

# **POLICY PROHIBITING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING**

(revised 8/10/22)

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## 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 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 anybody 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. 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.

**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 Director of Title IX, EEO and Employee Relations and Manager 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 maintain 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 Director of Title IX, EEO and Employee Relations. The Confidential Resources will not report to the Director of Title IX, EEO and Employee Relations or Manager 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 Director of Title IX, EEO and Employee Relations.

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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations determines that it must disclose the Complainant’s identity to the Respondent, the Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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.

	<p><b>Making a Report</b></p>
<p><b>For All Community Members</b></p>	<p><b>SAIC Campus Security</b> 312.899.1230 Available 24 hours a day, seven days a week</p> <hr/> <p><b>Robert Babcock, Ed. D.</b> Director, Title IX, EEO and Employee Relations 116 S. Michigan Ave., 12th Floor Chicago, IL 60603 312.499.4165 <a href="mailto:title9@saic.edu">title9@saic.edu</a></p> <p><b>Verron Fisher</b> Deputy Director, Title IX 116 S. Michigan Ave., 12th Floor Chicago, IL 60603 312.629.3381 <a href="mailto:title9@saic.edu">title9@saic.edu</a></p>
<p><b>For Students</b></p>	<p><b>Robert Babcock, Ed. D.</b> Director, Title IX, EEO and Employee Relations 312.499.4165 116. S. Michigan Ave., 12th Floor Chicago, IL 60603 <a href="mailto:title9@saic.edu">title9@saic.edu</a></p> <p>Office of Student Affairs (Intake Person) Assistant Dean of Student Affairs for Student Support and Conflict Resolution 312.629.6725 36 S. Wabash Avenue, Suite 1204 Chicago, IL 60603</p> <p>*When Office of Students Affairs is not available, a Dean on Call will serve as the intake for student reports. Deans on Call are staff members in the Office of Student Affairs who have received training in responding to issues of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking. A Dean on Call is available 24 hours a day.</p>
<p><b>For Faculty</b></p>	<p><b>Robert Babcock, Ed. D.</b> Director, Title IX, EEO and Employee Relations 312.499.4165 116. S. Michigan Ave., 12th Floor Chicago, IL 60603 <a href="mailto:title9@saic.edu">title9@saic.edu</a></p> <p><b>Adam Mack</b> Faculty Liaison 37 S. Wabash Ave., Suite 816 Chicago, IL 60603 <a href="mailto:amack1@saic.edu">amack1@saic.edu</a> 312.345.3787</p>

<p><b>For Staff &amp; Visitors</b></p>	<p><b>Robert Babcock, Ed. D.</b>  Director, Title IX, EEO and Employee Relations  312.499.4165  116. S. Michigan Ave., 12th Floor  Chicago, IL 60603  <a href="mailto:title9@saic.edu">title9@saic.edu</a></p> <p><b>Timeka Young</b>  Employee Relations and Training Manager  312.499.3902  116 S. Michigan Ave., 12th Floor  Chicago, IL 60603  <a href="mailto:tyoung6@artic.edu">tyoung6@artic.edu</a></p> <p><b>Alan Hooker</b>  Employee Relations and Training Manager  312.499.3907  116 S. Michigan Ave., 12th Floor  Chicago, IL 60603  <a href="mailto:ahooke@artic.edu">ahooke@artic.edu</a></p>
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**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
- Supportive 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 & 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations will promptly initiate an investigation. The Director of Title IX, EEO and Employee Relations is responsible for overseeing the investigation and for determining the appropriate scope of the investigation.

### B. Formal Process

The Director of Title IX, EEO and Employee Relations will determine the next steps in the process based on the identity of the Respondent.

- If the Respondent is a student, the Director of Title IX, EEO and Employee Relations 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 Director Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations and the Manager 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations may use one of the processes outlined above or may combine or coordinate processes as appropriate to the circumstances. The Director of Title IX, EEO and Employee Relations 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 are in the Student Handbook and may be found here: <https://www.saic.edu/sites/default/files/Student%20Handbook.pdf>

1. *Investigation.* The Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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. *Sanctions.* 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. 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 Director of Title IX, EEO and Employee Relations. 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 or more reasons why the sanction is

disproportionate with the violation.

The appeal shall be decided by the Provost or their designee. The Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 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 Director of Title IX, EEO and Employee Relations’ 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 Director Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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. *Sanctions.* 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 Director of Title IX, EEO and Employee Relations' 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations 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 Director of Title IX, EEO and Employee Relations' 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

<b><u>On-Campus Resources</u></b>
<p><i>SAIC Campus Security</i> 312.899.1230 Available 24/7 Ask to speak to supervisor on duty</p>
<b><u>Off-Campus Resources</u></b>

<p><i>Northwestern Memorial Hospital Emergency Department</i> 250 E. Erie St. 312.926.5188</p> <p><i>Hospitals are required to provide a no-cost medical examination for a person who has experienced sexual assault.</i></p>	<p><i>Chicago Police Emergency</i> Call 911</p> <hr/> <p><i>Chicago Police Department</i> 1718 S. State St. 312.745.4290</p>
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## Confidential Resources (Medical/Counseling/Advocacy)

<b><u>On-Campus Resources</u></b>	
<p><i>Confidential Advisor (Students)</i> Teresa J. Sit 312.499.4271 tsit@saic.edu</p>	<p><i>Counseling Services (Students)</i> 312.499.4271 counselingservices@saic.edu</p>
<p><i>Health Services (Students)</i> 312.499.4288 healthservices@saic.edu</p>	<p><i>Employee Assistance Program (Faculty/Staff)</i> 800.311.4327</p>
<b><u>Off-Campus Resources</u></b>	
<p><i>Northwestern Memorial Hospital Emergency Department</i> 250 E. Erie St. 312.926.5188</p>	<p><i>City of Chicago Domestic Violence Helpline</i> 877.863.6338</p>
<p><i>Center on Halsted</i> 773.472.6469 LGBTQ Violence Resource Line 773.871.2273</p>	<p><i>Porchlight Counseling Services</i> Evanston, IL 773.750.7077</p>
<p><i>KAN-WIN (multilingual advocacy)</i> 773.583.1392 kanwin.org</p>	
<p><i>Resilience</i> 180 N. Michigan Ave., Suite 600 312.443.9603</p>	<p><i>YWCA Metropolitan Chicago</i> 1 N. LaSalle St., Suite 1150 312.372.6600</p>

## Additional Resources

### On-Campus Resources

*SAIC Student Financial Services (financial assistance)*  
312.629.6660 (extension 9 for Receptionist)  
36 S. Wabash Ave., Suite 1200  
Chicago, IL 60603

### Off-Campus Resources

<ul style="list-style-type: none"><li>• <i>Life Span Center for Legal Services &amp; Advocacy</i> 70 E. Lake Street, Suite 600 312.408.1210 <a href="mailto:life-span@life-span.org">life-span@life-span.org</a></li></ul>	<i>Legal Assistance Foundation of Chicago</i> lafchicago.org
	<i>National Immigrant Justice Center</i> 208 S. LaSalle St., Suite 1300 312.660.1370 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 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 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: 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: victimssofcrime.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 AIC 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. AIC 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 AIC 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 Safe Ride service (9pm-6am during fall and spring semesters) or request a Safe Walk escort (9pm-6am 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 a 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 Director of Title IX, EEO and Employee Relations, or the Director of Student Conflict Resolution. Additional resources are listed in Section VII, Resources.

## IV. 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 AIC'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 in case there is an issue with the offender. To do so, please email Art Jackson, Director of Campus Security, [ajackson@saic.edu](mailto:ajackson@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: [womenslaw.org/laws\\_state\\_type.php?id=509&state\\_code=IL&open\\_id=11067](http://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: [saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/Consent3.6.14.pdf](http://saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/Consent3.6.14.pdf)

Illinois Domestic Violence Act of 1986: [saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/ILDomestic-Violence-Act.3.6.14.pdf](http://saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/ILDomestic-Violence-Act.3.6.14.pdf)

### Illinois Stalking Statutes

Stalking, 720 ILCS 5/12-7.3: [saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/Stalking.720-ILCS-5.12-7.3.pdf](http://saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/Stalking.720-ILCS-5.12-7.3.pdf)

Aggravated stalking, 720 ILCS 5/12-7.4: [saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/Aggravated-Stalking.720-ILCS-5.pdf](http://saic.edu/media/saic/pdfs/lifesaic/safetyandsecurity/Aggravated-Stalking.720-ILCS-5.pdf)

