence halls may be recorded on the student's transcript, depending on the circumstances.

- **Expulsion:** Permanent separation of the student from SAIC and termination of student status and exclusion from SAIC premises, privileges, and activities. An expulsion will be recorded on the student's permanent academic transcript.
- **Restitution or Discretionary Sanctions:** Reimbursement for services, loss, damage, or misappropriation of property. Discretionary sanctions may also take the form of appropriate service or repair, work assignments, service to SAIC, educational sanctions, or referral to drug or alcohol educational programs.
- **Revocation of Admission:** Admission to SAIC may be revoked for violations of the School's Rules of Conduct.
- **Revocation of Degree:** A degree awarded from SAIC may be revoked for violations committed by a student prior to graduation.
- **Withholding Degree:** SAIC may withhold awarding a degree otherwise earned until completion of the process set forth in the Student Conduct Procedures, including the completion of all sanctions imposed, if any.

SAIC may impose any one or more of these sanctions, or other sanctions, without prior admonishment or warning, depending on the type of misconduct. In general, if a student has already been subjected to a sanction, any subsequent sanction will be more severe.

## 25. Procedures for Disciplinary Action Involving Employees

Employees are advised of the Art Institute's Employee Guidelines at the point of hire. The Guidelines convey current policies and procedures that apply to all employees and establishes expectations regarding conduct in the workplace. Employees are also required to attend New Employee Orientation, where among other things, resources are shared aimed at promoting safety and security of person and property. The Guidelines are made available on the organization's Intranet page.

Employees who manage staff are required to attend additional training that identifies their responsibility for ensuring that the workplace is free of harassment, violence or any inappropriate behavior that threatens the safety and security of staff, students and visitors.

The Art Institute Employee Guidelines state that, "The AIC treats violations of the rules and regulations and any job performance problems that may arise in a fair and consistent manner. The main objective of this approach is to make the employee aware of any serious problems and to offer the employee the opportunity to correct these deficiencies. A violation of AIC's rules should be brought to the attention of the employee promptly, usually within 24 hours of the occurrence, unless work schedules require additional time or a longer notification period. Certain violations may be subject to immediate dismissal.

"The AIC reserves the right to impose appropriate disciplinary action for any conduct it considers to be disruptive or inappropriate. The circumstances of each situation may differ, and the level of disciplinary action may also vary depending upon factors such as the nature of the offense, whether it was repeated, the employee's work record and the impact of the conduct on the organization."

### **Sanctions:**

As stated in the Employee Guidelines under the heading, 17.4 Disciplinary Measures, "Employees may be disciplined by:

- *Oral or Written Warning,*
- *Suspension With or Without Pay,*
- *Wage Freeze,*
- *Wage Reduction or Deduction,*
- *Demotion, or*
- *Dismissal.*

"Employees may be given notice of such discipline, including the effective date and time and the specific reason. Where appropriate, discipline will be administered in a progressive manner."

## **26. Location of Registered Sex Offender Information**

It is the policy of the School of the Art Institute of Chicago that, in accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Campus Security provides a link to the Illinois State Police database of all registered sex offenders in Illinois. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of Illinois, convicted sex offenders must register with the Sex Offender Database maintained by the Illinois State Police.

The Sex Offender Database is available via Internet at <https://isp.illinois.gov/Sor/Disclaimer>. Once there, you can search by name, city, county, zip code, status and offender type. Our campus is in Cook County, the City of Chicago, and in zip codes 60601, 60602, 60603 and 60605. We also have non-campus property in zip code 60614. To locate offender addresses in relation to the campus you can use MapQuest <https://www.mapquest.com>.

## **27. Crime Statistics**

It is the policy of the School of the Art Institute of Chicago that Campus Security records all reported incidents of criminal activity. The statistics are collected from Campus Security as well as from reports by Campus Security Authorities and local law enforcement. This information is disseminated to our community via email notification as well as being included in this Annual Security Report. Campus Security is responsible for collecting, collating and publishing these crime statistics as required by the Clery Act.

The table under Section 32 – Campus Crime Statistics provides information about serious crimes and attempted crimes on campus that were reported to Campus Security for the time periods indicated. The table also indicates the number of arrests and referrals made on campus for violation of liquor laws, for drug offenses and for weapons offenses. An arrest is defined as the processing of a person by arrest, citation, or summons. A referral is defined as the referral of a person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. Many cases involving students who are found to be underage and in possession of alcohol were handled as referrals to the Offices of Residence Life or Student Affairs rather than to the criminal justice system.

## **28. Crime Log**

Campus Security maintains a daily log, which records all crimes reported to Campus Security, except when disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim. For example, information may be temporarily withheld if release of such information would: (a) jeopardize an ongoing criminal investigation or the safety of an individual; (b) cause a suspect to flee or evade detection; or (c) result in the destruction of evidence. SAIC does not include identifiable information about victims in the Crime Log. Standard notations on the log include the nature, date, time and general location of each crime, and the resolution of the complaint, if known. Logs are available for review at the Campus Security Office. Any portion of the log that is older than 60 days will be made available for public inspection within two business days of the receipt of a written request. The crime log is available for review at the Campus Security Desk at 37 S. Wabash, Monday through Friday, between 7:00am - 3:00pm.

## **29. Categories of Crimes**

The following definitions are used for reporting the crimes listed in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for *murder; robbery; aggravated assault; burglary; motor vehicle theft; weapons: carrying, possessing, etc.; law violations; drug abuse violations; and liquor law violations* are excerpted from the Uniform Crime Reporting Handbook. The definitions of *dating violence, domestic violence, sexual assault* and *stalking* are excerpted from section 40002(a) of the Violence Against Women Act of 1994. The definitions of *larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property* are excerpted from the Hate Crime Data Collection Guidelines of the Uniform Crime Reporting Handbook.

### **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.)

### **Arson**

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

### **Burglary**

The unlawful entry of a structure to commit a felony or 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.

### **Murder/Non-Negligent Manslaughter**

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

### **Manslaughter by Negligence**

The killing of another person through gross negligence.

### **Dating Violence**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
2. For the purposes of this definition—
  - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - b. Dating violence does not include acts covered under the definition of domestic violence.

## **Domestic Violence**

1. A felony or misdemeanor crime of violence committed—
  - a. By a current or former spouse or intimate partner of the victim;
  - b. By a person with whom the victim shares a child in common;
  - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

## **Drug Law Violations (Arrests or Disciplinary Referrals for)**

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

## **Liquor Law Violations (Arrests or Disciplinary Referrals for)**

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

## **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.)

## **Robbery/Armed 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.

## **Sexual Assault**

Any sexual act (described below) directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. This includes attempted sexual assaults.

1. **Rape** – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
2. **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
3. **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
4. **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.

## **Stalking**

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - a. Fear for the person's safety or the safety of others; or
  - b. Suffer substantial emotional distress.
2. For the purposes of this definition—
  - a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **Weapons: Carrying, Possessing, Etc. (Arrests or Disciplinary Referrals for)**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

## **Hate Crimes**

With regard to (a) each of the crimes listed above, (b) each of the four crimes listed below, and (c) any other crime involving bodily injury, e.g. simple assault, reported to local police agencies or to a campus security authority, we must report, by category of prejudice, each such crime that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, national origin or gender identity. The determination of whether the hate standard is met is based upon an evidence of the motivation of the perpetrator to select the victim or the crime, not the victim's perception.

## **Larceny-Theft (Except Motor Vehicle Theft)**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

## **Simple Assault**

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

## **Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

## **Destruction/Damage/Vandalism of Property**

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## **30. Reporting Standards**

### **a. Different Reporting Standard for Liquor, Drug, and Weapons Offenses**

The Clery Act treats incidents involving “liquor law violations,” “drug law violations,” and “weapons law violations” differently from other crimes for which statistics must be reported. Incidents involving liquor, drug and weapons offenses must be reported for statistical purposes only where:

- arrests occurred, or
- one or more students were referred for campus disciplinary action.

For this category of offense alone the statistics published reflects the number of persons who were arrested or referred, not simply the number of incidents as is the case with the other Clery Act crimes.

### **b. “Head Count” for Alcohol, Drug, and Weapons Offense**

These statistics reflect the number of people who were arrested or referred for disciplinary action. Example: If 10 people are arrested or referred for a single incident of underage drinking, the number reported will be 10, not one.

## 31. Geographic Locations

Crime statistics are categorized in four locations. Specific statutory definitions of these geographic areas are explained below:

**On Campus** - Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

1. 280 Bldg – 280 S. Columbus  
The Art Institute of Chicago (Museum) – 111 S Michigan
2. Sharp Bldg – 37 S. Wabash (including Sharp Annex floors 2 & 3)
3. Sullivan Center – 36 S. Wabash/33 S. State (floors 7, 12, 14)
4. 162 Bldg – 162 N. State (floors 4-17)
5. Jones Hall – 7 W. Madison (floors 3-15)
6. Maclean Center – 112 S. Michigan
7. Lakeview Building – 116 S. Michigan (floors 2, 5, 6, 8, 10, 11, 13-17)
8. SAIC Galleries & Studios – 33 E Washington (floors L1, LL1, LL2, LL3)
9. The Buckingham – 59 E Van Buren – 1/1/21-5/12/21, 9/1/21-12/19/21 (floors 10-19)

**On Campus-Residential** - Dormitories or other residential facilities for students on campus is a subset of the on-campus category.

4. 162 Bldg – 162 N. State (floors 4-17)
5. Jones Hall – 7 W. Madison (floors 3-15)
9. The Buckingham – 59 E Van Buren – 1/1/21-5/12/21, 9/1/21-12/19/21 (floors 10-19)

**Public Property** – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

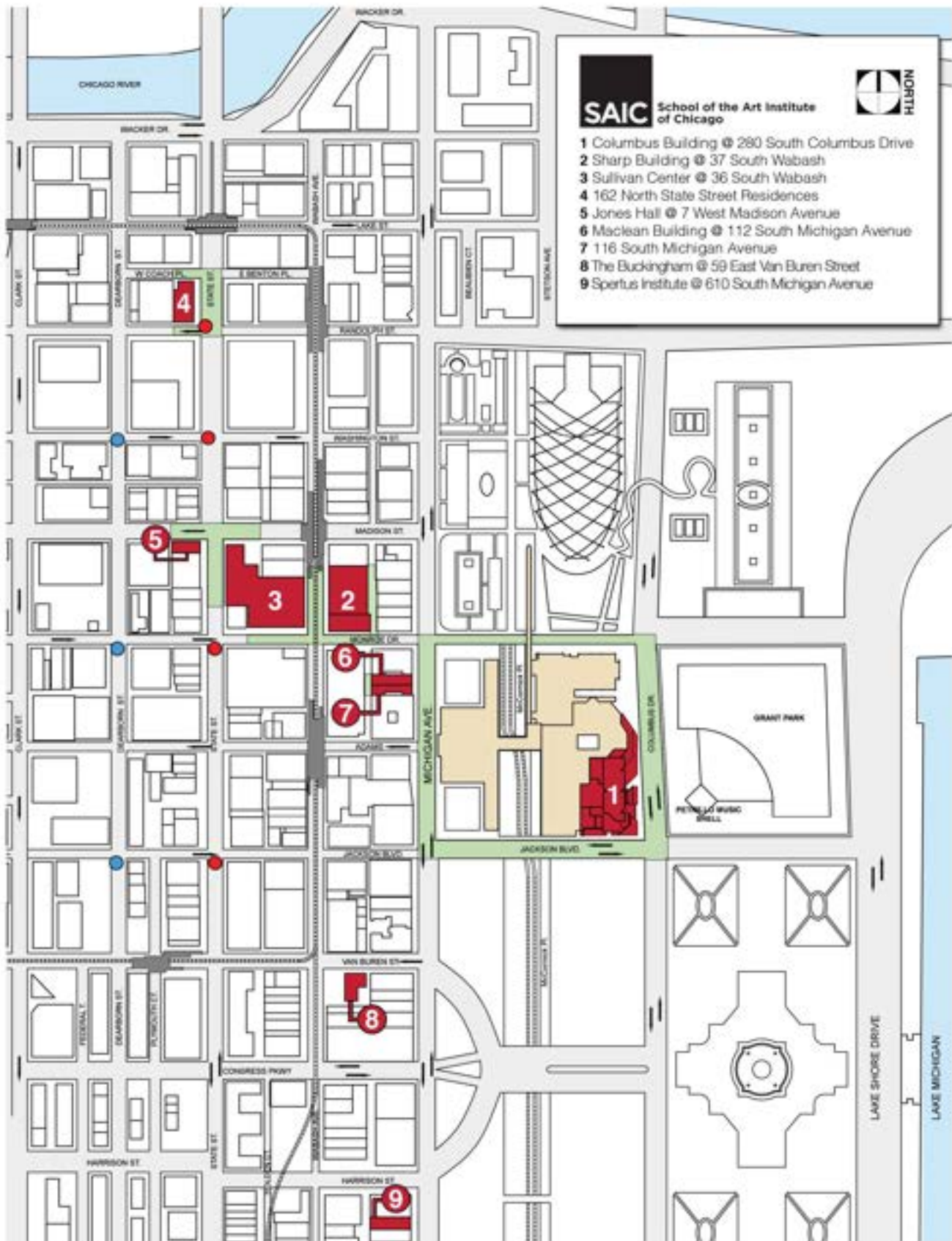
1. 280 Bldg – 280 S. Columbus  
The Art Institute of Chicago (Museum) – 111 S Michigan
2. Sharp Bldg – 37 S. Wabash (including Sharp Annex floors 2 & 3)
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9. The Buckingham – 59 E Van Buren – 1/1/21-5/12/21, 9/1/21-12/19/21 (floors 10-19)

**Non-Campus** - Any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

10. Roger Brown House – 1926 N Halsted  
Homan Square – 906 S. Homan (floors 10, 12)

Locations listed with a number can be seen on the following maps as indicated by a corresponding number. Those locations listed without a number are not identified on the following maps.





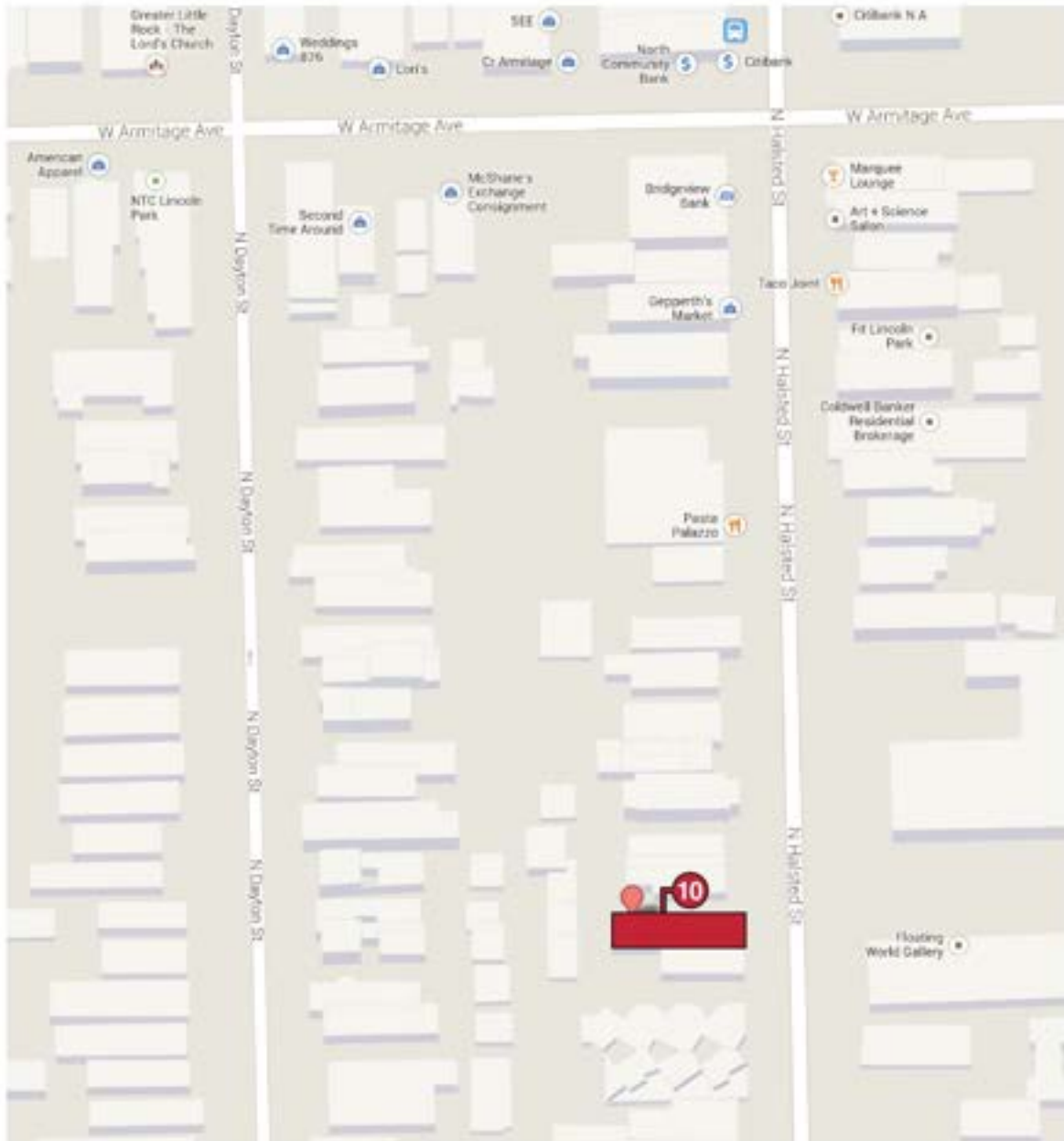


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10 Roger Brown Study Collection @ 1926 N. Halsted St.



## 32. Campus Crime Statistics 2019, 2020, & 2021

CRIMINAL OFFENSES REPORTING TABLE					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder / Non-negligent Manslaughter	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Rape	2021	2	2	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Fondling	2021	0	0	0	1
	2020	0	0	0	0
	2019	2	0	0	6
Incest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Statutory Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Robbery	2021	0	0	0	4
	2020	0	0	0	2
	2019	0	0	0	6
Aggravated Assault	2021	0	0	0	6
	2020	0	0	0	7
	2019	0	0	0	4
Burglary	2021	1	0	0	0
	2020	0	0	0	0
	2019	1	0	0	0
Motor Vehicle Theft	2021	0	0	0	7
	2020	0	0	0	3
	2019	0	0	0	2
Arson	2021	0	0	0	0
	2020	0	1	0	0
	2019	0	0	0	0

There were two unfounded Motor Vehicle Theft incidents for 2019. There was one unfounded Criminal Sexual Assault incident for 2020. There were no unfounded incidents for 2021.

## VAWA OFFENSES REPORTING TABLE

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2021	0	0	0	5
	2020	0	0	0	9
	2019	0	0	0	13
Dating Violence	2021	0	0	0	1
	2020	0	0	0	7
	2019	1	0	0	5
Stalking	2021	0	0	0	0
	2020	0	0	0	0
	2019	2	0	0	1

## ARRESTS AND DISCIPLINARY REFERRALS REPORTING TABLE

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Arrests – Weapons: Carrying, Possessing, Etc.	2021	0	0	0	7
	2020	0	0	0	5
	2019	0	0	0	2
Disciplinary Referrals – Weapons: Carrying, Possessing, Etc.	2021	1	1	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Arrests – Drug Abuse Violations	2021	0	0	0	1
	2020	0	0	0	2
	2019	0	0	0	1
Disciplinary Referrals – Drug Abuse Violations	2021	17	16	0	0
	2020	52	45	0	0
	2019	55	55	0	0
Arrests – Liquor Law Violations	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Disciplinary Referrals – Liquor Law Violations	2021	39	34	0	0
	2020	21	21	0	1
	2019	100	96	0	0

## HATE CRIME REPORTING

There were no reported Hate Crimes for the years 2019, 2020 or 2021.

It is the policy of the School of the Art Institute of Chicago that neither SAIC, its officers, its employees, nor its agents participating in any program under United States Code Title 20 (Education), Chapter 28 (Higher Education Resources and Student Assistance), Subchapter IV (Student Assistance), Part F (General Provisions Relating to Student Assistance Programs), and United States Code Title 42 (The Public Health and Welfare), Chapter 34 (Economic Opportunity Program), Subchapter I (Research and Demonstrations), Part C (Federal Work Study Programs) may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## 33. Drug Free Schools and Communities Act

It is the policy of the School of the Art Institute of Chicago that SAIC is a designated Drug Free Campus and Workplace. Because the possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws, violators are subject to criminal prosecution and SAIC disciplinary actions.

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226), SAIC distributes a notice detailing the laws, risks, and treatments associated with drug and alcohol abuse. The notice is distributed every September to all students and employees. Because this notice is only one means of communicating this information, we encourage students to contact any member of the Office of Student Affairs staff for further information or counseling. We encourage employees to contact a representative of the Human Resources department for further information or counseling. You may obtain a copy of this notice by contacting the Campus Security office, or by accessing the following link: <https://www.saic.edu/about/consumer-information>.

As prescribed by the amendments, the following details the laws, risks, and treatment associated with drug and alcohol abuse.

**Federal Sanctions for Unlawful Possession/Distribution of Illicit Drugs and Alcohol:**

<b>Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)</b>				
<b>Schedule</b>	<b>Substance/Quantity</b>	<b>Penalty</b>	<b>Substance/Quantity</b>	<b>Penalty</b>
II	Cocaine 500-4999 grams mixture	<p><b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p><b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
II	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
<b>Substance/Quantity</b>		<b>Penalty</b>		
Any Amount Of Other Schedule I & II Substances (and Any Drug Product Containing Gamma Hydroxybutyric Acid)		<p><b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		<p><b>First Offense:</b> Not more than 10 yrs. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Any Amount Of All Schedule V Drugs		<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

<b>Federal Trafficking Penalties for Marijuana</b>	
Marijuana (Schedule I) 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.  <b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I) 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.  <b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I) 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<b>First Offense:</b> Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.  <b>Second Offense:</b> Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Hashish (Schedule I) More than 10 kilograms	
Hashish Oil (Schedule I) More than 1 kilogram	
Marijuana (Schedule I) less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	<b>First Offense:</b> Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.  <b>Second Offense:</b> Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

Excerpted from the Drug Enforcement Administration website, [https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20\\_0.pdf](https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20_0.pdf).

**Controlled Substance - Illinois Law: Legal Penalties and Sanctions for Unlawful Possession, Use or Distribution**

**Illinois Cannabis Control Act 720 ILCS 550/4 (from Ch. 56 1/2, par. 704)**

Sec. 4. Except as otherwise provided in the Cannabis Regulation and Tax Act and the Industrial Hemp Act, it is unlawful for any person knowingly to possess cannabis.

Any person who violates this Section with respect to:

(a) not more than 10 grams of any substance containing cannabis is guilty of a civil law violation punishable by a minimum fine of \$100 and a maximum fine of \$200. The proceeds of the fine shall be payable to the clerk of the circuit court. Within 30 days after the deposit of the fine, the clerk shall distribute the proceeds of the fine as follows:

(1) \$10 of the fine to the circuit clerk and \$10 of the fine to the law enforcement agency that issued the citation; the proceeds of each \$10 fine distributed to the circuit clerk and each \$10 fine distributed to the law enforcement agency that issued the citation for the violation shall be used to defer the cost of automatic expungements under paragraph (2.5) of subsection (a) of Section 5.2 of the Criminal Identification Act;

(2) \$15 to the county to fund drug addiction services;

(3) \$10 to the Office of the State's Attorneys Appellate Prosecutor for use in training programs;

(4) \$10 to the State's Attorney; and

(5) any remainder of the fine to the law enforcement agency that issued the citation for the violation.

With respect to funds designated for the Illinois State Police, the moneys shall be remitted by the circuit court clerk to the Illinois State Police within one month after receipt for deposit into the State Police Operations Assistance Fund. With respect to funds designated for the Department of Natural Resources, the Department of Natural Resources shall deposit the moneys into the Conservation Police Operations Assistance Fund;

(b) more than 10 grams but not more than 30 grams of any substance containing cannabis is guilty of a Class B misdemeanor;

(c) more than 30 grams but not more than 100 grams of any substance containing cannabis is guilty of a Class A misdemeanor; provided, that if any offense under this subsection (c) is a subsequent offense, the offender shall be guilty of a Class 4 felony;

(d) more than 100 grams but not more than 500 grams of any substance containing cannabis is guilty of a Class 4 felony; provided that if any offense under this subsection (d) is a subsequent offense, the offender shall be guilty of a Class 3 felony;

(e) more than 500 grams but not more than 2,000 grams of any substance containing cannabis is guilty of a Class 3 felony;

(f) more than 2,000 grams but not more than 5,000 grams of any substance containing cannabis is guilty of a Class 2 felony;

(g) more than 5,000 grams of any substance containing cannabis is guilty of a Class 1 felony.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

**Illinois Cannabis Control Act 720 ILCS 550/5 (from Ch. 56 1/2, par. 705)**

Sec. 5. Except as otherwise provided in the Cannabis Regulation and Tax Act and the Industrial Hemp Act, it is unlawful for any person knowingly to manufacture, deliver, or possess with intent to deliver, or manufacture, cannabis. Any person who violates this Section with respect to:

(a) not more than 2.5 grams of any substance containing cannabis is guilty of a Class B misdemeanor;

(b) more than 2.5 grams but not more than 10 grams of any substance containing cannabis is guilty of a Class A misdemeanor;

(c) more than 10 grams but not more than 30 grams of any substance containing cannabis is guilty of a Class 4 felony;

(d) more than 30 grams but not more than 500 grams of any substance containing cannabis is guilty of a Class 3 felony for which a fine not to exceed \$50,000 may be imposed;



(e) more than 500 grams but not more than 2,000 grams of any substance containing cannabis is guilty of a Class 2 felony for which a fine not to exceed \$100,000 may be imposed;

(f) more than 2,000 grams but not more than 5,000 grams of any substance containing cannabis is guilty of a Class 1 felony for which a fine not to exceed \$150,000 may be imposed;

(g) more than 5,000 grams of any substance containing cannabis is guilty of a Class X felony for which a fine not to exceed \$200,000 may be imposed.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

**Illinois Cannabis Control Act 720 ILCS 550/5.1 (from Ch. 56 1/2, par. 705.1)**

**Sec. 5.1. Cannabis Trafficking.**

(a) Except for purposes authorized by this Act, the Industrial Hemp Act, or the Cannabis Regulation and Tax Act, any person who knowingly brings or causes to be brought into this State for the purpose of manufacture or delivery or with the intent to manufacture or deliver 2,500 grams or more of cannabis in this State or any other state or country is guilty of cannabis trafficking.

(b) A person convicted of cannabis trafficking shall be sentenced to a term of imprisonment not less than twice the minimum term and fined an amount as authorized by subsection (f) or (g) of Section 5 of this Act, based upon the amount of cannabis brought or caused to be brought into this State, and not more than twice the maximum term of imprisonment and fined twice the amount as authorized by subsection (f) or (g) of Section 5 of this Act, based upon the amount of cannabis brought or caused to be brought into this State.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

**Illinois Cannabis Control Act 720 ILCS 550/5.2 (from Ch. 56 1/2, par. 705.2)**

**Sec. 5.2. Delivery of cannabis on school grounds.**

(a) Any person who violates subsection (e) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 500 feet of the real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, and at the time of the violation persons under the age of 18 are present, the offense is committed during school hours, or the offense is committed at times when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, on the real property, or on the public way, such as when after-school activities are occurring, is guilty of a Class 1 felony, the fine for which shall not exceed \$200,000;

(b) Any person who violates subsection (d) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 500 feet of the real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, and at the time of the violation persons under the age of 18 are present, the offense is committed during school hours, or the offense is committed at times when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, on the real property, or on the public way, such as when after-school activities are occurring, is guilty of a Class 2 felony, the fine for which shall not exceed \$100,000. (b) Any person who violates subsection (d) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 500 feet of the real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, and at the time of the violation persons under the age of 18 are present, the offense is committed during school hours, or the offense is committed at times when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, on the real property, or on the public way, such as when after-school activities are occurring, is guilty of a Class 2 felony, the fine for which shall not exceed \$100,000;

(c) Any person who violates subsection (c) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 500 feet of the real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, and at the time of the violation persons under the age of 18 are present, the offense is committed during school hours, or the offense is committed at times when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, on the real property, or on the public way, such as when after-school activities are occurring, is guilty of a Class 3 felony, the fine for which shall not exceed \$50,000;

(d) Any person who violates subsection (b) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 500 feet of the real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, and at the time of the violation persons under the age of 18 are present, the offense is committed during school hours, or the offense is committed at times when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, on the real property, or on the public way, such as when after-school activities are occurring, is guilty of a Class 4 felony, the fine for which shall not exceed \$25,000;

(e) Any person who violates subsection (a) of Section 5 in any school, on the real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, on any public way within 500 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, and at the time of the violation persons under the age of 18 are present, the offense is committed during school hours, or the offense is committed at times when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, on the real property, or on the public way, such as when after-school activities are occurring, is guilty of a Class A misdemeanor.

(f) This Section does not apply to a violation that occurs in or on the grounds of a building that is designated as a school but is no longer operational or active as a school, including a building that is temporarily or permanently closed by a unit of local government.

(Source: P.A. 101-429, eff. 8-20-19; 102-558, eff. 8-20-21.)

### **Illinois Cannabis Control Act 720 ILCS 550/5.3**

(Text of Section from P.A. 101-27)

Sec. 5.3. Unlawful use of cannabis-based product manufacturing equipment.

(a) A person commits unlawful use of cannabis-based product manufacturing equipment when he or she knowingly engages in the possession, procurement, transportation, storage, or delivery of any equipment used in the manufacturing of any cannabis-based product using volatile or explosive gas, including, but not limited to, canisters of butane gas, with the intent to manufacture, compound, covert, produce, derive, process, or prepare either directly or indirectly any cannabis-based product.

(b) This Section does not apply to a cultivation center or cultivation center agent that prepares medical cannabis or cannabis-infused products in compliance with the Compassionate Use of Medical Cannabis Program Act and Department of Public Health and Department of Agriculture rules.

(c) Sentence. A person who violates this Section is guilty of a Class 2 felony.

(d) This Section does not apply to craft growers, cultivation centers, and infuser organizations licensed under the Cannabis Regulation and Tax Act.

(e) This Section does not apply to manufacturers of cannabis-based product manufacturing equipment or transporting organizations with documentation identifying the seller and purchaser of the equipment if the seller or purchaser is a craft grower, cultivation center, or infuser organization licensed under the Cannabis Regulation and Tax Act.

(Source: P.A. 101-27, eff. 6-25-19; 101-363, eff. 8-9-19; 102-558, eff. 8-20-21.)

**Illinois Cannabis Control Act 720 ILCS 550/6 (from Ch. 56 1/2, par. 706)**

Sec. 6.

Any delivery of cannabis which is a casual delivery shall be treated in all respects as possession of cannabis for purposes of penalties.

(Source: P.A. 77-758.)

**Illinois Cannabis Control Act 720 ILCS 550/7 (from Ch. 56 1/2, par. 707)**

Sec. 7. (a) Any person who is at least 18 years of age who violates Section 5 of this Act by delivering cannabis to a person under 18 years of age who is at least 3 years his junior may be sentenced to imprisonment for a term up to twice the maximum term otherwise authorized by Section 5.

(b) Any person under 18 years of age who violates Section 4 or 5 of this Act may be treated by the court in accordance with the Juvenile Court Act of 1987.

(Source: P.A. 85-1209.)

**Illinois Cannabis Control Act 720 ILCS 550/8 (from Ch. 56 1/2, par. 708)**

Sec. 8. Except as otherwise provided in the Cannabis Regulation and Tax Act and the Industrial Hemp Act, it is unlawful for any person knowingly to produce the Cannabis sativa plant or to possess such plants unless production or possession has been authorized pursuant to the provisions of Section 11 or 15.2 of the Act. Any person who violates this Section with respect to production or possession of:

(a) Not more than 5 plants is guilty of a civil violation punishable by a minimum fine of \$100 and a maximum fine of \$200. The proceeds of the fine are payable to the clerk of the circuit court. Within 30 days after the deposit of the fine, the clerk shall distribute the proceeds of the fine as follows.

- (1) \$10 of the fine to the circuit clerk and \$10 of the fine to the law enforcement agency that issued the citation; the proceeds of each \$10 fine distributed to the circuit clerk and each \$10 fine distributed to the law enforcement agency that issued the citation for the violation shall be used to defer the cost of automatic expungements under paragraph (2.5) of subsection (a) of Section 5.2 of the Criminal Identification Act;
- (2) \$15 to the county to fund drug addiction services;
- (3) \$10 to the Office of the State's Attorneys Appellate Prosecutor for use in training programs;
- (4) \$10 to the State's Attorney; and
- (5) any remainder of the fine to the law enforcement agency that issued the citation for the violation.

With respect to funds designated for the Illinois State Police, the moneys shall be remitted by the circuit court clerk to the State Treasurer within one month after receipt for deposit into the State Police Operations Assistance Fund. With respect to funds designated for the Department of Natural Resources, the Department of Natural Resources shall deposit the moneys into the Conservation Police Operations Assistance Fund.

(b) More than 5, but not more than 20 plants, is guilty of a Class 4 felony.

(c) More than 20, but not more than 50 plants, is guilty of a Class 3 felony.

(d) More than 50, but not more than 200 plants, is guilty of a Class 2 felony for which a fine not to exceed \$100,000 may be imposed and for which liability for the cost of conducting the investigation and eradicating such plants may be assessed. Compensation for expenses incurred in the enforcement of this provision shall be transmitted to and deposited in the treasurer's office at the level of government represented by the Illinois law enforcement agency whose officers or employees conducted the investigation or caused the arrest or arrests leading to the prosecution, to be subsequently made available to that law enforcement agency as expendable receipts for use in the enforcement of laws regulating controlled substances and cannabis. If such seizure was made by a combination of law enforcement personnel representing different levels of government, the court levying the assessment shall determine the allocation of such assessment. The proceeds of assessment awarded to the State treasury shall be deposited in a special fund known as the Drug Traffic Prevention Fund.

(e) More than 200 plants is guilty of a Class 1 felony for which a fine not to exceed \$100,000 may be imposed and for which liability for the cost of conducting the investigation and eradicating such plants may be assessed. Compensation for expenses incurred in the enforcement of this provision shall be transmitted to and deposited in the treasurer's office at the level of government represented by the Illinois law enforcement agency whose officers or employees conducted the investigation or caused the arrest or arrests leading to the prosecution, to be subsequently made available to that law enforcement agency as expendable receipts for use in the enforcement of laws regulating controlled substances and cannabis. If such seizure was made by a combination of law enforcement personnel representing different levels of government, the court levying the assessment shall determine the allocation of such assessment. The proceeds of assessment awarded to the State treasury shall be deposited in a special fund known as the Drug Traffic Prevention Fund.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-145, eff. 7-23-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

**Illinois Cannabis Control Act 720 ILCS 550/9 (from Ch. 56 1/2, par. 709)**

Sec. 9. (a) Any person who engages in a calculated criminal cannabis conspiracy, as defined in subsection (b), is guilty of a Class 3 felony, and fined not more than \$200,000 and shall be subject to the forfeitures prescribed in subsection (c); except that, if any person engages in such offense after one or more prior convictions under this Section, Section 4 (d), Section 5 (d), Section 8 (d) or any law of the United States or of any State relating to cannabis, or controlled substances as defined in the Illinois Controlled Substances Act, in addition to the fine and forfeiture authorized above, he shall be guilty of a Class 1 felony for which an offender may not be sentenced to death.

(b) For purposes of this section, a person engages in a calculated criminal cannabis conspiracy when:

(1) he violates Section 4 (d), 4 (e), 5 (d), 5 (e), 8 (c) or 8 (d) of this Act; and

(2) such violation is a part of a conspiracy undertaken or carried on with 2 or more other persons; and

(3) he obtains anything of value greater than \$500 from, or organizes, directs or finances such violation or conspiracy.

(c) Any person who is convicted under this Section of engaging in a calculated criminal cannabis conspiracy shall forfeit to the State of Illinois:

(1) the receipts obtained by him in such conspiracy; and

(2) any of his interests in, claims against, receipts from, or property or rights of any kind affording a source of influence over, such conspiracy.

(d) The circuit court may enter such injunctions, restraining orders, directions, or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, in connection with any property, claim, receipt, right or other interest subject to forfeiture under this Section, as it deems proper.

(Source: P.A. 84-1233.)

**Illinois Cannabis Control Act 720 ILCS 550/10 (from Ch. 56 1/2, par. 710)**

(Text of Section before amendment by P.A. 100-3)

Sec. 10. (a) Whenever any person who has not previously been convicted of any felony offense under this Act or any law of the United States or of any State relating to cannabis, or controlled substances as defined in the Illinois Controlled Substances Act, pleads guilty to or is found guilty of violating Sections 4(a), 4(b), 4(c), 5(a), 5(b), 5(c) or 8 of this Act, the court may, without entering a judgment and with the consent of such person, sentence him to probation.

(b) When a person is placed on probation, the court shall enter an order specifying a period of probation of 24 months, and shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of probation.

(c) The conditions of probation shall be that the person: (1) not violate any criminal statute of any jurisdiction; (2) refrain from possession of a firearm or other dangerous weapon; (3) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of the probation, with the cost of the testing to be paid by the probationer; and (4) perform no less than 30 hours of community service, provided community service is available in the jurisdiction and is funded and approved by the county board.

(d) The court may, in addition to other conditions, require that the person:

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;

(2) pay a fine and costs;

(3) work or pursue a course of study or vocational training;

(4) undergo medical or psychiatric treatment; or treatment for drug addiction or alcoholism;

(5) attend or reside in a facility established for the instruction or residence of defendants on probation;

(6) support his dependents;

(7) refrain from possessing a firearm or other dangerous weapon;

(7-5) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(8) and in addition, if a minor:

- (i) reside with his parents or in a foster home;
- (ii) attend school;
- (iii) attend a non-residential program for youth;
- (iv) contribute to his own support at home or in a foster home.

(e) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided.

(f) Upon fulfillment of the terms and conditions of probation, the court shall discharge such person and dismiss the proceedings against him.

(g) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal, however, discharge and dismissal under this Section is not a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime (including the additional penalty imposed for subsequent offenses under Section 4(c), 4(d), 5(c) or 5(d) of this Act).

(h) A person may not have more than one discharge and dismissal under this Section within a 4-year period.

(i) If a person is convicted of an offense under this Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as a factor in aggravation.

(j) Notwithstanding subsection (a), before a person is sentenced to probation under this Section, the court may refer the person to the drug court established in that judicial circuit pursuant to Section 15 of the Drug Court Treatment Act. The drug court team shall evaluate the person's likelihood of successfully completing a sentence of probation under this Section and shall report the results of its evaluation to the court. If the drug court team finds that the person suffers from a substance abuse problem that makes him or her substantially unlikely to successfully complete a sentence of probation under this Section, then the drug court shall set forth its findings in the form of a written order, and the person shall not be sentenced to probation under this Section, but shall be considered for the drug court program.

(Source: P.A. 99-480, eff. 9-9-15; 100-3, eff. 1-1-18; 100-575, eff. 1-8-18.)

**Illinois Cannabis Control Act 720 ILCS 550/10.1 (from Ch. 56 1/2, par. 710.1)**

Sec. 10.1. (a) Whenever any person pleads guilty to, is found guilty of or is placed on supervision for an offense under this Act, a fine may be levied in addition to any other penalty imposed by the court.

(b) In determining whether to impose a fine under this Section and the amount, time for payment and method of payment of any fine so imposed, the court shall

- (1) consider the defendant's income, regardless of source, the defendant's earning capacity and the defendant's financial resources, as well as the nature of the burden the fine will impose on the defendant and any person legally or financially dependent upon the defendant;
- (2) consider the proof received at trial, or as a result of a plea of guilty, concerning the full street value of the cannabis seized and any profits or other proceeds derived by the defendant from the violation of this Act;
- (3) take into account any other pertinent equitable considerations; and
- (4) give primary consideration to the need to deprive the defendant of illegally obtained profits or other proceeds from the offense.

For the purpose of paragraph (2) of this subsection, "street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis seized.

(c) As a condition of a fine, the court may require that payment be made in specified installments or within a specified period of time, but such period shall not be greater than the maximum applicable term of probation or imprisonment, whichever is greater. Unless otherwise specified, payment of a fine shall be due immediately.

(d) If a fine for a violation of this Act is imposed on an organization, it is the duty of each individual authorized to make disbursements of the assets of the organization to pay the fine from assets of the organization.

(e) (1) A defendant who has been sentenced to pay a fine, and who has paid part but not all of such fine, may petition the court for an extension of the time for payment or modification of the method of payment.

(2) The court may grant a petition made pursuant to this subsection if it finds that

- (i) the circumstances that warranted payment by the time or method specified no longer exist; or
- (ii) it is otherwise unjust to require payment of the fine by the time or method specified.

(Source: P.A. 83-778.)

**Illinois Cannabis Control Act 720 ILCS 550/10.2 (from Ch. 56 1/2, par. 710.2)**

Sec. 10.2. (a) Twelve and one-half percent of all amounts collected as fines pursuant to the provisions of this Act shall be paid into the Youth Drug Abuse Prevention Fund, which is hereby created in the State treasury, to be used by the Department of Human Services for the funding of programs and services for drug-abuse treatment, and prevention and education services, for juveniles.

(b) Eighty-seven and one-half percent of the proceeds of all fines received under the provisions of this Act shall be transmitted to and deposited in the treasurer's office at the level of government as follows:

(1) If such seizure was made by a combination of law enforcement personnel representing differing units of local government, the court levying the fine shall equitably allocate 50% of the fine among these units of local government and shall allocate 37 1/2% to the county general corporate fund. In the event that the seizure was made by law enforcement personnel representing a unit of local government from a municipality where the number of inhabitants exceeds 2 million in population, the court levying the fine shall allocate 87 1/2% of the fine to that unit of local government. If the seizure was made by a combination of law enforcement personnel representing differing units of local government, and at least one of those units represents a municipality where the number of inhabitants exceeds 2 million in population, the court shall equitably allocate 87 1/2% of the proceeds of the fines received among the differing units of local government.

(2) If such seizure was made by State law enforcement personnel, then the court shall allocate 37 1/2% to the State treasury and 50% to the county general corporate fund.

(3) If a State law enforcement agency in combination with a law enforcement agency or agencies of a unit or units of local government conducted the seizure, the court shall equitably allocate 37 1/2% of the fines to or among the law enforcement agency or agencies of the unit or units of local government which conducted the seizure and shall allocate 50% to the county general corporate fund.

(c) The proceeds of all fines allocated to the law enforcement agency or agencies of the unit or units of local government pursuant to subsection (b) shall be made available to that law enforcement agency as expendable receipts for use in the enforcement of laws regulating controlled substances and cannabis. The proceeds of fines awarded to the State treasury shall be deposited in a special fund known as the Drug Traffic Prevention Fund, except that amounts distributed to the Secretary of State shall be deposited into the Secretary of State Evidence Fund to be used as provided in Section 2-115 of the Illinois Vehicle Code. Monies from this fund may be used by the Illinois State Police for use in the enforcement of laws regulating controlled substances and cannabis; to satisfy funding provisions of the Intergovernmental Drug Laws Enforcement Act; to defray costs and expenses associated with returning violators of this Act, the Illinois Controlled Substances Act, and the Methamphetamine Control and Community Protection Act only, as provided in such Acts, when punishment of the crime shall be confinement of the criminal in the penitentiary; and all other monies shall be paid into the general revenue fund in the State treasury.

(Source: P.A. 102-538, eff. 8-20-21.)

Excerpted from the Illinois General Assembly website, <https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1937&ChapterID=53>.



**Illinois Controlled Substances Act 720 ILCS 570/401 (from Ch. 56 1/2, par. 1401)**

Sec. 401. Manufacture or delivery, or possession with intent to manufacture or deliver, a controlled substance, a counterfeit substance, or controlled substance analog. Except as authorized by this Act, it is unlawful for any person knowingly to manufacture or deliver, or possess with intent to manufacture or deliver, a controlled substance other than methamphetamine and other than bath salts as defined in the Bath Salts Prohibition Act sold or offered for sale in a retail mercantile establishment as defined in Section 16-0.1 of the Criminal Code of 2012, a counterfeit substance, or a controlled substance analog. A violation of this Act with respect to each of the controlled substances listed herein constitutes a single and separate violation of this Act. For purposes of this Section, "controlled substance analog" or "analog" means a substance, other than a controlled substance, which is not approved by the United States Food and Drug Administration or, if approved, is not dispensed or possessed in accordance with State or federal law, and that has a chemical structure substantially similar to that of a controlled substance in Schedule I or II, or that was specifically designed to produce an effect substantially similar to that of a controlled substance in Schedule I or II. Examples of chemical classes in which controlled substance analogs are found include, but are not limited to, the following: phenethylamines, N-substituted piperidines, morphinans, ecgonines, quinazolinones, substituted indoles, and arylcycloalkylamines. For purposes of this Act, a controlled substance analog shall be treated in the same manner as the controlled substance to which it is substantially similar.

- (a) Any person who violates this Section with respect to the following amounts of controlled or counterfeit substances or controlled substance analogs, notwithstanding any of the provisions of subsections (c), (d), (e), (f), (g) or (h) to the contrary, is guilty of a Class X felony and shall be sentenced to a term of imprisonment as provided in this subsection (a) and fined as provided in subsection (b):
- (1) (A) not less than 6 years and not more than 30 years with respect to 15 grams or more but less than 100 grams of a substance containing heroin, or an analog thereof;
- (B) not less than 9 years and not more than 40 years with respect to 100 grams or more but less than 400 grams of a substance containing heroin, or an analog thereof;
- (C) not less than 12 years and not more than 50 years with respect to 400 grams or more but less than 900 grams of a substance containing heroin, or an analog thereof;
- (D) not less than 15 years and not more than 60 years with respect to 900 grams or more of any substance containing heroin, or an analog thereof;
- (1.5) (A) not less than 6 years and not more than 30 years with respect to 15 grams or more but less than 100 grams of a substance containing fentanyl, or an analog thereof;
- (B) not less than 9 years and not more than 40 years with respect to 100 grams or more but less than 400 grams of a substance containing fentanyl, or an analog thereof;
- (C) not less than 12 years and not more than 50 years with respect to 400 grams or more but less than 900 grams of a substance containing fentanyl, or an analog thereof;
- (D) not less than 15 years and not more than 60 years with respect to 900 grams or more of a substance containing fentanyl, or an analog thereof;
- (2) (A) not less than 6 years and not more than 30 years with respect to 15 grams or more but less than 100 grams of a substance containing cocaine, or an analog thereof;
- (B) not less than 9 years and not more than 40 years with respect to 100 grams or more but less than 400 grams of a substance containing cocaine, or an analog thereof;

- (C) not less than 12 years and not more than 50 years with respect to 400 grams or more but less than 900 grams of a substance containing cocaine, or an analog thereof;
- (D) not less than 15 years and not more than 60 years with respect to 900 grams or more of any substance containing cocaine, or an analog thereof;
- (3) (A) not less than 6 years and not more than 30 years with respect to 15 grams or more but less than 100 grams of a substance containing morphine, or an analog thereof;
- (B) not less than 9 years and not more than 40 years with respect to 100 grams or more but less than 400 grams of a substance containing morphine, or an analog thereof;
- (C) not less than 12 years and not more than 50 years with respect to 400 grams or more but less than 900 grams of a substance containing morphine, or an analog thereof;
- (D) not less than 15 years and not more than 60 years with respect to 900 grams or more of a substance containing morphine, or an analog thereof;
- (4) 200 grams or more of any substance containing peyote, or an analog thereof;
- (5) 200 grams or more of any substance containing a derivative of barbituric acid or any of the salts of a derivative of barbituric acid, or an analog thereof;
- (6) 200 grams or more of any substance containing amphetamine or any salt of an optical isomer of amphetamine, or an analog thereof;
- (6.5) (blank);
- (6.6) (blank);
- (7) (A) not less than 6 years and not more than 30 years with respect to: (i) 15 grams or more but less than 100 grams of a substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 15 or more objects or 15 or more segregated parts of an object or objects but less than 200 objects or 200 segregated parts of an object or objects containing in them or having upon them any amounts of any substance containing lysergic acid diethylamide (LSD), or an analog thereof;
- (B) not less than 9 years and not more than 40 years with respect to: (i) 100 grams or more but less than 400 grams of a substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 200 or more objects or 200 or more segregated parts of an object or objects but less than 600 objects or less than 600 segregated parts of an object or objects containing in them or having upon them any amount of any substance containing lysergic acid diethylamide (LSD), or an analog thereof;
- (C) not less than 12 years and not more than 50 years with respect to: (i) 400 grams or more but less than 900 grams of a substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 600 or more objects or 600 or more segregated parts of an object or objects but less than 1500 objects or 1500 segregated parts of an object or objects containing in them or having upon them any amount of any substance containing lysergic acid diethylamide (LSD), or an analog thereof;
- (D) not less than 15 years and not more than 60 years with respect to: (i) 900 grams or more of any substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 1500 or more objects or 1500 or more segregated parts of an object or objects containing in them or having upon them any amount of a substance containing lysergic acid diethylamide (LSD), or an analog thereof;

(7.5) (A) not less than 6 years and not more than 30 years with respect to: (i) 15 grams or more but less than 100 grams of a substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 15 or more pills, tablets, caplets, capsules, or objects but less than 200 pills, tablets, caplets, capsules, or objects containing in them or having upon them any amounts of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;

(B) not less than 9 years and not more than 40 years with respect to: (i) 100 grams or more but less than 400 grams of a substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 200 or more pills, tablets, caplets, capsules, or objects but less than 600 pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;

(C) not less than 12 years and not more than 50 years with respect to: (i) 400 grams or more but less than 900 grams of a substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 600 or more pills, tablets, caplets, capsules, or objects but less than 1,500 pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;

(D) not less than 15 years and not more than 60 years with respect to: (i) 900 grams or more of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 1,500 or more pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of a substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;

(8) 30 grams or more of any substance containing pentazocine or any of the salts, isomers and salts of isomers of pentazocine, or an analog thereof;

(9) 30 grams or more of any substance containing methaqualone or any of the salts, isomers and salts of isomers of methaqualone, or an analog thereof;

(10) 30 grams or more of any substance containing phencyclidine or any of the salts, isomers and salts of isomers of phencyclidine (PCP), or an analog thereof;

(10.5) 30 grams or more of any substance containing ketamine or any of the salts, isomers and salts of isomers of ketamine, or an analog thereof;

(10.6) 100 grams or more of any substance containing hydrocodone, or any of the salts, isomers and salts of isomers of hydrocodone, or an analog thereof;

(10.7) (blank);

(10.8) 100 grams or more of any substance containing dihydrocodeine, or any of the salts, isomers and salts of isomers of dihydrocodeine, or an analog thereof;

(10.9) 100 grams or more of any substance containing oxycodone, or any of the salts, isomers and salts of isomers of oxycodone, or an analog thereof;

(11) 200 grams or more of any substance containing any other controlled substance classified in Schedules I or II, or an analog thereof, which is not otherwise included in this subsection.

(b) Any person sentenced with respect to violations of paragraph (1), (2), (3), (7), or (7.5) of subsection (a) involving 100 grams or more of the controlled substance named therein, may in addition to the penalties provided therein, be fined an amount not more than \$500,000 or the full street value of the controlled or counterfeit substance or controlled substance analog, whichever is greater. The term "street value" shall have the meaning ascribed in Section 110-5 of the Code of Criminal Procedure of 1963. Any person sentenced with respect to any other provision of subsection (a), may in addition to the penalties provided therein, be fined an amount not to exceed \$500,000.

(b-1) Excluding violations of this Act when the controlled substance is fentanyl, any person sentenced to a term of imprisonment with respect to violations of Section 401, 401.1, 405, 405.1, 405.2, or 407, when the substance containing the controlled substance contains any amount of fentanyl, 3 years shall be added to the term of imprisonment imposed by the court, and the maximum sentence for the offense shall be increased by 3 years.

(c) Any person who violates this Section with regard to the following amounts of controlled or counterfeit substances or controlled substance analogs, notwithstanding any of the provisions of subsections (a), (b), (d), (e), (f), (g) or (h) to the contrary, is guilty of a Class 1 felony. The fine for violation of this subsection (c) shall not be more than \$250,000:

(1) 1 gram or more but less than 15 grams of any substance containing heroin, or an analog thereof;

(1.5) 1 gram or more but less than 15 grams of any substance containing fentanyl, or an analog thereof;

(2) 1 gram or more but less than 15 grams of any substance containing cocaine, or an analog thereof;

(3) 10 grams or more but less than 15 grams of any substance containing morphine, or an analog thereof;

(4) 50 grams or more but less than 200 grams of any substance containing peyote, or an analog thereof;

(5) 50 grams or more but less than 200 grams of any substance containing a derivative of barbituric acid or any of the salts of a derivative of barbituric acid, or an analog thereof;

(6) 50 grams or more but less than 200 grams of any substance containing amphetamine or any salt of an optical isomer of amphetamine, or an analog thereof;

(6.5) (blank);

(7) (i) 5 grams or more but less than 15 grams of any substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) more than 10 objects or more than 10 segregated parts of an object or objects but less than 15 objects or less than 15 segregated parts of an object containing in them or having upon them any amount of any substance containing lysergic acid diethylamide (LSD), or an analog thereof;

(7.5) (i) 5 grams or more but less than 15 grams of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) more than 10 pills, tablets, caplets, capsules, or objects but less than 15 pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;

(8) 10 grams or more but less than 30 grams of any substance containing pentazocine or any of the salts, isomers and salts of isomers of pentazocine, or an analog thereof;

(9) 10 grams or more but less than 30 grams of any substance containing methaqualone or any of the salts, isomers and salts of isomers of methaqualone, or an analog thereof;

(10) 10 grams or more but less than 30 grams of any substance containing phencyclidine or any of the salts, isomers and salts of isomers of phencyclidine (PCP), or an analog thereof;

(10.5) 10 grams or more but less than 30 grams of any substance containing ketamine or any of the salts, isomers and salts of isomers of ketamine, or an analog thereof;

(10.6) 50 grams or more but less than 100 grams of any substance containing hydrocodone, or any of the salts, isomers and salts of isomers of hydrocodone, or an analog thereof;

(10.7) (blank);

(10.8) 50 grams or more but less than 100 grams of any substance containing dihydrocodeine, or any of the salts, isomers and salts of isomers of dihydrocodeine, or an analog thereof;

(10.9) 50 grams or more but less than 100 grams of any substance containing oxycodone, or any of the salts, isomers and salts of isomers of oxycodone, or an analog thereof;

(11) 50 grams or more but less than 200 grams of any substance containing a substance classified in Schedules I or II, or an analog thereof, which is not otherwise included in this subsection.

(c-5) (Blank).

(d) Any person who violates this Section with regard to any other amount of a controlled or counterfeit substance containing dihydrocodeine or classified in Schedules I or II, or an analog thereof, which is (i) a narcotic drug, (ii) lysergic acid diethylamide (LSD) or an analog thereof, (iii) any substance containing amphetamine or fentanyl or any salt or optical isomer of amphetamine or fentanyl, or an analog thereof, or (iv) any substance containing N-Benzylpiperazine (BZP) or any salt or optical isomer of N-Benzylpiperazine (BZP), or an analog thereof, is guilty of a Class 2 felony. The fine for violation of this subsection (d) shall not be more than \$200,000.

(d-5) (Blank).

(e) Any person who violates this Section with regard to any other amount of a controlled substance other than methamphetamine or counterfeit substance classified in Schedule I or II, or an analog thereof, which substance is not included under subsection (d) of this Section, is guilty of a Class 3 felony. The fine for violation of this subsection (e) shall not be more than \$150,000.

(f) Any person who violates this Section with regard to any other amount of a controlled or counterfeit substance classified in Schedule III is guilty of a Class 3 felony. The fine for violation of this subsection (f) shall not be more than \$125,000.

(g) Any person who violates this Section with regard to any other amount of a controlled or counterfeit substance classified in Schedule IV is guilty of a Class 3 felony. The fine for violation of this subsection (g) shall not be more than \$100,000.

(h) Any person who violates this Section with regard to any other amount of a controlled or counterfeit substance classified in Schedule V is guilty of a Class 3 felony. The fine for violation of this subsection (h) shall not be more than \$75,000.

(i) This Section does not apply to the manufacture, possession or distribution of a substance in conformance with the provisions of an approved new drug application or an exemption for investigational use within the meaning of Section 505 of the Federal Food, Drug and Cosmetic Act.

(j) (Blank).

(Source: P.A. 99-371, eff. 1-1-16; 99-585, eff. 1-1-17; 100-368, eff. 1-1-18.)

*Excerpted from the Illinois General Assembly website,*

<https://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=072005700K401>.

**Illinois Controlled Substances Act 720 ILCS 570/402 (from Ch. 56 1/2, par. 1402)**

Sec. 402. Except as otherwise authorized by this Act, it is unlawful for any person knowingly to possess a controlled or counterfeit substance or controlled substance analog. A violation of this Act with respect to each of the controlled substances listed herein constitutes a single and separate violation of this Act. For purposes of this Section, "controlled substance analog" or "analog" means a substance, other than a controlled substance, which is not approved by the United States Food and Drug Administration or, if approved, is not dispensed or possessed in accordance with State or federal law, and that has a chemical structure substantially similar to that of a controlled substance in Schedule I or II, or that was specifically designed to produce an effect substantially similar to that of a controlled substance in Schedule I or II. Examples of chemical classes in which controlled substance analogs are found include, but are not limited to, the following: phenethylamines, N-substituted piperidines, morphinans, ecgonines, quinazolinones, substituted indoles, and arylcycloalkylamines. For purposes of this Act, a controlled substance analog shall be treated in the same manner as the controlled substance to which it is substantially similar.

(a) Any person who violates this Section with respect to the following controlled or counterfeit substances and amounts, notwithstanding any of the provisions of subsections (c) and (d) to the contrary, is guilty of a Class 1 felony and shall, if sentenced to a term of imprisonment, be sentenced as provided in this subsection (a) and fined as provided in subsection (b):

(1) (A) not less than 4 years and not more than 15 years with respect to 15 grams or more but less than 100 grams of a substance containing heroin;

(b) not less than 6 years and not more than 30 years with respect to 100 grams or more but less than 400 grams of a substance containing heroin;

(c) not less than 8 years and not more than 40 years with respect to 400 grams or more but less than 900 grams of any substance containing heroin;

(d) not less than 10 years and not more than 50 years with respect to 900 grams or more of any substance containing heroin;

(2) (A) not less than 4 years and not more than 15 years with respect to 15 grams or more but less than 100 grams of any substance containing cocaine;

(B) not less than 6 years and not more than 30 years with respect to 100 grams or more but less than 400 grams of any substance containing cocaine;

(C) not less than 8 years and not more than 40 years with respect to 400 grams or more but less than 900 grams of any substance containing cocaine;

(D) not less than 10 years and not more than 50 years with respect to 900 grams or more of any substance containing cocaine;

- (3) (A) not less than 4 years and not more than 15 years with respect to 15 grams or more but less than 100 grams of any substance containing morphine;
- (B) not less than 6 years and not more than 30 years with respect to 100 grams or more but less than 400 grams of any substance containing morphine;
- (C) not less than 6 years and not more than 40 years with respect to 400 grams or more but less than 900 grams of any substance containing morphine;
- (D) not less than 10 years and not more than 50 years with respect to 900 grams or more of any substance containing morphine;
- (4) 200 grams or more of any substance containing peyote;
- (5) 200 grams or more of any substance containing a derivative of barbituric acid or any of the salts of a derivative of barbituric acid;
- (6) 200 grams or more of any substance containing amphetamine or any salt of an optical isomer of amphetamine;
- (6.5) (blank);
- (7) (A) not less than 4 years and not more than 15 years with respect to: (i) 15 grams or more but less than 100 grams of any substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 15 or more objects or 15 or more segregated parts of an object or objects but less than 200 objects or 200 segregated parts of an object or objects containing in them or having upon them any amount of any substance containing lysergic acid diethylamide (LSD), or an analog thereof;
- (B) not less than 6 years and not more than 30 years with respect to: (i) 100 grams or more but less than 400 grams of any substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 200 or more objects or 200 or more segregated parts of an object or objects but less than 600 objects or less than 600 segregated parts of an object or objects containing in them or having upon them any amount of any substance containing lysergic acid diethylamide (LSD), or an analog thereof;
- (C) not less than 8 years and not more than 40 years with respect to: (i) 400 grams or more but less than 900 grams of any substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 600 or more objects or 600 or more segregated parts of an object or objects but less than 1500 objects or 1500 segregated parts of an object or objects containing in them or having upon them any amount of any substance containing lysergic acid diethylamide (LSD), or an analog thereof;
- (D) not less than 10 years and not more than 50 years with respect to: (i) 900 grams or more of any substance containing lysergic acid diethylamide (LSD), or an analog thereof, or (ii) 1500 or more objects or 1500 or more segregated parts of an object or objects containing in them or having upon them any amount of a substance containing lysergic acid diethylamide (LSD), or an analog thereof;
- (7.5) (A) not less than 4 years and not more than 15 years with respect to: (i) 15 grams or more but less than 100 grams of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 15 or more pills, tablets, caplets, capsules, or objects but less than 200 pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;

- (B) not less than 6 years and not more than 30 years with respect to: (i) 100 grams or more but less than 400 grams of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 200 or more pills, tablets, caplets, capsules, or objects but less than 600 pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;
- (C) not less than 8 years and not more than 40 years with respect to: (i) 400 grams or more but less than 900 grams of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 600 or more pills, tablets, caplets, capsules, or objects but less than 1,500 pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;
- (D) not less than 10 years and not more than 50 years with respect to: (i) 900 grams or more of any substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof, or (ii) 1,500 or more pills, tablets, caplets, capsules, or objects containing in them or having upon them any amount of a substance listed in paragraph (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of subsection (d) of Section 204, or an analog or derivative thereof;
- (8) 30 grams or more of any substance containing pentazocine or any of the salts, isomers and salts of isomers of pentazocine, or an analog thereof;
- (9) 30 grams or more of any substance containing methaqualone or any of the salts, isomers and salts of isomers of methaqualone;
- (10) 30 grams or more of any substance containing phencyclidine or any of the salts, isomers and salts of isomers of phencyclidine (PCP);
- (10.5) 30 grams or more of any substance containing ketamine or any of the salts, isomers and salts of isomers of ketamine;
- (11) 200 grams or more of any substance containing any substance classified as a narcotic drug in Schedules I or II, or an analog thereof, which is not otherwise included in this subsection.
- (b) Any person sentenced with respect to violations of paragraph (1), (2), (3), (7), or (7.5) of subsection (a) involving 100 grams or more of the controlled substance named therein, may in addition to the penalties provided therein, be fined an amount not to exceed \$200,000 or the full street value of the controlled or counterfeit substances, whichever is greater. The term "street value" shall have the meaning ascribed in Section 110-5 of the Code of Criminal Procedure of 1963. Any person sentenced with respect to any other provision of subsection (a), may in addition to the penalties provided therein, be fined an amount not to exceed \$200,000.
- (c) Any person who violates this Section with regard to an amount of a controlled substance other than methamphetamine or counterfeit substance not set forth in subsection (a) or (d) is guilty of a Class 4 felony. The fine for a violation punishable under this subsection (c) shall not be more than \$25,000.
- (d) Any person who violates this Section with regard to any amount of anabolic steroid is guilty of a Class C misdemeanor for the first offense and a Class B misdemeanor for a subsequent offense committed within 2 years of a prior conviction.

(Source: P.A. 99-371, eff. 1-1-16; 100-368, eff. 1-1-18.)

Excerpted from the Illinois General Assembly website,  
<https://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=072005700K402>.



**Illinois Controlled Substances Act 720 ILCS 570/401.1 (from Ch. 56 1/2, par. 1401.1)**

Sec. 401.1. Controlled Substance Trafficking.

(a) Except for purposes as authorized by this Act, any person who knowingly brings or causes to be brought into this State for the purpose of manufacture or delivery or with the intent to manufacture or deliver a controlled substance other than methamphetamine or counterfeit substance in this or any other state or country is guilty of controlled substance trafficking.

(b) A person convicted of controlled substance trafficking shall be sentenced to a term of imprisonment not less than twice the minimum term and fined an amount as authorized by Section 401 of this Act, based upon the amount of controlled or counterfeit substance brought or caused to be brought into this State, and not more than twice the maximum term of imprisonment and fined twice the amount as authorized by Section 401 of this Act, based upon the amount of controlled or counterfeit substance brought or caused to be brought into this State.

(c) It shall be a Class 2 felony for which a fine not to exceed \$100,000 may be imposed for any person to knowingly use a cellular radio telecommunication device in the furtherance of controlled substance trafficking. This penalty shall be in addition to any other penalties imposed by law.

(Source: P.A. 94-556, eff. 9-11-05.)

*Excerpted from the Illinois General Assembly website,*

<https://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=072005700K401.1>.

As of **January 1, 2020**, recreational consumption, possession, and sales of cannabis products are legal in the State of Illinois.

**Consumption & Possession**

Pursuant to state law, adults over age 21 can legally possess, consume, and purchase cannabis in Illinois beginning January 1, 2020.

Cannabis can be consumed at entities with an on-premises consumption license as well as on private property, subject to the discretion of the property owner. Public consumption is illegal. This includes streets, parks, and areas adjacent to licensed dispensaries.

It is illegal to consume cannabis in any vehicle (moving or not) and operating a vehicle under the influence of cannabis is illegal. Cannabis can be transported in a vehicle but during transportation cannabis cannot be accessible by any occupant of the vehicle and must be in a child-resistant container.

Cannabis purchased in Illinois cannot be transported to another state.

Cannabis may be purchased at licensed dispensaries (between the hours of 6 a.m. and 10 p.m.) and possession limitations are as follows:

<b>Type of Substance</b>	<b>Illinois Residents</b>	<b>Non-residents</b>
Cannabis	30 grams	15 grams
Cannabis-Infused Products	500 milligrams of THC	250 milligrams of THC
Cannabis Concentrate	5 grams	2.5 grams

**While Cannabis is Legal in Illinois, it Remains Illegal Under Federal Law.**

If you are a non-citizen, working in the cannabis industry or consuming/possessing cannabis could impact your immigration or citizenship status.

*Excerpted from the City of Chicago Cannabis Information Center website,*

<https://www.chicago.gov/city/en/sites/cannabis-information-center/home.html>

## **Alcohol - Illinois Law: Legal Penalties and Sanctions for Unlawful Possession, Use or Distribution**

**(235 ILCS 5/6-16) (from Ch. 43, par. 131)**

### **Sec. 6-16. Prohibited Sales and Possession.**

Any person under the age of 21 years who presents or offers to any licensee, his agent or employee, any written, printed or photostatic evidence of age and identity that is false, fraudulent, or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, who falsely states in writing that he or she is at least 21 years of age when receiving alcoholic liquor from a representative, agent, or employee of an express company, common carrier, or contract carrier, or who has in his or her possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, the following: a fine of not less than \$500 and at least 25 hours of community service. If possible, any community service shall be performed for an alcohol abuse prevention program.

Any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a Class A misdemeanor. This Section does not apply to possession by a person under the age of 21 years making a delivery of an alcoholic beverage in pursuance of the order of his or her parent or in pursuance of his or her employment.

(a-1) It is unlawful for any parent or guardian to knowingly permit his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under the age of 21, in a manner that constitutes a violation of this Section. A parent or guardian is deemed to have knowingly permitted his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used in violation of this Section if he or she knowingly authorizes or permits consumption of alcoholic liquor by underage invitees. Any person who violates this subsection (a-1) is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, a fine of not less than \$500. Where a violation of this subsection (a-1) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection shall be guilty of a Class 4 felony. Nothing in this subsection (a-1) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

For the purposes of this subsection (a-1) where the residence or other property has an owner and a tenant or lessee, the trier of fact may infer that the residence or other property is occupied only by the tenant or lessee.

(b) Except as otherwise provided in this Section whoever violates this Section shall, in addition to other penalties provided for in this Act, be guilty of a Class A misdemeanor.

(c) Any person shall be guilty of a Class A misdemeanor where he or she knowingly authorizes or permits a residence which he or she occupies to be used by an invitee under 21 years of age and:

- (1) the person occupying the residence knows that any such person under the age of 21 is in possession of or is consuming any alcoholic beverage; and
- (2) the possession or consumption of the alcohol by the person under 21 is not otherwise permitted by this Act.

For the purposes of this subsection (c) where the residence has an owner and a tenant or lessee, the trier of fact may infer that the residence is occupied only by the tenant or lessee. The sentence of any person who violates this subsection (c) shall include, but shall not be limited to, a fine of not less than \$500. Where a violation of this subsection (c) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection (c) shall be guilty of a Class 4 felony. Nothing in this subsection (c) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

A person shall not be in violation of this subsection (c) if (A) he or she requests assistance from the police department or other law enforcement agency to either (i) remove any person who refuses to abide by the person's performance of the duties imposed by this subsection (c) or (ii) terminate the activity because the person has been unable to prevent a person under the age of 21 years from consuming alcohol despite having taken all reasonable steps to do so and (B) this assistance is requested before any other person makes a formal complaint to the police department or other law enforcement agency about the activity.

(d) Any person who rents a hotel or motel room from the proprietor or agent thereof for the purpose of or with the knowledge that such room shall be used for the consumption of alcoholic liquor by persons under the age of 21 years shall be guilty of a Class A misdemeanor.

(e) Except as otherwise provided in this Act, any person who has alcoholic liquor in his or her possession on public school district property on school days or at events on public school district property when children are present is guilty of a petty offense, unless the alcoholic liquor (i) is in the original container with the seal unbroken and is in the possession of a person who is not otherwise legally prohibited from possessing the alcoholic liquor or (ii) is in the possession of a person in or for the performance of a religious service or ceremony authorized by the school board.

(Source: P.A. 97-1049, eff. 1-1-13; 98-1017, eff. 1-1-15.)

*Excerpted from the Illinois General Assembly website,  
<https://ilga.gov/legislation/ilcs/fulltext.asp?DocName=023500050K6-16>.*

**(235 ILCS 5/6-20) (from Ch. 43, par. 134a)**

**Sec. 6-20. Transfer, Possession, and Consumption of Alcoholic Liquor; Restrictions.**

- (a) Any person to whom the sale, gift or delivery of any alcoholic liquor is prohibited because of age shall not purchase, or accept a gift of such alcoholic liquor or have such alcoholic liquor in his possession.
- (b) If a licensee or his or her agents or employees believes or has reason to believe that a sale or delivery of any alcoholic liquor is prohibited because of the non-age of the prospective recipient, he or she shall, before making such sale or delivery demand presentation of some form of positive identification, containing proof of age, issued by a public officer in the performance of his or her official duties.
- (c) No person shall transfer, alter, or deface such an identification card; use the identification card of another; carry or use a false or forged identification card; or obtain an identification card by means of false information.
- (d) No person shall purchase, accept delivery or have possession of alcoholic liquor in violation of this Section.
- (e) The consumption of alcoholic liquor by any person under 21 years of age is forbidden.
- (f) Whoever violates any provisions of this Section shall be guilty of a Class A misdemeanor.
- (g) The possession and dispensing, or consumption by a person under 21 years of age of alcoholic liquor in the performance of a religious service or ceremony, or the consumption by a person under 21 years of age under the direct supervision and approval of the parents or parent or those persons standing in loco parentis of such person under 21 years of age in the privacy of a home, is not prohibited by this Act.

- (h) The provisions of this Act prohibiting the possession of alcoholic liquor by a person under 21 years of age and dispensing of alcoholic liquor to a person under 21 years of age do not apply in the case of a student under 21 years of age, but 18 years of age or older, who:
- (1) tastes, but does not imbibe, alcoholic liquor only during times of a regularly scheduled course while under the direct supervision of an instructor who is at least 21 years of age and employed by an educational institution described in subdivision (2);
  - (2) is enrolled as a student in a college, university, or post-secondary educational institution that is accredited or certified by an agency recognized by the United States Department of Education or a nationally recognized accrediting agency or association, or that has a permit of approval issued by the Board of Higher Education pursuant to the Private Business and Vocational Schools Act of 2012;
  - (3) is participating in a culinary arts, fermentation science, food service, or restaurant management degree program of which a portion of the program includes instruction on responsible alcoholic beverage serving methods modeled after the Beverage Alcohol Sellers and Server Education and Training (BASSET) curriculum; and
  - (4) tastes, but does not imbibe, alcoholic liquor for instructional purposes up to, but not exceeding, 6 times per class as a part of a required course in which the student temporarily possesses alcoholic liquor for tasting, not imbibing, purposes only in a class setting on the campus and, thereafter, the alcoholic liquor is possessed and remains under the control of the instructor.
- (i) A law enforcement officer may not charge or otherwise take a person into custody based solely on the commission of an offense that involves alcohol and violates subsection (d) or (e) of this Section if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that all of the following apply:
- (1) The law enforcement officer has contact with the person because that person either:
    - (A) requested emergency medical assistance for an individual who reasonably appeared to be in need of medical assistance due to alcohol consumption; or
    - (B) acted in concert with another person who requested emergency medical assistance for an individual who reasonably appeared to be in need of medical assistance due to alcohol consumption; however, the provisions of this subparagraph (B) shall not apply to more than 3 persons acting in concert for any one occurrence.
  - (2) The person described in subparagraph (A) or (B) of paragraph (1) of this subsection (i):
    - (A) provided his or her full name and any other relevant information requested by the law enforcement officer;
    - (B) remained at the scene with the individual who reasonably appeared to be in need of medical assistance due to alcohol consumption until emergency medical assistance personnel arrived; and
    - (C) cooperated with emergency medical assistance personnel and law enforcement officers at the scene.

(i-5) (1) In this subsection (i-5):

"Medical forensic services" has the meaning defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act.

"Sexual assault" means an act of sexual conduct or sexual penetration, defined in Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

(2) A law enforcement officer may not charge or otherwise take a person into custody based solely on the commission of an offense that involves alcohol and violates subsection (d) or (e) of this Section if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that all of the following apply:

(A) The law enforcement officer has contact with the person because the person:

- (i) reported that he or she was sexually assaulted;
- (ii) reported a sexual assault of another person or requested emergency medical assistance or medical forensic services for another person who had been sexually assaulted; or
- (iii) acted in concert with another person who reported a sexual assault of another person or requested emergency medical assistance or medical forensic services for another person who had been sexually assaulted; however, the provisions of this item (iii) shall not apply to more than 3 persons acting in concert for any one occurrence.

The report of a sexual assault may have been made to a health care provider, to law enforcement, including the campus police or security department of an institution of higher education, or to the Title IX Director of an institution of higher education or another employee of the institution responsible for responding to reports of sexual assault under State or federal law.

(B) The person who reports the sexual assault:

- (i) provided his or her full name;
- (ii) remained at the scene until emergency medical assistance personnel arrived, if emergency medical assistance was summoned for the person who was sexually assaulted and he or she cooperated with emergency medical assistance personnel; and
- (iii) cooperated with the agency or person to whom the sexual assault was reported if he or she witnessed or reported the sexual assault of another person.

- (j) A person who meets the criteria of paragraphs (1) and (2) of subsection (i) of this Section or a person who meets the criteria of paragraph (2) of subsection (i-5) of this Section shall be immune from criminal liability for an offense under subsection (d) or (e) of this Section.
- (k) A person may not initiate an action against a law enforcement officer based on the officer's compliance or failure to comply with subsection (i) or (i-5) of this Section, except for willful or wanton misconduct.

(Source: P.A. 99-447, eff. 6-1-16; 99-795, eff. 8-12-16; 100-1087, eff. 1-1-19.)

*Excerpted from the Illinois General Assembly website,*

<https://ilga.gov/legislation/ilcs/fulltext.asp?DocName=023500050K6-20>.

Penalties for Crimes in Illinois					
Category of Crime	Usual Prison or Jail Term	Possible Extended Term	Probation in Lieu of Confinement	Mandatory Supervised Release Term	Maximum Fine
Felony Class X	6-30 years	30-60 years	Not Allowed	3 years	\$25,000 (or more if specified)
Felony Class 1	4-15 years	15-30 years	Up to 4 years	2 years	\$25,000 (or more if specified)
Felony Class 2	3-7 years	7-14 years	Up to 4 years	2 years	\$25,000 (or more if specified)
Felony Class 3	2-5 years	5-10 years	Up to 2 ½ years	1 year	\$25,000 (or more if specified)
Felony Class 4	1-3 years	3-6 years	Up to 2 ½ years	1 year	\$25,000 (or more if specified)
Misdemeanor Class A	Under 1 year	—	Up to 2 years	—	\$2,500
Misdemeanor Class B	Up to 6 months	—	Up to 2 years	—	\$1,500
Misdemeanor Class C	Up to 30 days	—	Up to 2 years	—	\$1,500

Excerpted from the Illinois General Assembly website, <https://www.ilga.gov/commission/lru/2014PFC.pdf>.

**The School's Standards of Conduct and Penalties for Violation of the Standards:** - See Student Conduct Procedures (pages 108-116) in the 2022-2023 Student Handbook for the School's student conduct standards, process, and penalties for violation of the standards.

As stated in the Employee Guidelines of the Art Institute of Chicago under the heading, 17.4 Disciplinary Measures, "Employees may be disciplined by:

- *Oral or Written Warning,*
- *Suspension With or Without Pay,*
- *Wage Freeze,*
- *Wage Reduction or Deduction,*
- *Demotion, or*
- *Dismissal.*

Employees may be given notice of such discipline, including the effective date and time and the specific reason. Where appropriate, discipline will be administered in a progressive manner."

**Health Risks Associated with the Abuse of Alcohol and Illicit Drugs:** - Excerpted from the National Institute on Alcohol Abuse and Alcoholism (NIAAA) <https://www.niaaa.nih.gov/alcohol-health/alphabets-effects-body> and the National Institute on Drug Abuse (NIDA) <https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#synthetic-cathinones-bath-salts->.

### **Alcohol's Effects on the Body**

Drinking too much – on a single occasion or over time – can take a serious toll on your health. Here's how alcohol can affect your body:

#### **Brain:**

Alcohol interferes with the brain's communication pathways, and can affect the way the brain looks and works. These disruptions can change mood and behavior, and make it harder to think clearly and move with coordination.

#### **Heart:**

Drinking a lot over a long time or too much on a single occasion can damage the heart, causing problems including:

- Cardiomyopathy – Stretching and drooping of heart muscle
- Arrhythmias – Irregular heart beat
- Stroke
- High blood pressure

#### **Liver:**

Heavy drinking takes a toll on the liver, and can lead to a variety of problems and liver inflammations including:

- Steatosis, or fatty liver
- Alcoholic hepatitis
- Fibrosis
- Cirrhosis

#### **Pancreas:**

Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas that prevents proper digestion.

#### **Cancer:**

Source: National Cancer Institute -- see

<https://www.cancer.gov/about-cancer/causes-prevention/risk/alcohol/alcohol-fact-sheet>

There is a strong scientific consensus that alcohol drinking can cause several types of cancer. In its Report on Carcinogens, the National Toxicology Program of the US Department of Health and Human Services lists consumption of alcoholic beverages as a known human carcinogen.

The evidence indicates that the more alcohol a person drinks—particularly the more alcohol a person drinks regularly over time—the higher his or her risk of developing an alcohol-associated cancer. Even those who have no more than one drink per day and binge drinkers (those who consume 4 or more drinks for women and 5 or more drinks for men in one sitting) have a modestly increased risk of some cancers. Based on data from 2009, an estimated 3.5% of cancer deaths in the United States (about 19,500 deaths) were alcohol related.

Clear patterns have emerged between alcohol consumption and the development of the following types of cancer:

- **Head and neck cancer:** Moderate to heavy alcohol consumption is associated with higher risks of certain head and neck cancers. Moderate drinkers have 1.8-fold higher risks of oral cavity (excluding the lips) and pharynx (throat) cancers and 1.4-fold higher risks of larynx (voice box) cancers than non-drinkers, and heavy drinkers have 5-fold higher risks of oral cavity and pharynx cancers and 2.6-fold higher risks of larynx cancers (4, 9). Moreover, the risks of these cancers are substantially higher among persons who consume this amount of alcohol and also use tobacco.
- **Esophageal cancer:** Alcohol consumption at any level is associated with an increased risk of a type of esophageal cancer called esophageal squamous cell carcinoma. The risks, compared with no alcohol consumption, range from 1.3-fold higher for light drinking to nearly 5-fold higher for heavy drinking (4, 9). In addition, people who inherit a deficiency in an enzyme that metabolizes alcohol have been found to have substantially increased risks of esophageal squamous cell carcinoma if they consume alcohol.
- **Liver cancer:** Heavy alcohol consumption is associated with approximately 2-fold increased risks of two types of liver cancer (hepatocellular carcinoma and intrahepatic cholangiocarcinoma).
- **Breast cancer:** Epidemiologic studies have consistently found an increased risk of breast cancer with increasing alcohol intake. Pooled data from 118 individual studies indicates that light drinkers have a slightly increased (1.04-fold higher) risk of breast cancer, compared with nondrinkers. The risk increase is greater in moderate drinkers (1.23-fold higher) and heavy drinkers (1.6-fold higher) (4, 9). An analysis of prospective data for 88,000 women participating in two US cohort studies concluded that for women who have never smoked, light to moderate drinking was associated with a 1.13-fold increased risk of alcohol-related cancers (mostly breast cancer).
- **Colorectal cancer:** Moderate to heavy alcohol consumption is associated with 1.2- to 1.5-fold increased risks of cancers of the colon and rectum compared with no alcohol consumption.

#### **Immune System:**

Drinking too much can weaken your immune system, making your body a much easier target for disease. People who drink chronically are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.



## Drug Health Risks and Effects

### **Bath Salts (Synthetic Cathinones)**

Short-term	Increased heart rate and blood pressure; euphoria; increased sociability and sex drive; paranoia, agitation, and hallucinations; violent behavior; sweating; nausea, vomiting; insomnia; irritability; dizziness; depression; panic attacks; reduced motor control; cloudy thinking.
Long-term	Death.
Other Health-related Issues	Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Depression, anxiety.
Medications	There are no FDA-approved medications to treat addiction to synthetic cathinones.
Behavioral Therapies	<ul style="list-style-type: none"> <li>• Cognitive-behavioral therapy (CBT)</li> <li>• Contingency management, or motivational incentives</li> <li>• Motivational Enhancement Therapy (MET)</li> <li>• Behavioral treatments geared to teens</li> </ul>

### **Central Nervous System Depressants (Benzos):**

Short-term	Drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing.
Long-term	Unknown.
Other Health-related Issues	Sleep medications are sometimes used as date rape drugs. Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Further slows heart rate and breathing, which can lead to death.
Withdrawal Symptoms	Must be discussed with a health care provider; barbiturate withdrawal can cause a serious abstinence syndrome that may even include seizures.
Medications	There are no FDA-approved medications to treat addiction to prescription sedatives; lowering the dose over time must be done with the help of a health care provider.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat addiction to prescription sedatives.

### Cocaine (Coke/Crack):

Short-term	Narrowed blood vessels; enlarged pupils; increased body temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy, alertness; insomnia, restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, psychosis; heart rhythm problems, heart attack; stroke, seizure, coma.
Long-term	Loss of sense of smell, nosebleeds, nasal damage and trouble swallowing from snorting; infection and death of bowel tissue from decreased blood flow; poor nutrition and weight loss; lung damage from smoking.
Other Health-related Issues	Pregnancy: premature delivery, low birth weight, deficits in self-regulation and attention in school-aged children prenatally exposed.  Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Greater risk of cardiac toxicity than from either drug alone.
Withdrawal Symptoms	Depression, tiredness, increased appetite, insomnia, vivid unpleasant dreams, slowed thinking and movement, restlessness.
Medications	There are no FDA-approved medications to treat cocaine addiction.
Behavioral Therapies	<ul style="list-style-type: none"> <li>• Cognitive-behavioral therapy (CBT)</li> <li>• Contingency management, or motivational incentives, including vouchers</li> <li>• The Matrix Model</li> <li>• Community-based recovery groups, such as 12-Step programs</li> <li>• Mobile medical application: reSET®</li> </ul>

### Gamma-hydroxybutyrate (GHB):

Short-term	Euphoria, drowsiness, nausea, vomiting, confusion, memory loss, unconsciousness, slowed heart rate and breathing, lower body temperature, seizures, coma, death.
Long-term	Unknown.
Other Health-related Issues	Sometimes used as a date rape drug.
In Combination with Alcohol	Nausea, problems with breathing, greatly increased depressant effects.
Withdrawal Symptoms	Insomnia, anxiety, tremors, sweating, increased heart rate and blood pressure, psychotic thoughts.
Medications	Benzodiazepines.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat GHB addiction.

**Heroin:**

Short-term	Euphoria; dry mouth; itching; nausea; vomiting; analgesia; slowed breathing and heart rate.
Long-term	Collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.
Other Health-related Issues	Pregnancy: miscarriage, low birth weight, neonatal abstinence syndrome. Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Dangerous slowdown of heart rate and breathing, coma, death.
Withdrawal Symptoms	Restlessness, muscle and bone pain, insomnia, diarrhea, vomiting, cold flashes with goose bumps ("cold turkey").
Medications	<ul style="list-style-type: none"> <li>• Methadone</li> <li>• Buprenorphine</li> <li>• Naltrexone (short- and long-acting forms)</li> </ul>
Behavioral Therapies	<ul style="list-style-type: none"> <li>• Contingency management, or motivational incentives</li> <li>• 12-Step facilitation therapy</li> <li>• Mobile medical application: reSET-O™ used in conjunction with treatment that includes buprenorphine and contingency management</li> </ul>

**Ketamine:**

Short-term	Problems with attention, learning, and memory; dreamlike states, hallucinations; sedation; confusion; loss of memory; raised blood pressure; unconsciousness; dangerously slowed breathing.
Long-term	Ulcers and pain in the bladder; kidney problems; stomach pain; depression; poor memory.
Other Health-related Issues	Sometimes used as a date rape drug. Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Increased risk of adverse effects.
Withdrawal Symptoms	Unknown.
Medications	There are no FDA-approved medications to treat addiction to ketamine or other dissociative drugs.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat addiction to dissociative drugs.

**LSD (Acid):**

Short-term	Rapid emotional swings; distortion of a person's ability to recognize reality, think rationally, or communicate with others; raised blood pressure, heart rate, body temperature; dizziness; loss of appetite; tremors; enlarged pupils.
Long-term	Frightening flashbacks (called Hallucinogen Persisting Perception Disorder [HPPD]); ongoing visual disturbances, disorganized thinking, paranoia, and mood swings.
Other Health-related Issues	Unknown.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Unknown.
Medications	There are no FDA-approved medications to treat addiction to LSD or other hallucinogens.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat addiction to hallucinogens.

**Marijuana/Pot/Weed (Cannabis):**

Short-term	Enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; anxiety.
Long-term	Mental health problems, chronic cough, frequent respiratory infections.
Other Health-related Issues	THC vaping products mixed with the filler Vitamin E acetate (and possibly other chemicals) has led to serious lung illnesses and deaths. Pregnancy: babies born with problems with attention, memory, and problem solving.
In Combination with Alcohol	Increased heart rate, blood pressure; further slowing of mental processing and reaction time.
Withdrawal Symptoms	Irritability, trouble sleeping, decreased appetite, anxiety.
Medications	There are no FDA-approved medications to treat marijuana addiction.
Behavioral Therapies	<ul style="list-style-type: none"> <li>• Cognitive-behavioral therapy (CBT)</li> <li>• Contingency management, or motivational incentives</li> <li>• Motivational Enhancement Therapy (MET)</li> <li>• Behavioral treatments geared to adolescents</li> <li>• Mobile medical application: reSET®</li> </ul>

**MDMA (Ecstasy, Molly):**

Short-term	Lowered inhibition; enhanced sensory perception; increased heart rate and blood pressure; muscle tension; nausea; faintness; chills or sweating; sharp rise in body temperature leading to kidney failure or death.
Long-term	Long-lasting confusion, depression, problems with attention, memory, and sleep; increased anxiety, impulsiveness, less interest in sex.
Other Health-related Issues	Unknown.
In Combination with Alcohol	MDMA decreases some of alcohol's effects. Alcohol can increase plasma concentrations of MDMA, which may increase the risk of neurotoxic effects.
Withdrawal Symptoms	Fatigue, loss of appetite, depression, trouble concentrating.
Medications	There is conflicting evidence about whether MDMA is addictive. There are no FDA-approved medications to treat MDMA addiction.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat MDMA addiction.

**Methamphetamine (Crystal/Meth):**

Short-term	Increased wakefulness and physical activity; decreased appetite; increased breathing, heart rate, blood pressure, temperature; irregular heartbeat.
Long-term	Anxiety, confusion, insomnia, mood problems, violent behavior, paranoia, hallucinations, delusions, weight loss, severe dental problems ("meth mouth"), intense itching leading to skin sores from scratching.
Other Health-related Issues	Pregnancy: premature delivery; separation of the placenta from the uterus; low birth weight; lethargy; heart and brain problems.  Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Masks the depressant effect of alcohol, increasing risk of alcohol overdose; may increase blood pressure.
Withdrawal Symptoms	Depression, anxiety, tiredness.
Medications	There are no FDA-approved medications to treat methamphetamine addiction.
Behavioral Therapies	<ul style="list-style-type: none"> <li>• Cognitive-behavioral therapy (CBT)</li> <li>• Contingency management, or motivational incentives</li> <li>• The Matrix Model</li> <li>• 12-Step facilitation therapy</li> <li>• Mobile medical application: reSET®</li> </ul>

### PCP (Angel Dust):

Short-term	<p>Delusions, hallucinations, paranoia, problems thinking, a sense of distance from one's environment, anxiety.</p> <p>Low doses: slight increase in breathing rate; increased blood pressure and heart rate; shallow breathing; face redness and sweating; numbness of the hands or feet; problems with movement.</p> <p>High doses: nausea; vomiting; flicking up and down of the eyes; drooling; loss of balance; dizziness; violence; seizures, coma, and death.</p>
Long-term	Memory loss, problems with speech and thinking, loss of appetite, anxiety.
Other Health-related Issues	<p>PCP has been linked to self-injury.</p> <p>Risk of HIV, hepatitis, and other infectious diseases from shared needles.</p>
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Headaches, increased appetite, sleepiness, depression.
Medications	There are no FDA-approved medications to treat addiction to PCP or other dissociative drugs.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat addiction to dissociative drugs.

### Prescription Opioids (Oxy/Percs):

Short-term	Pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death.
Long-term	Increased risk of overdose or addiction if misused.
Other Health-related Issues	<p>Pregnancy: Miscarriage, low birth weight, neonatal abstinence syndrome.</p> <p>Older adults: higher risk of accidental misuse or abuse because many older adults have multiple prescriptions, increasing the risk of drug-drug interactions, and breakdown of drugs slows with age; also, many older adults are treated with prescription medications for pain.</p> <p>Risk of HIV, hepatitis, and other infectious diseases from shared needles.</p>
In Combination with Alcohol	Dangerous slowing of heart rate and breathing leading to coma or death.
Withdrawal Symptoms	Restlessness, muscle and bone pain, insomnia, diarrhea, vomiting, cold flashes with goose bumps ("cold turkey"), leg movements.
Medications	<ul style="list-style-type: none"> <li>• Methadone</li> <li>• Buprenorphine</li> <li>• Naltrexone (short- and long-acting)</li> </ul>
Behavioral Therapies	The same behavioral therapies that have helped treat addiction to heroin are used to treat prescription opioid addiction.

### Prescription Stimulants (Speed):

Short-term	Increased alertness, attention, energy; increased blood pressure and heart rate; narrowed blood vessels; increased blood sugar; opened-up breathing passages.  High doses: dangerously high body temperature and irregular heartbeat; heart disease; seizures.
Long-term	Heart problems, psychosis, anger, paranoia.
Other Health-related Issues	Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Masks the depressant action of alcohol, increasing risk of alcohol overdose; may increase blood pressure.
Withdrawal Symptoms	Depression, tiredness, sleep problems.
Medications	There are no FDA-approved medications to treat stimulant addiction.
Behavioral Therapies	<ul style="list-style-type: none"> <li>Behavioral therapies that have helped treat addiction to cocaine or methamphetamine may be useful in treating prescription stimulant addiction.</li> <li>Mobile medical application: reSET®</li> </ul>

### Psilocybin (Magic Mushrooms/Shrooms):

Short-term	Hallucinations, altered perception of time, inability to tell fantasy from reality, panic, muscle relaxation or weakness, problems with movement, enlarged pupils, nausea, vomiting, drowsiness.
Long-term	Risk of flashbacks and memory problems.
Other Health-related Issues	Risk of poisoning if a poisonous mushroom is accidentally used.
In Combination with Alcohol	May decrease the perceived effects of alcohol.
Withdrawal Symptoms	Unknown.
Medications	It is not known whether psilocybin is addictive. There are no FDA-approved medications to treat addiction to psilocybin or other hallucinogens.
Behavioral Therapies	More research is needed to find out if psilocybin is addictive and whether behavioral therapies can be used to treat addiction to this or other hallucinogens.

**Rohypnol® (Flunitrazepam/Roofies):**

Short-term	Drowsiness, sedation, sleep; amnesia, blackout; decreased anxiety; muscle relaxation, impaired reaction time and motor coordination; impaired mental functioning and judgment; confusion; aggression; excitability; slurred speech; headache; slowed breathing and heart rate.
Long-term	Unknown.
Other Health-related Issues	Unknown.
In Combination with Alcohol	Severe sedation, unconsciousness, and slowed heart rate and breathing, which can lead to death.
Withdrawal Symptoms	Headache; muscle pain; extreme anxiety, tension, restlessness, confusion, irritability; numbness and tingling of hands or feet; hallucinations, delirium, convulsions, seizures, or shock.
Medications	There are no FDA-approved medications to treat addiction to Rohypnol® or other prescription sedatives.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat addiction to Rohypnol® or other prescription sedatives.

**Steroids (Anabolic):**

Short-term	Builds muscles, improved athletic performance. Acne, fluid retention (especially in the hands and feet), oily skin, yellowing of the skin, infection.
Long-term	Kidney damage or failure; liver damage; high blood pressure, enlarged heart, or changes in cholesterol leading to increased risk of stroke or heart attack, even in young people; aggression; extreme mood swings; anger ("roid rage"); extreme irritability; delusions; impaired judgment.
Other Health-related Issues	Males: shrunken testicles, lowered sperm count, infertility, baldness, development of breasts. Females: facial hair, male-pattern baldness, enlargement of the clitoris, deepened voice. Adolescents: stunted growth. Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Increased risk of violent behavior.
Withdrawal Symptoms	Mood swings; tiredness; restlessness; loss of appetite; insomnia; lowered sex drive; depression, sometimes leading to suicide attempts.
Medications	Hormone therapy.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat steroid addiction.



## Synthetic Cannabinoids (K2/Spice)

Short-term	Increased heart rate; vomiting; agitation; confusion; hallucinations, anxiety, paranoia; increased blood pressure.
Long-term	Unknown.
Other Health-related Issues	Use of synthetic cannabinoids has led to an increase in emergency room visits in certain areas.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Headaches, anxiety, depression, irritability.
Medications	There are no FDA-approved medications to treat K2/Spice addiction.
Behavioral Therapies	More research is needed to find out if behavioral therapies can be used to treat synthetic cannabinoid addiction.

## Tobacco/Nicotine and Vaping:

Short-term	Increased blood pressure, breathing, and heart rate. Exposes lungs to a variety of chemicals. Vaping also exposes lungs to metallic vapors created by heating the coils in the device.
Long-term	Greatly increased risk of cancer, especially lung cancer when smoked and oral cancers when chewed; chronic bronchitis; emphysema; heart disease; leukemia; cataracts; pneumonia.
Other Health-related Issues	Nicotine: in teens it can affect the development of brain circuits that control attention and learning.  Tobacco products: Use while pregnant can lead to miscarriage, low birth weight, stillbirth, learning and behavior problems.  Vaping products: Some are mixed with the filler Vitamin E acetate and other chemicals, leading to serious lung illnesses and deaths.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Irritability, attention and sleep problems, depression, increased appetite.
Medications	<ul style="list-style-type: none"> <li>• Bupropion (Zyban®)</li> <li>• Varenicline (Chantix®)</li> <li>• Nicotine replacement (gum, patch, lozenge)</li> </ul>
Behavioral Therapies	<ul style="list-style-type: none"> <li>• Cognitive-behavioral therapy (CBT)</li> <li>• Self-help materials</li> <li>• Mail, phone, and Internet quit resources</li> </ul>

**Where To Get Help:** - SAIC offers several sources of assistance for those seeking treatment for drug and alcohol abuse. Both **Health Services (312-499-4288)** and **Counseling Services (312-499-4271)** make referrals to appropriate community organizations. You can also make an appointment with one of the School's counselors for a confidential meeting to discuss any areas of concern. Counselors are available to discuss the breadth of the School's insurance policy as it relates to drug and/or alcohol abuse treatment. To set up an appointment, contact **Counseling Services at 312-499-4271**.

## Drug or Alcohol Abuse Programs

SAIC offers a variety of programs regarding drugs and alcohol in an effort to educate our students about the potential dangers of their use or abuse. The goal of these programs is to raise awareness on the issues related to drug and alcohol use on campus, and prevent students from making choices that may put their health or well-being in jeopardy.

- 9/24/2021 Residence Life Presents: FNM & Boardgame Night. This event is based on the idea of building social circles and Community within the building through multiple board games and tournament start events. Games like chess, magic the gathering, battleship, monopoly, exploding kittens, and so on. All these games Will help build a fun atmosphere will also helping students become more social with one another.
- 10/22/2021 ResLife Life and Health and Wellness Presents: Join the Health and Wellness Committee for a night of speed friending that's going to be out of this world! Mix and mingle with other students to find yourself a new crew to explore the stars with! The event will lift off at 8:30pm and return to Earth at 10:30pm!
- 11/5/2021 Residence Life Presents: Mocktail Night. Join SRA Suju for a night non-alcoholic drinks! Learn how to make mocktails and the importance of blood alcohol levels!
- 11/5/2021 Residence Life Presents: Anything but a Cup Mocktail Social. Join RA Emma in the Buckingham Sky Lounge to enjoy snacks, music, and fall mocktails with a fun twist of having to drink them out of anything but a cup.
- 11/19/2021 Residence Life Presents: Squeeze Your Stress Away! The Health & Wellness committee presents a program to help students who are nervous or anxious about going home for the break, now that holiday gatherings are no longer virtual. The holidays are even more stressful when you can't be your true self, which can affect your mental health. Join us to make stress balls and get resources on mental health and managing stress.
- 1/8/2022 Residence Life Presents: Winterim Movie Night. Join RA Alex, Emma and Jason during the winter interim for a movie night screening a Marvel movie.
- 2/12/2022 Residence Life Presents: Be My Valentine! Join SRA Suju and RA Dante for a night of trying to create your perfect partner! Grab treats and meet new friends all in the 162 Solarium on the 17th floor!
- 2/26/2022 Residence Life Presents: Drunk Goggle Mario Kart! Join SRA Jason for a night of Mario Kart fun, but with a twist - playing with drunk goggles.
- 3/5/2022 Residence Life Presents: Gamer Night! Join Buck SRA Jorge for some Nintendo Switch games, board games, and in-person socialization - everything you need to have fun in one night!
- 3/25/2022 Residence Life Presents: PROTECT UR DRINK! Join SRA Suju for a night of making mocktails and decorating your own coasters while learning about drink safety!
- 5/6/2022 Residence Life Presents: Finals Fueling Station! Working late for your finals? Enjoy some hot chocolate, coffee, soda, sandwiches and snacks on the house! Available starting 9pm until they're gone.

During the 2021-2022 academic year, Residence Life supported efforts to reduce alcohol and other substance use on campus by providing alternative programming. Resident Advisors sponsored programs for their residents such as:

- **Academic and Professional Workshops:** improvisation workshops, resume and artists statement workshops,
- **Online Gatherings:** movie nights, karaoke nights, building mixers and networking,
- **Art-making:** crochet nights, DIY: paint your clothes, community art making
- **Health and Wellness:** self-care workshops, cooking sessions, de-stress tips

# Fire Safety Report

## 34. Disclosure of Fire Safety Standards & Measures

### A. Fire Safety Statistics:

The fire safety report contains information with respect to the campus fire safety practices and standards of SAIC, including statistics concerning the number of fires and the cause of each fire, the number of injuries related to a fire that result in treatment at a medical facility, the number of deaths related to a fire, and the value of property damage caused by a fire in each on-campus student housing facility during the most recent calendar years for which data are available.

#### 162 N State (162 Bldg) Residence Hall – Fire Statistics 2019-2021

Location	Total Fires in Bldg	Fire #	Date Reported-Report Number	Time	Value of Property Damage Caused by Fire	Injuries Requiring Treatment at a Medical Facility	Deaths Related to a Fire	Classification	Cause of Fire
NA	0	0	NA	NA	NA	0	0	NA	NA

#### 7 W Madison (Jones Hall) Residence Hall – Fire Statistics 2019-2021

Location	Total Fires in Bldg	Fire #	Date Reported-Report Number	Time	Value of Property Damage Caused by Fire	Injuries Requiring Treatment at a Medical Facility	Deaths Related to a Fire	Classification	Cause of Fire
Alley	4	1	10/11/20 IR2020-1268	7:49 pm	\$100-\$999	0	0	Intentional	Dumpster fire intentionally set by passerby
Room 1518	4	2	10/24/20 IR2020-1334	6:18 pm	\$100-\$999	0	0	Unintentional	Carton of eggs caught fire on stovetop
Room 1007	4	3	9/21/21 IR2021-0985	3:46 pm	\$0-\$99	0	0	Unintentional	Electrical outlet caught fire
Room 901	4	4	10/9/21 IR2021-1097	5:04 pm	\$0-\$99	0	0	Unintentional	Cookies baking in toaster oven caught fire

#### 59 E Van Buren (Buckingham) Residence Hall – Fire Statistics 2019-2021

Location	Total Fires in Bldg	Fire #	Date Reported-Report Number	Time	Value of Property Damage Caused by Fire	Injuries Requiring Treatment at a Medical Facility	Deaths Related to a Fire	Classification	Cause of Fire
NA	0	0	NA	NA	NA	0	0	NA	NA

## Description of On Campus Student Housing Fire Safety Systems:

The School of the Art Institute of Chicago (SAIC) owns and operates two on-campus student housing facilities located at 7 W. Madison Avenue and 162 N. State Street, Chicago, Illinois. SAIC leases space in one on-campus student housing facility located at 59 E. Van Buren Street, Chicago, Illinois.

### 7 WEST MADISON (JONES HALL)

- 15 story/114 room high-rise residence hall
- Protected by an automatic fire alarm system including a voice evacuation system
- Fire system devices include: speaker/strobes, smoke & heat detection, pull stations, & water flow switches
- City of Chicago Code compliant Class A Fire System
- Evacuation of entire building on all fire alarms
- 2 local smoke detectors in each residence room.
  - 1 detector reports to a remote annunciator panel located at a Security Desk and monitored 24 hours per day/365 days per year
  - 1 AC/battery back-up detector sounds a local audible within the residence room
- All fire alarm devices are tested/maintained in accordance with City of Chicago, National Fire Protection Association (NFPA), and manufacturer's specifications.
- Fire alarm system monitored by Underwriter's Laboratory (UL) listed Central Station that reports all alarm conditions to the City of Chicago Fire Department
- Building is patrolled by security 24 hours a day 365 days per year
- Fire phones are located in the East Stairwell on the basement, first, fifth, tenth, and fifteenth floors (for fire department use only)
- Building is sprinklered in accordance with City of Chicago Fire Code. Each floor has a water flow & tamper switch reporting to the main building fire panel. Each dorm room has code compliant sprinkler coverage.
- Fire sprinkler system and fire pump are tested/maintained in accordance with City of Chicago, National Fire Protection Association (NFPA), and manufacturer's specifications.
- 750 gallon per minute fire pump feeds building and is located in the second basement
- Extinguishers, partial (common areas only) or full (rooms also) sprinkler system, evacuation plans/placards

### 162 N. STATE STREET (162 BLDG)

- 17 story/268 room high-rise residence hall
- Protected by an automatic fire alarm system including a voice evacuation system
- Fire system devices include: speaker/strobes, smoke & heat detection, pull stations, & water flow switches
- City of Chicago Code compliant Class A Fire System
- Evacuation of entire residential portion of the building on all fire alarms
- 2 local smoke detectors in each residence room
  - 1 detector reports to a remote annunciator panel located at a Security Desk and monitored 24 hours per day/365 days per year
  - 1 AC/battery back-up detector sounds a local audible within the residence room
- All fire alarm devices are tested/maintained in accordance with City of Chicago, National Fire Protection Association (NFPA), and manufacturer's specifications.
- Fire alarm system monitored by Underwriter's Laboratory (UL) listed Central Station that reports all alarm conditions to the City of Chicago Fire Department
- Building is patrolled by security 24 hours per day/365 days per year
- Fire phones are located in the North and South stairwells at the basement, first, fifth, tenth, fifteenth, and seventeenth floor levels (for fire department use only)
- Building is sprinklered in accordance with City of Chicago Fire Code. Each floor has a water flow & tamper switch reporting to the main building fire panel. Each residence room has code compliant sprinkler coverage.
- Fire sprinkler system and fire pump are tested/maintained in accordance with City of Chicago, National Fire Protection Association (NFPA), and manufacturer's specifications.
- 1250 gallon per minute fire pump feeds building and is located in the basement
- Extinguishers, partial (common areas only) or full (rooms also) sprinkler system, evacuation plans/placards

## **59 E. VAN BUREN (THE BUCKINGHAM)**

- 29 story/129 Apartments 456-bedroom high-rise residence hall
- Protected by an automatic fire alarm system including a voice evacuation system
- Fire system devices include: speaker/strobes, smoke & heat detection, pull stations, and water flow switches
- City of Chicago Code compliant Class A Fire System
- Evacuation of entire residential portion of the building on all fire alarms
- 1 local combination smoke detector/CO2 sensor in each apartment-hardwired AC/battery back-up detector sounds a local audible within the apartment
- All fire alarm devices are tested/maintained in accordance with City of Chicago, National Fire Protection Association (NFPA), and manufacturer's specifications.
- Fire alarm system monitored by EMERgency 24 Station that reports all alarm conditions to the City of Chicago Fire Department
- Building is patrolled by security 24 hours per day/365 days per year
- Fire phones are located in the North and South stairwells at the, fifth, tenth, fifteenth, twentieth, twenty-fifth and twenty-seventh floors (for fire department use only)
- Building is sprinklered in accordance with City of Chicago Fire Code. Each floor has a water flow & tamper switch reporting to the main building fire panel. Each residence room has code compliant sprinkler coverage.
- Fire sprinkler system and fire pump are tested/maintained in accordance with City of Chicago, National Fire Protection Association (NFPA), and manufacturer's specifications.
- 2-1000 gallon per minute fire pumps feed building and are located in the basement. Low zone protects sub-basement to 14<sup>th</sup> floor, High zone protects floors 15 to 29.
- Area of Refuge/Rescue two way communication system located on all floors in the north and south stairway.
- Extinguishers located in north and south stairway on all levels, sprinkler system, evacuation plans/placards

### **B. Number of Regular Mandatory Supervised Fire Drills:**

There were no mandatory supervised fire drills conducted in any SAIC owned/operated campus building last year due to the COVID-19 pandemic.

### **C. Policies on Portable Electrical Appliances, Smoking and Open Flames:**

Residence Life conducts residence hall health and safety inspections periodically throughout the year. The health and safety inspections are primarily designed to find and eliminate safety violations. Students are required to read and comply with the Student Handbook-Residence Hall Rules of Conduct, which includes the health, safety and other rules and regulations for residential buildings. The Student Handbook also includes the rules of conduct for all SAIC students and the range of sanctions that might be imposed for conduct violations.

#### **The Additional Residence Hall Policies section of the Student Handbook states the following:**

Many SAIC students take advantage of the community living environment provided by SAIC's residence halls. As a resident, students can immerse themselves in a community of fellow artists, live right in the heart of Chicago's Loop, and enjoy conveniences not found in most student apartments.

In addition to adhering to the Rules of Conduct described above, all residents and their guests/visitors are expected to adhere to the Residence Hall Rules of Conduct. Committing one or more of the following acts of misconduct may subject the student to SAIC's Student Conduct Procedures.

Additional guidelines for some Residence Hall Rules of Conduct can be found in the Residence Hall Specific Policies.

- **Improper Studio Use.** Improperly using the residence hall studio space or using hazardous materials in the Residence Halls. Additional guidelines are set forth in the Studio Use Policy found in the Residence Hall Specific Policies section of the Student Handbook.
- **Power Tool Use.** Using power tools (such as power saws, drills, etc.) in a resident's room or areas except the approved area on the 17th floor studio in the 162 North State Street Residences and/or the 15th floor studio in Jones Hall.
- **Unattended Cooking.** Leaving food cooking unattended at any time or leaving any appliance unattended during use with the exception of slow cookers as defined by the Fire Safety Policy found in the Specific Policies section of the Student Handbook.

**The Student Handbook Rules of Conduct states the following:**

The Rules of Conduct have been established to create an environment that is conducive to artistic and personal growth and development. Committing one or more of the following acts of misconduct may subject the student to SAIC's Student Conduct Procedures.

More information about some of the Rules of Conduct can be found in the Specific Policies section of the Student Handbook.

- **Fire Safety.** Behaviors that cause a fire or fire hazard. Additional guidelines are set forth in the Fire Safety Policy found in the Specific Policies section of the Student Handbook.
- **Smoking.** Smoking cigarettes, electronic cigarettes such as vaporizers/atomizer (vapes), pipes, or any other smoking device (either purchased or created) in all SAIC buildings, including residence halls and academic buildings, or within 15 feet of the entrance to all SAIC buildings.

**Fire Safety:**

Students must not engage in activities that create or maintain a fire or fire hazard. Specific rules pertaining to fire safety include the following:

- **Fire Safety Equipment**—Students may not tamper with or hang anything from fire safety equipment such as sprinklers, pull stations, fire extinguishers, smoke alarms, fire curtains, or any other equipment for fire prevention, detection, or response. This includes, but is not limited to, installing, decorating, hanging, or otherwise placing an item (including artwork) in a manner that may conceal exits or exit signs, sprinkler heads, and fire safety devices, or impede exit in any way.
- **Open Flames and Gas Containers**—In general, with the exception of portable lighters, open flames and devices that produce open flames including, but not limited to, butane torches and grills, are prohibited on campus. Flammable fuels such as kerosene, propane, butane, and gasoline are prohibited on campus. To request permission to use these items for art making, students must contact Art School Considerations at [asc\\_saic@saic.edu](mailto:asc_saic@saic.edu).
- **Candles**—Candles may not be lit on campus. Candles are not allowed on campus unless the candle has never been burned. Candle warmers are not permitted on campus.
- **Incense**—Incense or incense paraphernalia (including sticks and powder) may not be lit on campus. Incense and incense paraphernalia are not allowed on campus unless never lit.
- **Wax Melting:** All forms of wax melting are not permitted in the resident halls including but not limited to wax warmers, melting wax on stovetops, or using appliances such as crop pots to melt wax.

- Appliances—Students may not overload the electrical circuits as this can present fire hazards. The following appliances are not allowed on campus:
  - Open element appliances, such as space heaters, broilers, and heat guns
  - Sun lamps
  - Hot plates
  - Instant pots and pressure cookers
  - Slow cookers (Crock-Pots) are only permitted if they have an automatic shut off. Slow cookers are only permitted for food preparation and may not be used for art making (e.g. wax melting).
  - Halogen lamps/tungsten lights are only permitted on campus if they are checked out from the Media Center and used in a safe manner. Students may not hang clothing, towels, curtains, scarves or any fabrics over a halogen/tungsten lamp. Students must turn them off when not in use and keep them away from combustible materials and fabrics such as bedding, drapes, bookcases, and furniture.
- Electrical Decorations and Extension Cords—Electrical decorations and extension cords must have the UL or FM label intact and be identified for indoor use. Extension cords and surge protectors may not be plugged directly into each other in order to extend their length (“daisy-chaining”). Students must inspect any of their electrical decorations, extension cords, and surge protectors for cracked sockets, bare wires, and loose connections before use. Students must use an appropriate amount of electrical decorations and extension cords for the size of the space (e.g. no more than three light sets should be used in a residence hall room), and they should not run under carpet or through doorways, aisles, or corridors. Students should remember that lights are a heat source and should be placed consciously, and decorative lights should be turned off when the space is unattended.
- Evacuation—In accordance with Chicago law, students are required to evacuate the building during a fire alarm in a timely manner.

Any items found on campus in violation of this policy may be confiscated.

## **Procedures for Student Housing Evacuation:**

An evacuation is implemented under conditions when it is no longer safe to remain in a building or a specific area in a building. This requires occupants to move out and away from a building to an area of refuge or out and away from a specific area within a building. This procedure is most commonly used when there is a suspected fire, hazardous material spill, flooding, gas leak, or bomb or other threat in a building.

### **If you identify a fire, follow these procedures:**

- Notify occupants and help those needing assistance in the immediate area
- Activate the nearest fire alarm pull station
- Confine the fire by closing doors as you exit
- Evacuate the building at the nearest exit and call 911 and Campus Security (**312-899-1230** or push the EMERGENCY button on any in-house phone)
- **DO NOT**, under any circumstances, enter the building until authorized to do so by emergency personnel

### **If you hear a fire alarm, follow these procedures:**

- Use the stairs to exit the building at the closest exit (if clear of danger). Do not use the elevator.
- Close the doors as you exit.
- Remain calm, do not panic, and proceed calmly to the exterior, assisting others whenever possible.
- Proceed to the assembly area or area of rescue assistance
- Follow directions from Campus Security and other emergency responders and inform them of any known missing or injured persons
- Do not re-enter the building until the "All Clear" signal is issued when it is safe to enter the building.
- Evacuation maps showing routes and exits are posted in each elevator lobby.
- Faculty, staff and students should know at least two evacuation routes.

If a building must be evacuated for other reasons, IRFM and Campus Security will coordinate the evacuations by giving directions about the emergency and next steps.

### **General Guidelines for Persons with Disabilities**

**Students**—Each term, or as needed, students should meet with the Disability and Learning Resource Center to identify themselves and their disability (mobility, visual, hearing, speech, or multiple impairments), and discuss emergency evacuation plans.

**Employees**—Annually or as needed, employees with disabilities should meet with Human Resources, and their department supervisor to discuss their disability (mobility, visual, hearing, speech, or multiple impairments) and evacuation plans.

Human Resources and the department supervisor or Disability and Learning Resource Center representative should discuss and determine the following information with students or employees:

- How will they be notified in the event of an emergency (alarm, strobes and lights, etc.)
- Where the exit routes are
- Whether they can exit the building unassisted
- What kind of assistance they may need
- Identifying at least twice the number of volunteers who are willing and able to provide assistance. When students or employees talk to potential volunteers, they should discuss:
  - Guidance—explaining how and where the volunteers need to go, escorting to or through the exit path
  - Minor physical effort—Offering an arm to assist the person or opening a door
  - Major physical effort—Carrying a person down the stairs, carrying a wheel chair down the stairs, or operating a stair-descent device (if applicable)
  - Where volunteers will start providing assistance
  - When volunteers will provide assistance (always, only when asked, etc.)
  - How volunteers will be contacted (face to face, phone, email, etc.)
  - Waiting for first responders—An agreement should be reached regarding how long the volunteer is expected to wait for the first responders to arrive
- Human Resources, the department supervisors, or Disability and Learning Resource Center representatives should provide students and employees with written directions, maps or floor plans of evacuation routes. and discuss exit paths and alternative exits
- Human Resources and the Disability Learning Resource Center should provide the Executive Director for Campus Security with a list of persons that require evacuation assistance. The list shall include:
  - Name of student/employee
  - Class schedule or work location
  - Type of disability
  - If they have a volunteer to provide evacuation assistance.

### **Evacuation Procedures for Persons with Mobility Impairment**

People who are able to go up and down stairs easily but have impairments of their hands or arms can be assisted by anyone. A viable plan to address this issue may be for the person with the impairment to be aware that he or she will need to ask someone for assistance with a particular door or device.

Other people with mobility impairments should seek multiple volunteers in advance to assist if an emergency develops.

- It is recommended that one volunteer remain with the individual, and another volunteer exit the building and inform emergency personnel that a person with a disability is waiting for rescue assistance on the specified floor.
- Volunteers should consider evacuating a non-ambulatory person only when the person is in immediate danger of harm if not evacuated. Proper lifting techniques (e.g., bending the knees, keeping the back straight, holding the person close before lifting, and using leg muscles to lift) should be used to avoid injury to the back.



### **Evacuation Procedures for Persons with Hearing/Speech Impairment**

All buildings on campus are equipped with fire alarm strobe lights. Persons with hearing impairments may not hear audible emergency alarms and will need to be alerted of emergency situations.

- Get the attention of a person with a hearing disability
- Clearly state the problem. Gestures and pointing are helpful, but be prepared to write a brief statement if the person does not seem to understand
- Offer visual instructions to advise of safest route or direction toward exits or evacuation maps

The only standard building egress system that is limited to voice communication is the emergency phone in the elevators. Should a person with a speech/hearing impairment need assistance in the elevator, press the emergency call button. A Campus Security officer will respond.

### **Evacuation Procedures for Persons with a Visual Impairment**

Most people with a visual impairment will be familiar with their surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the commonly traveled route, persons who are visually impaired may need assistance in evacuating.

- Give verbal instructions to advise about safest routes, estimated distances, and direction
- DO NOT grasp a visually impaired person's arm. Ask if he or she would like to hold onto your arm as you exit, especially if there is debris or a crowd.

**Calling Security for Help** - If at any time you are unable to exit because of smoke, fire or physical barriers:

Please **immediately** report significant emergencies or dangerous situations that pose an immediate threat to the health and safety of the SAIC community to the Chicago Police Department and Campus Security. To report an emergency on campus you should:

- **Call 911** and then:
- Press the emergency button on those phones in SAIC buildings that have an orange sticker with the word "**EMERGENCY**" on it next to the button or call Campus Security at (312) 899-1230.
- If you can't reach any phones pull a pull station located near the stairwells or fire escapes.
- Notify occupants and help those needing assistance in the immediate area.
- Evacuate the building at the nearest exit.
- Do not, under any circumstances, enter the building until authorized to do so by emergency personnel.

Campus Security maintains a list of students on campus who are physically disabled, which we receive from the Disability and Learning Resource Center. Anyone who anticipates that they will require assistance during an evacuation should notify the Disability and Learning Resource Center at (312) 499-4278 so that we can have the information for emergency responders. Employees can provide their information to Campus Security at (312) 899-1292.

Failure to evacuate the building in a timely manner during a fire alarm is against city ordinance and is considered a violation of SAIC policy. When you choose not to evacuate the building, you are putting your life and the lives of others in danger. Serious sanctions (up to, and including, expulsion from your SAIC residence hall and suspension from SAIC) may be assigned to any student who does not evacuate when the fire alarm sounds. In addition, the Chicago Fire Department and Police Department may decide to press charges against any student failing to evacuate.

### **Evacuation Drills**

It is the policy of the School of the Art Institute of Chicago that, in accordance with state and federal laws, evacuation drills will be conducted several times throughout the year. All residents and guests/visitors occupying the building at the time of the drill are required to participate in the evacuation. Floor plans indicating the evacuation routes to the internal stairwell(s) and exterior fire escape are posted on each floor.

## **Policies Regarding Fire Safety Education/Training Programs:**

Fire safety education programs for all resident advisors and resident directors living in on-campus student housing are held at the beginning of each academic year. These programs are designed to train these advisors and directors on the procedures to be followed in case there is a fire and disseminate information on fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are encouraged to meet with advisors in the Disability and Learning Resource Center to discuss evacuation protocols for students who have difficulty exiting the buildings in an evacuation.

Additional information on fire safety and emergency preparedness can be found on the Ready.gov website (<https://www.ready.gov/>), the Illinois Homeland Security website (<https://www2.illinois.gov/ready/>), and the U.S. Fire Administration's website (<https://www.usfa.dhs.gov/>).

### **D. Plans for Future Improvements in Fire Safety:**

There are currently no plans for improvements in fire safety. All existing fire safety systems meet or exceed City of Chicago and NFPA codes.

### **E. Fire Safety Log:**

A log recording all fires in on-campus student housing facilities, including the nature, date, time, and general location of each fire is available for review at the Campus Security Desk at 37 S. Wabash, Monday through Friday, between 7:00am - 3:00pm. Additionally, a campus wide email message will be distributed annually notifying the community that this information is available and where it can be accessed.

### **F. Designated Fire Reporting Authorities:**

Per federal law, SAIC is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the SAIC Campus9Security Office has been notified.

7 W. Madison	Security Officer on Duty	(312) 516-5300
162 N. State	Security Officer on Duty	(312) 846-2100
Vice President, Campus Operations	Thomas Buechele	(312) 499-4923
Executive Director, Campus Security	John Pack	(312) 899-7442
Director, Campus Security	Art Jackson	(312) 899-7446
Dean, Student Life	Debbie Martin	(312) 629-6804
Associate Director, Environmental Health & Safety	Melissa Meyers	(312) 499-4924

When calling, please provide as much information as possible about the location, date, time, and cause of the fire. This is not a list of whom to notify that there is a fire emergency. The procedures that students and employees should follow in the case of a fire are described on page 3 of this report under "EMERGENCY INFORMATION – How To Respond in an Emergency – Evacuation". All fires will be investigated.