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2016-2017 A-BOOK (11/15/2016)
AURORA UNIVERSITY'S STUDENT HANDBOOK

This Handbook serves to familiarize all undergraduate, graduate, and doctoral students with Aurora University's services and policies. Some departments may have an additional handbook pertinent to their programs of study. These are your resource guides, and you should find them helpful as you become involved in student life at Aurora.

The policies and procedures in this Handbook are designed to promote fairness and will be adhered to as faithfully as possible. While the Handbook is comprehensive and applicable to all students, the Handbook is not a contract between the University and its students. It is not written with the specificity of a criminal statute, and it is not an exhaustive attempt to codify every possible type of problematic behavior. If circumstances dictate variation from the policies and procedures described in the Handbook, the variation will not invalidate a decision unless a student has been subjected to arbitrary or capricious conduct on the part of the University.

This Handbook may be altered by the University at any time without notice, and students are urged to contact the Dean of Student Life to ensure that they have obtained the latest version of the Handbook.

OUR INSTITUTION

1. MISSION

Aurora University is an inclusive community dedicated to the transformative power of learning.

2. CORE VALUES

Aurora University draws upon the rich legacies of Aurora College and George Williams College to welcome learners to our campuses in Illinois and Wisconsin. Here all become members of an inclusive educational community dedicated to the development of mind, body and spirit. Today, as in the past, we prize the twin virtues of character and scholarship and affirm our commitment to the values of integrity, citizenship, continuous learning and excellence.

- 2.01. We will adhere to the highest standards of **integrity** in every aspect of institutional practice and operation. Through this proven dedication to honesty, respect, fairness, and ethical conduct, we will lead by example and inspire our students to do the same.
- 2.02. We will exercise the rights and responsibilities of **citizenship** in an educational community, founded upon the principles of mutual respect and open discourse. We will live within our means and manage our resources wisely, while creating an environment that fosters teamwork and promotes service to others.
- 2.03. We will work and live as an organization devoted to **continuous learning**. We recognize that the university exists in a diverse and changing world and know that we will succeed

in helping students achieve their full potential only if we realize our own. We seek a growth process that is never-ending.

- 2.04. We will pursue **excellence** by embracing quality as a way of community life. Accordingly, we will set high expectations for ourselves, our students and our university and will work together to attain them.

The University's core values are the foundation upon which our aspirations rest. They undergird our belief in the transformative power of learning. As members of the Aurora University community, we enter into a voluntary compact with one another to live, learn and work in ways consistent with these ideals.

3. OFFICE OF STUDENT LIFE

- 3.01. Mission Statement: Student Life – A collaborative team dedicated to the holistic development of students.
- 3.02. Vision Statement: To positively influence the transformation of **every** student.

OUR DISCIPLINARY SYSTEM

1. ABOUT THE CODE OF CONDUCT

1.01. Introduction

- 1.01.a. The Code of Conduct illustrates the standards of behavior expected of every student at Aurora University. Each student is an integral part of our campus community and is encouraged to internalize these expectations. Ideally, each student is expected to use these guidelines as a catalyst to personally impact the Aurora University community in meaningful, thoughtful ways.
- 1.01.b. It is the student's responsibility to know and abide by all University policies and procedures. The University reviews policies on a regular basis and reserves the right to amend any provision herein at any time in accordance with established University procedures.
- 1.01.c. A student voluntarily joins the Aurora University community and thereby assumes the obligation of abiding by the standards prescribed in the Code of Conduct. The University, through the Office of the Senior Vice President for Student Life, maintains the exclusive authority to impose sanctions for behaviors that violate the Code of Conduct. Students also may be held responsible for their actions by local, state or federal authorities. The University, as well as civil authorities, have jurisdiction over violations of law that occur on University property.
- 1.01.d. Students must abide by this Code of Conduct anytime during the year, including term breaks, May Term, Summer Term, and academic sessions. If a student

moves on campus prior to the first day of class, he/she is responsible for upholding all rules and regulations of Aurora University.

- 1.01.e. All students enrolled at Aurora University have access to the Code of Conduct through the Aurora University website (www.aurora.edu).

1.02. General Provisions

- 1.02.a. These regulations are set forth in writing in order to give students general notice of prohibited conduct and are not designed to define misconduct in all-inclusive terms.
- 1.02.b. This Code of Conduct will apply to:
 - 1.02.b.1. conduct which occurs on University property.
 - 1.02.b.2. conduct which occurs elsewhere during the course of a University function, including but not limited to student teaching, student internships, clinical experiences, intercollegiate athletic competitions, student activities and other University events.
 - 1.02.b.3. conduct that occurs off campus and has the potential to damage the reputation of the student and/or the University.
- 1.02.c. The actions of a student organization involved in University-related activities that are in violation of University regulations may result in disciplinary action against the organization and/or the individual.
- 1.02.d. Any policy violation that constitutes a felony under federal or Illinois state law may be reported to the Aurora Police Department. Aurora University reserves the right to report misdemeanor crimes to the Aurora Police Department. Aurora University also retains the right to conduct an internal investigation and adjudicate the matter according to stated University policies and procedures. The University sanctions are separate from any pending or completed police investigation and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.
- 1.02.e. Any behavior which may have been influenced by a student's mental state (regardless of the ultimate evaluation) or use of drugs or alcoholic beverages will not in any way limit the responsibility of the student for the consequences of his or her actions.

2. **AUTHORITY**

- 2.01. The University has established these regulations regarding standards of conduct in order to give all students at Aurora University full opportunity to attain their educational goals and to protect the health, safety, welfare, property and rights of all members of our community.

- 2.02. The Senior Vice President for Student Life retains ultimate responsibility for the administration of this Code. In situations where ambiguity or other uncertainty exists, the Senior Vice President for Student Life or designee expressly retains final authority to rule on questions regarding policies, procedures, sanctions, and/or processes.
- 2.03. In situations of a potentially serious nature, the University in its sole discretion reserves the right to respond outside of the formal disciplinary process in order to protect the safety and security of members of the University community and their property.
- 2.04. The University will use the following criteria in deciding when to take action for violations of University policy that occur off campus. Not all criteria need to be met in order for the University to take action.
 - 2.04.a. The accused person was registered and/or enrolled as an Aurora University student at the time of the incident.
 - 2.04.b. The incident involves endangering behavior, defined as violent assault, rape, arson, or other similar serious offenses.
 - 2.04.c. The incident involves behavior that has the potential to damage the reputation of the student and/or the University.
 - 2.04.d. The incident involves behavior that puts students, faculty or staff or the property of students, faculty or staff at risk.
 - 2.04.e. The incident occurred at a University-sponsored event or function.

3. EXPECTATIONS

- 3.01. Community Expectations: Aurora University, as an institution of higher education founded in 1893, exists for the purpose of nourishing the growth of its students as thoughtful, productive and responsible members of society. In an effort to communicate our vision of living and learning in a safe, supportive environment, we have developed the following community expectations:
 - 3.01.a. We all have rights and responsibilities. Each person conducts him/herself in such a way as to enhance the well-being of all members in the community. Each person also is held accountable for his/her own actions and is responsible for the consequences of said actions.
 - 3.01.b. As members of the Aurora University community, we support the application of rules which encourage the development of our campus environment as a constructive educational setting.
 - 3.01.c. Community responsibility consists of actively supporting the physical, emotional, intellectual, and spiritual well-being of one another.

- 3.01.d. As we participate in this community, we strive for open mindedness, sensitivity, justice and equality.
- 3.01.e. We are fortunate to attract a diverse student body. To further each person's understanding of the world around him/her, we challenge each person to value the differences in one another.
- 3.01.f. We expect that students accept their responsibility to respect and protect the rights and properties of our extended community, including our Aurora University neighbors, businesses, and the residents of the city of Aurora.
- 3.02. Academic and Social Expectations: Academic and social expectations emphasize more specific commitments to one another. Your assistance is needed to enhance our fundamental principles of academic freedom, equality of opportunity and human dignity.
 - 3.02.a. Students will share with faculty the responsibility for academic integrity.
 - 3.02.b. Students will treat all members of the campus community with dignity and respect.
 - 3.02.c. Students will act with concern for the safety and well-being of all members of the campus community.
 - 3.02.d. Students will observe federal, state and local laws and University regulations.
 - 3.02.e. Students will assume responsibility for their conduct on the University campus and at campus-sponsored events.
 - 3.02.f. Students will refrain from any conduct which adversely affects personal or community well-being.
 - 3.02.g. Students will support all members of the campus community through constructive confrontation and dialogue.

4. CODE OF CONDUCT

The following actions/behaviors shall constitute violations of the Code of Conduct. Any student found responsible for a violation of this Code will be subject to disciplinary sanctions, as described later in this document.

- 4.01. Abuse of Student Conduct System: Engaging in abuse of the student conduct system. This includes, but is not limited to:
 - 4.01.a. Providing false information before a student conduct board or hearing officer.
 - 4.01.b. Disrupting or interfering with a student conduct proceeding.
 - 4.01.c. Instituting a student conduct complaint knowingly without cause.

- 4.01.d. Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- 4.01.e. Harassing or inappropriately attempting to influence any professional or student staff member engaged in reporting, investigating or adjudicating an incident or hearing prior to, during, and/or after the incident or hearing.
- 4.02. Aiding and Abetting: Aiding and abetting another person in committing an act that violates the Code of Conduct.
- 4.03. Alcohol: Violations associated with alcohol use include, but are not limited to **(Refer to Policy Statement E, Policy Statement F, and Policy Statement G at the close of this document for additional University alcohol regulations.):**
 - 4.03.a. Using, possessing, manufacturing, or distributing alcoholic beverages on the Aurora University campus, regardless of age.
 - 4.03.b. Illegally using, possessing, or distributing alcoholic beverages at any off-campus University-sponsored event.
 - 4.03.c. Appearing on campus perceptibly under the influence of alcohol, particularly when there is a danger to self, others, or property or there is unreasonable annoyance to others, or causing a disturbance off campus as a result of being under the influence of alcohol.
 - 4.03.d. One whose room/suite is host to an event/situation that involves a violation of the University Alcohol Policy.
 - 4.03.e. One whose guest is responsible for a violation of the University Alcohol Policy.
 - 4.03.f. Any person or organization providing/purchasing for or distributing alcohol to any individual below the age of 21 years.
 - 4.03.g. Possession of empty alcohol containers, regardless of consumption location.
 - 4.03.h. Possession of alcohol paraphernalia including but not limited to keg tappers, beer bong, and flasks.

The University has a Good Samaritan Policy, which is designed to protect the health and safety of students who may need medical attention as a result of excessive alcohol consumption or the use of controlled substances. **If you receive attention or seek medical assistance for a peer as a result of the abuse of alcohol or controlled substances, you may not be subject to formal disciplinary action for violating University policy as set forth in Policy Statement G in this document.**

- 4.04. Arson: Intentionally and/or maliciously starting fires or committing other acts of arson. Arson is a Clery Act reportable crime.

- 4.05. Assault: Committing any violent physical or verbal attack against another person or group; attempting to inflict offensive physical contact or bodily harm on a person that puts the person in immediate danger of or in apprehension of such harm or contact.
- 4.05.a. Domestic violence is an assault, as defined above, between people who have an ongoing romantic relationship or between people living together as roommates.
- 4.06. Bicycles: Storing bicycles in any inside building location other than a student's individual residence hall room; mounting a bicycle to a wall or ceiling; riding a bicycle within a University building.
- 4.07. Building/Hall Sports: Ball bouncing/kicking/throwing, or any activity deemed a physical sport, except appropriate activity in designated athletic locations; wrestling, engaging in water fights or utilization of squirt guns, and other forms of horseplay/rough-housing.
- 4.08. Cleanliness/Health/Safety: Failing to maintain community/residence hall rooms in clean and sanitary condition without excessive clutter; failure to place trash and recycling in designated bins.
- 4.09. Complicity: Being present during the planning or commission of any violation of the Code of Conduct. Students who anticipate or observe a violation of the Code of Conduct are expected to remove themselves from association or participation and are encouraged to report the violation.
- 4.10. Controlled Substances: Using, possessing, or distributing any state or federally controlled substance except as expressly permitted by law or drug paraphernalia including but not limited to bong, grinders, hookahs, marijuana pipes, roach clips, and/or scales. **(Refer to Policy Statement E for additional details regarding Alcohol and Controlled Substances.)**
- Important note regarding controlled substances: Under Illinois State Statute, no marijuana, illegal controlled substances or look-alikes, or any drug paraphernalia associated with its use, are allowed inside schools or within 1,000 feet of school grounds, unless used for demonstration purposes by law enforcement personnel.*
- "School" is defined as any public or private elementary or secondary school, community college, college, or university.*
- 4.11. Damage to Property: Examples of damage to property include but are not limited to:
- 4.11.a. Engaging or participating in acts of destroying, damaging or defacing property of the University, University vendors, members of the University community, or any others.
- 4.11.b. Damage to property done with malicious intent.

- 4.11.c. Tampering with or changing locks to University-owned facilities without authorization.
- 4.12. Darts and Dartboards: Possessing, hanging, or using darts and/or dartboards in residence hall rooms.
- 4.13. Dating Violence, Domestic Violence: Dating/domestic violence means physical abuse, harassment, intimidation, interference with personal liberty, or willful deprivation of a family member, household member, or person with whom the perpetrator has, or has had, a dating or engagement relationship. **(Refer to Policy Statement A at the close of this document for the Aurora University Sex Discrimination Policy.)**
- 4.14. Disorderly Conduct: Committing any of the following:
 - 4.14.a. Engaging in disorderly conduct or fighting, including, but not limited to, acts that breach the peace, are unruly and/or destructive, or are lewd, indecent, or obscene.
 - 4.14.b. Assembling to commit or intending to commit any unlawful act by force; carrying out or planning to carry out any action which has the potential to disturb or threaten the public peace, even without unlawful intention; or conducting oneself in a disorderly manner so as to disrupt or threaten to disrupt the public peace, even without unlawful purpose.
- 4.15. Disruption of University Activities: Interrupting or disturbing the day-to-day academic and operational functions of the University or committing intentional acts that obstruct, disrupt, or physically interfere with the use of University premises, buildings, or passages.
- 4.16. Endangering Behavior: Physical abuse of any person or any action that threatens or endangers the emotional well-being, health, or safety of any person.
- 4.17. Failure to Comply: Committing any of the following:
 - 4.17.a. Failing to comply with the directions of or obstructing University employees acting in the performance of their duties.
 - 4.17.b. Failing to positively identify oneself to a University employee when requested to do so (the preferred form of identification is a current, valid University identification card).
 - 4.17.c. Failing to comply with the sanction(s) imposed under the Code of Conduct.
- 4.18. False Representation: Providing false information to the University. This includes, but is not limited to:
 - 4.18.a. Making false reports of a fire, bomb threat, or other dangerous condition; causing or contributing to the cause of a false fire alarm; failing to report a fire, or interfering with the response of University or municipal officials to emergency calls.

- 4.18.b. Furnishing false information to any University employee or office.
- 4.18.c. Forging, altering, or misusing any University document, record, or instrument of identification.
- 4.18.d. Tampering with the election of any University-recognized student organization.
- 4.18.e. Attempting to represent the University, any recognized student organization, or any official University group without the explicit prior consent of the officials of that group.
- 4.19. Federal, State or Local Laws: Violating federal, state, or local laws on University premises or while in attendance at University sponsored or supervised events or committing off-campus violations of federal, state, or local law that adversely affect the reputation of the University, the safety of the campus community, and/or the pursuit of its objectives.
- 4.20. Fire Hazards: Violations associated with fire hazards include, but are not limited to:
 - 4.20.a. Possessing or using, without proper authorization, flammable materials or hazardous substances on University property, including, but not limited to candles, incense, caustic/toxic chemicals and other materials designed to burn.
 - 4.20.b. Possessing or utilizing hazardous electrical appliances in the residence halls, including but not limited to air conditioners, cooking appliances (toasters, toaster ovens, etc) or any appliance with an open heating surface (hot plates, electric grills, improperly-used coffee pots, etc), electric blankets, microwave ovens using greater than 700 watts, refrigerators greater than 4.0 cubic feet, or space heaters.
 - 4.20.c. Using any form of extension cord or multiple outlet (octopus adapter) except for approved UL strips/surge protectors; running any cords under doorways or carpeting.
 - 4.20.d. Covering more than 50% of a residence hall room door or walls with material, in violation of fire safety regulations; covering walls or ceilings with fabric, fabric-like, or plastic wall coverings or adornments, including but not limited to, tapestries, towels, or sheets.
 - 4.20.e. Possessing halogen lights and neon signs in the residence halls.
 - 4.20.f. Possessing live Christmas trees in the residence halls.
 - 4.20.g. Possessing hover boards (i.e. hands free scooters or segways) is prohibited in the residence halls, as well as throughout the campus community.
- 4.21. Furniture: Committing any of the following:

- 4.21.a. Removing public area furniture from its designated location.
 - 4.21.b. Damaging, painting, or removing University-provided residence hall furniture (bed, chair, desk, dresser, mattress, or wardrobe).
 - 4.21.c. Possessing water beds and/or building/possessing lofts in the residence halls.
 - 4.21.d. Improperly stacking residence hall furniture on top of each other in a way other than the furniture was designed to stack.
- 4.22. Gambling: Gambling for money or other items of value on University property or at University-sponsored events.
- 4.23. Harassment: Committing any of the following, knowing or having reasonable grounds to know that it will or potentially could tend to alarm, anger, harm, or disturb others, or provoke an assault or breach of peace. This policy includes written and verbal forms of harassment. Online community users (i.e. Facebook and Twitter) are subject to the same policy as e-mail and other communication. **(Refer to Policy Statement B at the close of this document for the Aurora University Zero Tolerance policy, Policy Statement C regarding Computer Use, and Policy Statement J regarding Online Communities.):**
- 4.23.a. Engaging in actions which harass, threaten, or otherwise endanger the health or safety of any person.
 - 4.23.b. Intimidating, demeaning, or injuring an individual physically, mentally, or emotionally.
 - 4.23.c. Engaging in a course of conduct or repeatedly committing acts that alarm or seriously annoy another person and which serve no legitimate purpose.
 - 4.23.d. Stalking behavior in which an individual intentionally, willfully, maliciously, and/or repeatedly engages in conduct directed at an individual which alarms, threatens, torments, terrorizes, or serves no legitimate purpose.
- 4.24. Hate Motivated/Bias Based Incidents: Conduct directed at an individual on the basis of age, race, ethnicity, gender, sexual orientation, religion, socioeconomic status or ability with intention to intimidate, demean, or injure an individual(s) physically, mentally, or emotionally. **(Refer to Policy Statement B at the close of this document for the Aurora University Zero Tolerance policy.)**
- 4.25. Hazing: Committing any intentional, knowing or reckless act, occurring on or off the Aurora University campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in or maintaining membership in any organization or athletic team whose members are or include students

at an educational institution. A person commits an offense if the person engages in hazing, encourages another to engage in hazing, knowingly permits hazing to occur or has knowledge of hazing and fails to report said knowledge to an appropriate official of the University. It should be noted that it is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. **(Refer to the Aurora University Student Organization Handbook for additional information regarding hazing.)**

- 4.26. Life Safety: Committing any of the following:
- 4.26.a. Discharging, causing to be discharged or tampering with fire and life safety equipment, including but not limited to altering or misusing any firefighting equipment, safety equipment, or emergency device.
 - 4.26.b. Attaching items to or hanging items from smoke detectors or sprinkler heads.
 - 4.26.c. Exiting through alarmed doors; propping open exterior or interior doors that allow access to a locked facility.
 - 4.26.d. Failing to exit a University building during a fire alarm.
 - 4.26.e. Failing to evacuate a University building in a timely manner during an emergency, as instructed by a University Official or Emergency Personnel.
- 4.27. Off-Campus Housing - Community Disturbance: Unreasonably disrupting or interfering with the rights of neighbors at off-campus locations, including, but not limited to, failure to abide by applicable University regulations and policies as well as local, state and federal laws. **(Refer to Policy Statement F at the close of this document for additional details regarding Off-Campus Housing regulations.)**
- 4.28. Off-Campus Housing - Dereliction of Property: Failing to maintain an off-campus residence according to city ordinance including, but not limited to, improper disposal of trash, inadequate maintenance of lawn and landscaping, and illegal parking. **(Refer to Policy Statement F at the close of this document for additional details regarding Off-Campus Housing regulations.)**
- 4.29. Pets: Possessing animals or pets in the residence halls other than approved certified service animals or support animals and fish in aquariums 10 gallons or under. Unapproved animals or pets found in the residence halls must be removed within 24 hours.
- 4.30. Pranks: Mischievous or malicious tricks or acts that cause or have the potential to cause damage, distress, or harm.
- 4.31. Quiet/Courtesy Hours: Engaging in actions on campus that interfere with a student's right to study, at any time; producing excessive noise (i.e. stereos, video games, televisions, or voices raised to a level not confined within the individual residence hall room) during quiet hours (Sunday-Thursday, 11 PM to 10 AM and Friday-Saturday, 1 AM to 10AM, or

24 hours a day from the Saturday prior to final exams through residence hall semester closing).

- 4.32. Retaliation and Intimidation: Retaliation exists when action is taken against a complainant or participant in the complaint process that (i) adversely affects the individual's opportunity to benefit from the University's programs or activities; and (ii) is motivated in whole or in part by the individual's participation in the complaint process.
- 4.33. Roller Blading/Skateboarding: Improper use of roller blades, scooters, or skateboards on University property, e.g. use of roller blades in a University building, performing stunts/tricks on scooters or skateboards.
- 4.34. Room Alterations/Decorations: Violations associated with decorations in residence hall rooms include, but are not limited to:
 - 4.34.a. Making structural changes to a residence hall room.
 - 4.34.b. Display/hanging of offensive or inappropriate materials or materials that promote alcohol/controlled substances.
 - 4.34.c. Utilizing duct tape, nails, tacks, and/or hooks other than properly-utilized temporary adhesive hooks.
 - 4.34.d. Painting room walls, ceilings, or floors.
- 4.35. Sexual Assault and Sexual Violence: Committing acts of sexual assault (stranger, date, or acquaintance), sexual abuse, or other forms of coerced sexual activity. **(Refer to Policy Statement A at the close of this document for the Aurora University Sex Discrimination Policy.)**
- 4.36. Sexual Harassment: Sexual harassment may consist of repeated actions or may even arise from a single incident if sufficiently extreme. **(Refer to Policy Statement A at the close of this document for the Aurora University Sex Discrimination Policy.)**
- 4.37. Signs, Pictures, and Posters: Possessing traffic or street signs (prohibited by Illinois state law); displaying signs, pictures, and/or posters as residence hall window displays.
- 4.38. Smoking/Tobacco: Aurora University is a tobacco free campus. Smoking or the use of cigarettes, electronic cigarettes, cigars, pipes, other forms of tobacco (e.g. smokeless or chewing tobacco) etc. on the University campus is prohibited. This includes when a student is representing Aurora University in an official capacity (e.g. travel to and from practice or competition, attending an off-campus activity), especially when traveling in University vehicles.

- 4.39. Solicitation: Engaging in unauthorized canvassing or solicitation on University property, including textbook buyback programs not sponsored by the University and product sales parties such as for cosmetics or household goods.
- 4.40. Stalking: Stalking means engaging in a course of conduct directed at a specific person, that the perpetrator knows or reasonably should know that this course of conduct would cause a reasonable person to fear for his or her safety or the safety of others, or suffer emotional distress. **(Refer to Policy Statement A at the close of this document for the Aurora University Sex Discrimination Policy.)**
- 4.41. Theft: Engaging in acts of theft or possessing without authorization goods belonging to other members of the community, including, but not limited to, University furniture, University property, and/or food and other items not designated as “carry-out” by dining services.
- 4.42. Trespass: Prohibited entry or presence on University property or in University-owned facilities.
- 4.43. Unauthorized Use/Possession of Keys/ID Cards: Possessing, lending or duplicating keys to any University building or facility without authorization by appropriate University officials; possessing, lending, or duplicating a University ID card without authorization by appropriate University officials.
- 4.44. Unauthorized Exit/Entry: Entering or exiting illegally, improperly, without authorization, or during non-contract periods without proper registration, any room or facility which you are not authorized to enter/exit, including alarmed exit doors; granting residence hall access to non-residents (e.g. tailgating).
- 4.45. University Policies and Services: Violating published University policies, rules, or regulations including, but not limited to, the policies on sexual assault, zero tolerance, computer use, and alcohol and controlled substances; violating the rules and regulations of other University departments including, but not limited to: Residence Life, Student Activities, Information Technology Services, Dining Services, Campus Public Safety and the Library.
- 4.46. Vehicles: Parking in a way that constitutes a hazard or an inconvenience to pedestrians or the operators of other vehicles; blocking sidewalks, driveways, or building access; parking on or driving across grounds or athletic fields; driving recklessly; major vehicle repairs; storage of motorized vehicles (e.g. mopeds, motorcycles) in a building.
- 4.47. Visitation: Violations associated with visitation in the residence halls and on campus include, but are not limited to:
- 4.47.a. Any person not assigned by Residence Life to live within the residence halls present in a residence hall room without permission of the host’s roommate(s).

- 4.47.b. Visitors involved in any policy violation (visitor may be removed/banned from campus and hosts held responsible for the visitor's actions).
 - 4.47.c. Visitors from off campus or other residence halls who are not escorted by their host; visitors in a residence hall room not in the presence of their host.
 - 4.47.d. Visitors present during quiet hours not registered following the procedures established by Residence Life. To register, complete the form on Spartan Net: <https://orgsync.com/53230/forms/80582>
 - 4.47.e. Visitors under age 18 present in the residence halls, with the exception of immediate family members during the hours of 8 AM to 8 PM or approved recruitment overnight visits sponsored by the University. Please note individuals in violation of this policy will be escorted out of the residence halls and parents/legal guardians will be contacted.
 - 4.47.f. A host with more than one overnight visitor or a visitor present more than three nights per seven day period; visitors, including students from any other residence hall room, staying overnight more than three nights per seven day period.
- 4.48. Weapons: Possession, keeping or use that carelessly, recklessly or intentionally harms or intends to harm another person of a weapon, dangerous instrument, fireworks, hazardous substance or noxious materials on campus, including in any vehicle.
- 4.48.a. Weapons include, but are not limited to, firearms (such as handguns and rifles), BB guns, pellet guns, air guns, spring-guns or other instruments or weapons in which the propelling device is a spring, air, piston or CO2 cartridge or other similar devices, antique and ornamental weaponry, weapon replicas, weapons paraphernalia (such as holsters), and bows and arrows.
 - 4.48.b. Dangerous instruments include, but are not limited to, deadly substances (such as potassium cyanide), explosives, explosive devices, gunpowder, firearm ammunition, flammable petroleum fuels, knives with a blade length of three inches or more, clubs, and martial arts weaponry.
- Important note regarding weapons: Under Illinois State Statute, no guns, look-alike guns, air rifles and pistols, or paintball guns or pistols are allowed inside schools or within 1,000 feet of school grounds, unless carried by on-duty law enforcement personnel.*
- "School" is defined as any public or private elementary or secondary school, community college, college, or university.*
- 4.49. Windows and Roofs: Occupying or storing items on any outdoor window ledge or roof area. Entering, leaning out of, throwing items from, or exiting through windows. Opening or removing screens from windows.

5. INTERIM SANCTIONS

- 5.01. For alleged violations of the Code of Conduct, interim sanctions, including but not limited to, interim suspension, loss of contact with another student, immediate removal from the residence halls, reassignment to alternate housing, and/or restrictions from designated residence halls or campus facilities or events on a temporary basis may be imposed by the Vice President for Student Life or designee. Interim sanctions should be assigned only when there is reason to believe that the student poses a threat to harm oneself or others, damage college property, or disrupt normal college operations.
- 5.02. The Vice President for Student Life or designee contemplating taking the action shall make an effort to meet with the student prior to imposing an interim sanction to inform his or her of the alleged violation(s) and of the reasons for the proposed interim sanction. During this meeting, the student will be afforded an opportunity to make a brief statement regarding the alleged violation(s). If the student fails to attend a scheduled meeting, or if such a meeting is unreasonably difficult to afford, action may be taken in his/her absence.
- 5.03. If, following the meeting (or in absence of a meeting as described above), the administrator decides that implementation of an interim sanction is warranted, the student will be served with a written notice of the interim sanction. An interim sanction will become effective immediately upon being served with the written notice. If serving with written notice is not immediately possible, the University will identify the most efficient means of communication.
- 5.04. Interim sanctions are a temporary resolution that will be imposed pending disciplinary or criminal proceedings, or medical evaluation. The required formal hearing will be held not later than ten calendar days from the date the written notice was served, unless unusual circumstances are present.
- 5.05. Interim sanctions are not subject to appeal prior to the required formal hearing.

6. DISCIPLINARY HEARING PROCESS

- 6.01. Any student, faculty, staff member or guest is expected to complete and submit an incident report if they are a victim of or a witness to a violation. This report provides information pertinent to the allegation. The individual filing the incident report may be expected to appear at any subsequent hearing related to the matter. Guests may file an incident report with any member of the Campus Public Safety staff. Faculty, staff, and students are expected to report any violation of the Code of Conduct using the "Report It!" form available on SpartanNet.
- 6.02. The following members of the University are considered disciplinary hearing officers of the University: University President, Provost, Vice President for Student Life, Associate Vice President for Student Life, Dean of Student Life, Assistant Dean of Student Life, Director of Student Activities, and Residence Hall Directors. The University retains the right to appoint additional hearing officers at any time.

- 6.03. All incident reports will be forwarded to the appropriate disciplinary hearing officer.
- 6.03.a. If the violation allegedly is committed by a resident student in a residence hall or on the surrounding grounds, the complaint will be forwarded to the Dean of Student Life, who will assign the case to the appropriate disciplinary hearing officer.
- 6.03.b. If the violation allegedly is committed by a student or students acting on behalf of a student organization, the complaint will be forwarded to the Director of Student Activities.
- 6.03.c. In cases where it can be reasonably foreseen that the student may be suspended or dismissed from the institution, the case will be heard through an Administrative Hearing with the Dean of Student Life or designee.
- 6.03.d. All other complaints will be forwarded to the Dean of Student Life, who will hear the case or assign it to the appropriate disciplinary hearing officer.
- 6.04. The disciplinary hearing officer will review the report, determine charges of policy violation, notify the student(s) of the charge(s), and schedule a hearing. If the student fails to appear at the scheduled time, the hearing will proceed in their absence; a decision and sanction(s), if applicable, will be rendered.
- 6.05. In most instances, hearing notification letters will be sent via the student's University email account. Failure to read one's notification letter will compel the disciplinary hearing officer to make a decision without benefit of the student's input.
- 6.06. Investigations into alleged policy violations may be conducted individually or collaboratively by a disciplinary hearing officer and/or the Director of Campus Public Safety or designee. Aurora University reserves the right to involve civil authorities in investigations.
- 6.07. Students may be accountable both to civil authorities and to the University for acts that constitute violations of law and of this Code. Disciplinary action at the University normally will proceed during the pendency of criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.
- 6.08. Students are presumed not responsible until proven responsible for a violation of the Code of Conduct. Pending final action on a charge, the status of the student is not altered, unless the continued presence of the student would, in the opinion of the disciplinary hearing officer, constitute a clear and present danger to him- or herself, to the safety of others or to the property of the University. In these instances, the student may face interim sanctions.
- 6.09. The purpose of student conduct proceedings is to provide a fair evaluation of an accused student's responsibility for violating University regulations. Formal rules of evidence shall not be applied, nor shall deviations from prescribed procedures necessarily

invalidate a decision, unless significant prejudice to a student respondent or the University may result. Responsibility for violation of University regulations is made on the basis of whether it is more likely than not that the respondent violated the Code of Conduct.

- 6.10. If the student is found responsible and is given sanctions, the disciplinary hearing officer will track the student's completion of all assigned sanctions.

7. SUSPENSION OF THE DISCIPLINARY HEARING PROCESS

- 7.01. During the final week of the academic year, portions of the disciplinary hearing process may be suspended in order to adjudicate violations prior to the departure of students.

- 7.01.a. The typical timeframe will be suspended. Disciplinary hearing officers reserve the right to conduct hearings with students for policy violations at the time of the incident or the next working day.

- 7.01.b. The student will be notified verbally of the charge(s) against him/her and receive electronic or written notification of charges at or before the time of the hearing.

- 7.01.c. The disciplinary hearing officer will conduct an administrative hearing, per the procedures listed below. The student will be provided with written notification of the resolution of the case, including any sanctions, within 24 hours of the hearing and investigation, barring extenuating circumstances.

- 7.01.d. Students may be contacted during the summer session to resolve incidents occurring during the final week of classes. Failure to respond to a hearing notification letter, e-mail correspondence, and/or telephone call will not absolve the student of responsibility and will compel the disciplinary hearing officer to make a decision without benefit of the student's input.

8. ADMINISTRATIVE HEARING PROCEDURES

- 8.01. Disciplinary hearing officers have the authority to conduct administrative hearings. Based on the information presented, the hearing officer may rescind any charge deemed without basis. If the hearing officer finds that a violation has occurred, appropriate sanctions will be imposed.

- 8.02. In the hearing, the student and disciplinary hearing officer meet and discuss the incident, the student's behavior, disciplinary history and consequences. The disciplinary hearing officer will determine whether or not the student is responsible for the alleged policy violations and impose appropriate sanctions. The disciplinary hearing officer also will communicate the finding and any applicable sanctions in writing.

- 8.03. The disciplinary hearing officer will track the student's completion of all assigned sanctions.

9. SANCTIONS

- 9.01. In recommending or determining a sanction(s), a disciplinary hearing officer will consider all relevant factors, including the nature of the offense, the severity of any damage, injury, or harm resulting from the offense, the student's current demeanor, and the student's past disciplinary record, if any. Sanctions are intended to promote student learning, and to aid in the development of the student and the community as a whole.
- 9.02. Students will be notified of the outcome of the disciplinary process via their University email account or in person (if deemed necessary by the disciplinary hearing officer). Any assigned sanctions should be completed appropriately based on the guidelines in the mandated timeframe to avoid additional disciplinary consequences.
- 9.03. The following are sanctions which may be imposed for a violation of the Code of Conduct. The disciplinary actions listed in this section are not meant to be all-inclusive, but serve as guidelines which may be imposed in any combination:
- 9.03.a. Expulsion: Permanent separation from the University. Students who have been expelled may not be on campus without specific written permission of the Dean of Student Life or designee. If an expelled student is found on campus without permission for any reason, the Aurora Police Department will be called and he/she will be charged with criminal trespass.
- 9.03.b. Suspension: Separation of the student from the University for a specified period of time. The student will not participate in University-sponsored activities and may not be on campus without specific written permission of the Dean of Student Life or designee. If any suspended student is found on campus for any reason without permission, the Aurora Police Department will be called and he/she will be charged with criminal trespass.
- 9.03.c. Loss of On-Campus Housing: The student is suspended from the residence halls, either on a temporary or permanent basis. Normally, a student who receives this sanction by the appropriate hearing body or disciplinary hearing officer is entitled to 48 hours to vacate his/her University housing facility. However, in certain situations, this process can be accelerated.
- 9.03.d. Loss of Extracurricular Privileges: A student may lose the privilege of participating in extracurricular activities and/or running for or holding office in any student group or organization as part of a disciplinary sanction. This includes, but is not limited to, participation in athletic, music, and dramatic events, programs, groups, and teams.
- 9.03.e. Disciplinary Probation: A specified period of time during which the student is removed from good disciplinary standing. Any additional violations during the probationary period will result in more severe consequences, up to and including expulsion. Students on disciplinary probation are in jeopardy of losing the privilege of living in the residence halls for the following academic year.

- 9.03.f. Disciplinary Admonition: A written warning to the student that the cited behavior is not in accordance with the Code of Conduct. The student is warned that further misconduct may result in more severe disciplinary action.
- 9.03.g. Parental Notification: The Dean of Student Life or designee will notify via letter or telephone call a student's parents/guardians of violations of the controlled substances policy, alcohol policy, or other serious violations/situations. **(Refer to Policy Statement D at the close of this document for the Aurora University Parental Notification Policy.)**
- 9.03.h. Fine: The student will pay a monetary fine to the University.
- 9.03.i. Restitution: In cases of damage, destruction, defacement, theft, injury, or unauthorized use of property, restitution to the University or to an individual may be required. In cases of restitution to the University, the charge will be posted directly to the student's account. Payments not received by the deadline will result in late charges being incurred. All Student Accounts policies will apply in the case of restitution.
- 9.03.j. Educational: The student will complete a research project, paper, community program, bulletin board, online judicial educator program, etc.
- 9.03.k. Loss of Contact: Loss of contact may be imposed when a student is found responsible for such violations as harassment, assault or similar offenses against an individual. Students who receive this sanction may not initiate contact with a particular individual(s) in person, by telephone, electronic communication, voice mail, in writing, by friends on his or her behalf, or by any other means, anywhere on campus. This sanction usually is imposed for the tenure of the student found responsible.
- 9.03.l. No Trespass Notice: As the result of an expulsion or suspension from the University, a student may be prohibited from being on University property. A visitor found in violation of University policies may also be prohibited from being on University property. In such cases, the Office of Campus Public Safety will issue a No Trespass Notice, banning the individual from campus. The Office of Campus Public Safety will notify the University community and provide instructions on how to respond should a banned individual be seen on campus. Banned individuals are subject to arrest by the Office of Campus Public Safety.
- 9.03.m. Other Sanctions: Other sanctions may be imposed instead of or in addition to those specified above, including but not limited to the following: community service; mandated counseling or therapy; relocation to another University living area; trespass from specified University premises; loss of specified University privileges; or assignment of a failing grade in an academic course. The imposition of such sanctions must be related to the nature of the violation.

10. DISCIPLINARY HEARING APPEALS

- 10.01. Students may appeal the decision of a disciplinary hearing officer. A letter of appeal must be submitted in writing to the appropriate appeals officer within five calendar days from the date of notification of the official decision. The appeals officer will render a decision within ten calendar days. Failure to appeal within the allotted time will render the original decision final and conclusive. The appropriate appeals officer is as follows:
 - 10.01.a. For Administrative Hearings, appeals will be heard one administrative level up from the original hearing officer (e.g. the Director of Residence Life will hear the appeal for a hearing conducted by a Residence Hall Director; the Dean of Student Life will hear the appeal for a hearing conducted by the Director of Residence Life).
- 10.02. Students who file an appeal may request a meeting with the appeals officer. Such a meeting may or may not be granted, subject to the discretion of that official.
- 10.03. Appeal decisions will be based solely upon the record of the original proceeding, upon the written appeal, and upon the meeting with the student, if held.
- 10.04. Assigned sanctions are not subject to appeal. Only one appeal may be heard per case and are based on the following grounds for appeal:
 - 10.04.a. An erroneous finding of fact contrary to the substantial weight of the evidence;
 - 10.04.b. Incorrect interpretation of a policy or of the responsibilities of the hearing officer/board;
 - 10.04.c. Bias on the part of the disciplinary hearing officer/board which materially affected the hearing; and/or
 - 10.04.d. New evidence material to the case that was not available at the time of the hearing.
- 10.05. After receiving an appeal and reviewing all available information, the appeals officer may elect to:
 - 10.05.a. Deny the appeal and, in doing so, affirm the finding and the sanction originally determined;
 - 10.05.b. Remand the case to the original hearing body with recommendations;
 - 10.05.c. Order a new hearing with a new hearing body; or
 - 10.05.d. Dismiss the case.
- 10.06. The decision of the appeals officer is final and is not subject to additional appeal.

10.07. The imposition of sanctions normally will be deferred during the pendency of appellate proceedings, unless otherwise directed by the appeals officer.

11. DISCIPLINARY FILES AND RECORDS

11.01. Case referrals will result in the development of a disciplinary file in the name of the accused student. All resolutions (responsible, not responsible, and/or charges rescinded) will be noted in the disciplinary file.

11.02. The files of students found responsible for any charges against them normally will be retained as disciplinary records for seven years from the date of the letter providing notice of final disciplinary action.

11.03. Disciplinary sanctions may be expunged or amended by the Dean of Student Life or designee for good cause, upon written petition. Factors to be considered in review of such petitions shall include:

11.03.a. the present demeanor of the student.

11.03.b. the conduct of the student subsequent to the violation.

11.03.c. the nature of the violation and the severity of any damage, injury, or harm resulting from it.

POLICY STATEMENT A: Sex Discrimination, Sexual Misconduct and Interpersonal Violence Policy

POLICY PROHIBITING SEX DISCRIMINATION, SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE

Aurora University (the “University”) is committed to providing a learning, working and living environment that promotes personal integrity, civility and mutual respect. Aurora University does not discriminate, or tolerate discrimination, against any member of its community on the basis of race, color, national origin, ancestry, sex/gender, age, religion, disability, pregnancy, veteran status, marital status, sexual orientation, or any other status protected by applicable federal, state or local law in matters of admissions, employment, or in any aspect of the educational programs or activities it offers.

I. Applicable Law and Policy Statement

This Policy supplements the Zero Tolerance Policy and addresses the requirements of Title IX of the Education Amendments of 1972 (“Title IX”), as well as the Violence Against Women Reauthorization Act of 2013 (“VAWA”) and the Illinois Preventing Sexual Violence in Higher Education Act. Title IX is the federal law that prohibits sex discrimination in federally funded education programs and activities. VAWA is a more recent federal law that addresses domestic violence, dating violence, sexual assault, and stalking in higher education. The Illinois Preventing Sexual Violence in Higher Education Act is a recent state law that addresses student allegations of sexual violence, domestic violence, dating violence and stalking at higher education institutions.

Title IX, which articulates the fundamental anti-discrimination principle that underlies all of the above laws, states as follows:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Consistent with these and other applicable state and federal laws, Aurora University prohibits discrimination on the basis of sex, sexual orientation, and/or gender in any University program or activity. "Sexual misconduct," including sexual harassment, sexual assault, sexual violence, and sexual exploitation, is a form of sex discrimination and is prohibited by this Policy. "Interpersonal violence," including dating violence, domestic violence, and stalking, is also prohibited by this Policy.

The University's prohibitions against sex discrimination, sexual misconduct, and interpersonal violence apply to all students, faculty, and staff, to other members of the University community, as well as to contractors, consultants, and vendors doing business or providing services to the University in accordance with the Zero Tolerance Policy.

Moreover, this Policy applies to on-campus and off-campus conduct, including online or electronic conduct, when the off-campus conduct: (i) occurs during a University sponsored employment or education activity or program; (ii) adversely impacts the education or employment of a member of the University community; or (iii) otherwise threatens the health and/or safety of a member of the University community.

II. Relevant Definitions

Throughout this Policy, the "complainant" or the "reporting party" is the party alleging sexual misconduct or interpersonal violence or the party to whom sexual misconduct or interpersonal violence was directed. The "respondent" or "responding party" is the party accused of sexual misconduct or interpersonal violence. In unusual circumstances, the University itself may constitute the Complainant or may initiate an investigation. An individual who reports sexual misconduct or interpersonal violence occurring between individuals other than him/herself is referred to as a "third party reporter" or "witness."

III. Responsible University Personnel

A. Title IX Coordinator and Assistant Title IX Coordinators

The University has designated a Title IX Coordinator to whom it has delegated day-to-day responsibility for this Policy. Contact information for the University's Title IX Coordinator is below:

Shaun Neitzel, Dean of Student Life and Title IX Coordinator
Office location: 105C Eckhart Hall
Phone: 630-844-6515
Email: sneitzel@aurora.edu

The Title IX Coordinator is responsible for implementing and monitoring compliance with Title IX, VAWA, and the Illinois Preventing Sexual Violence in Higher Education Act on behalf of the University.

This includes coordination of training, education, communications, and administration of grievance procedures for the handling of suspected or alleged violations of this Policy. The Title IX Coordinator is also responsible for maintaining documentation of all reports of incidents of sex discrimination, sexual misconduct and interpersonal violence, and for establishing a protocol for recordkeeping of such incidents.

In addition, the following members of the University community have been designated to assist with the development, enforcement, and compliance of this Policy:

Ann Almasi-Bush, Assistant Dean of Student Life and Assistant Title IX Coordinator

Office location: 105A Eckhart Hall

Phone: 630-844-4578

Email: aalmasi@aurora.edu

Dr. Amy Gray, Associate Vice President for Student Life and Assistant Title IX Coordinator

Office location: 310C Eckhart Hall

Phone: 630-844-5467

Email: agray@aurora.edu

Dr. Kate Herrick, Vice President for Academic and Student Life GWC and Assistant Title IX Coordinator

Office location: Meyer Hall

Phone: 262-245-8581

Email: kherrick@gwc.aurora.edu

Nicole Pieart, Associate Athletic Director/Student Well-being and Assistant Title IX Coordinator

Office location: 245 Alumni Hall

Phone: 630-844-6174

Email: npieart@aurora.edu

Mary Weis, Vice President for Human Resources and Assistant Title IX Coordinator

Office location: 104 Eckhart Hall

Phone: 630-844-3866

Email: mweis@aurora.edu

The Assistant Title IX Coordinators are also responsible (i) for implementing and monitoring Title IX compliance at the University, (ii) for notifying the Title IX Coordinator of any alleged or suspected violations of this Policy and the Zero Tolerance Policy, and (iii) for resolving such alleged or suspected violations, regardless of whether a grievance is submitted.

Any inquiries regarding Title IX, the Illinois Preventing Sexual Violence in Higher Education Act, or the University's Policy should be directed to the Title IX Coordinator or to one of the Assistant Title IX Coordinators identified above.

Individuals may also contact the U.S. Department of Education's Office for Civil Rights or the Equal Employment Opportunity Commission for additional information.

Office for Civil Rights

U.S. Department of Education-Chicago Office
500 W Madison St., Suite 1475
Chicago, IL 60661-4544
Telephone: (312)730-1560
ocr@ed.gov

U.S. Equal Employment Opportunity Commission
Chicago District Office
1500 West Madison Street, Suite 2000
Chicago, IL 60661
Telephone: (800) 669-4000

B. Responsible Employees

With the exception of the confidential resources identified below, all employees (other than student workers) directly employed by the University whose job responsibilities require direct contact with students or employees are designated as “Responsible Employees.” At the present time, student employees are only designated as “responsible employees” when they fall into the following four categories: Peer Advisors, Resident Assistants, Graduate Assistants, and Campus Public Safety student workers. Responsible Employees are available to speak with any member of the University community regarding an alleged or suspected violation of this Policy. Responsible employees are also obligated to report any alleged or suspected incident of sex discrimination, sexual misconduct, or interpersonal violence to the Title IX Coordinator or an Assistant Title IX Coordinator. If the reporting party does not want the University to take action on the complaint, or does not want his/her identity revealed, the Responsible Employee will notify the Title IX Coordinator who will determine whether the reporting party’s wishes can be honored. For additional information regarding how the Title IX Coordinator will evaluate requests for confidentiality or that no investigation or discipline be pursued, see *Reporting Options and Available Resources: Section IV* below.

C. Outside Confidential Advisors and Other Confidential Resources

As discussed in more detail in Section VII below, the University entered into an Agreement whereby certain individuals employed at Mutual Ground will serve as confidential advisors for Aurora students who may have experienced or witnessed sexual misconduct. These confidential advisors are available to discuss alleged or suspected violations of this Policy in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Disclosures to confidential advisors will not trigger the University’s investigation into an incident. The University and outside agencies also make available other confidential resources. See Section VII below.

IV. Prohibited Conduct

A. Sex Discrimination

Sex discrimination is adverse treatment of an individual based on sex or gender. Sex discrimination encompasses sexual misconduct, as defined below, but also includes other behavior that does not constitute sexual misconduct.

Complaints of sex discrimination that are not based on sexual misconduct should be reported to the Title IX Coordinator and will be resolved through the appropriate University process as determined based on the specific facts of the complaint. Sex discrimination complaints that are not based on sexual misconduct (as defined below) will **NOT** be handled through the Procedures set forth in this Policy.

B. Sexual Misconduct

The following offenses are considered sexual misconduct and are prohibited by this Policy. Complaints regarding the following will be handled pursuant to the Investigation and Resolution Procedures set forth in this Policy.

1. **Sexual Harassment**: Sexual harassment is unwelcome communication or conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, or verbal, nonverbal or physical conduct of a sexual nature without regard to whether the parties are of the same or different genders where:
 - submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or the educational relationship, status in a position of employment or an academic course or program, or participation in any University activity or is used as the basis for employment or educational decisions affecting that individual (also referred to as "quid pro quo"); or
 - such conduct is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from the University's programs, services, opportunities, or activities; or
 - such conduct has the effect of unreasonably interfering with a student's or employee's work or educational performance or creating an intimidating, hostile, or offensive working, educational, or living environment.

In considering whether conduct constitutes sexual harassment, the University considers the totality of the circumstances. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include, but are not limited to:

- Physical assaults of a sexual nature, such as rape, sexual assault, sexual battery, molestation, or attempts to commit these acts. (Please refer also to the University's definition of sexual violence.)
- Intentional physical conduct that is sexual in nature such as touching, pinching, patting, grabbing, poking, or brushing against another individual's body.
- Offering or implying a job- or education-related reward (such as a pay increase, a favorable employment evaluation, a job promotion, a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct.
- Threatening or taking a negative employment or educational action (such as a reduction in pay, a negative employment evaluation, or a demotion, giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any

educational activity) or intentionally making the individual's job or academic work more difficult because sexual conduct is rejected.

- The use or display in the workplace or classroom, including electronic means, of pornographic or sexually harassing materials such as posters, photos, cartoons or graffiti without pedagogical or other justification.
- Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gestures, noises, remarks, jokes, questions, or comments about a person's sexuality or sexual experience.

2. **Sexual Violence**: Sexual violence (often referred to as “sexual assault”) is a particular type of sexual harassment that involves actual or attempted sexual contact with another person without that person’s consent. Sexual violence may involve individuals who are known to one another or have an intimate and/or sexual relationship, or may involve individuals not known to one another. Sexual violence includes, but is not limited to:

- **Non-Consensual Sexual Contact**: The touching of the private body parts of another person for the purpose of sexual gratification, when consent is not present or coercion and/or force is used. This includes contact done directly or indirectly through clothing, bodily fluids, or with an object. It also includes causing or inducing a person, when consent is not present, to similarly touch or fondle oneself or someone else.
- **Non-Consensual Sexual Intercourse**: Any penetration, however slight, of the vagina or anus with any object or body part, or oral penetration by a sex organ of another person, by a man or woman upon a man or a woman, when consent is not present or coercion and/or force is used.
- **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by the laws of the state in which the incident occurred. (For incidents that occur outside of the U.S. (e.g., study abroad programs), Illinois law will apply in determining a violation of this Policy.)
- **Statutory Rape**: Sexual intercourse with a person who is under the legal age of consent (17 years in Illinois). (For incidents that occur outside of the U.S. (e.g., study abroad programs), Illinois law will apply in determining a violation of this Policy.)

3. **Sexual Exploitation**: Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another individual(s) for his/her own advantage or personal benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses in this Policy. Examples of sexual exploitation include, but are not limited to:

- prostituting another person;
- non-consensual video or audio-taping of sexual activity;
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- engaging in voyeurism;
- knowingly transmitting an STD or HIV to another;

- threatening to send, or the act of sending nude or incriminating photos to others regardless of whether they were originally obtained with consent.

C. Interpersonal Violence

The following offenses are considered interpersonal violence and are prohibited by the University. Complaints regarding the following will be handled pursuant to the Procedures set forth in this Policy.

1. **Domestic Violence**: Domestic violence includes felony or misdemeanor crimes of violence by a current or former spouse or intimate partner of the victim, by a person who is cohabitating with or has cohabited with the victim, by a person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction, by a person with whom the victim shares a child in common; or by anyone else against an adult or youth victim who is protected under the domestic or family violence law of the jurisdiction.
2. **Dating Violence**: Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. It includes but is not limited to sexual abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence, above.
3. **Stalking**: Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress. 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; and
 - c. **"Substantial emotional distress"** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Examples of stalking behavior include following a person, conducting surveillance of the person, appearing at the person's home, work or school, making unwanted phone calls, sending unwanted emails or text messages, leaving objects for the person, vandalizing the person's property, or injuring a pet.

D. Additional Definitions

1. **Consent**: As noted above, all non-consensual sexual conduct is absolutely prohibited by the University. When determining whether there has been effective consent, the following guidelines will apply:

- Consent is informed, freely and actively given agreement to sexual activity and requires clear communication between all persons involved in a sexual encounter. It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
- Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable.
- Consent cannot be conferred from silence, lack of verbal or physical resistance, or submission resulting from the use or threat of force.
- Consent cannot be inferred from a person's manner of dress.
- Consent to one form of sexual activity does not constitute consent to other forms of sexual activity.
- Previous relationships or consent to past sexual activity does not constitute consent to future sexual acts.
- Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior includes, but is not limited to:
 - Repeated or continued pressure by the sexual aggressor in an effort to engage in sexual contact with the individual.
 - Making repeated threats of harm if the individual does not want to participate in sexual contact.
 - Making the individual feel as if sexual contact is owed to the sexual aggressor.
 - Using manipulative comments to try to pressure the individual to engage in sexual contact.
 - Providing the individual with alcohol and/or drugs in an effort to decrease their inhibitions and decision-making capacity.
- Consent can be withdrawn at any time.
- A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:
 - The individual is incapacitated due to drug or alcohol consumption, either voluntarily or involuntarily;
 - The individual is unconscious, asleep, or otherwise unaware that sexual activity is occurring;
 - The individual is under age (17 years in Illinois); or
 - The individual has a mental disability that impairs his or her ability to provide consent.

A person who is incapacitated due to the taking of a so-called "date-rape" drug cannot consent to sexual activity. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketomine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this Policy. More information on these drugs can be found at <http://www.911rape.org/>. If lack of consent is alleged by the reporting party, intoxication on the part of the responding party is

not a valid defense. Rather, the standard measure is whether a reasonable person should have known that consent had not been or could not be given.

2. ***Incapacitation***: Incapacitation is a state where one cannot make a rational, reasonable decision to engage in sexual activity because they lack the ability to understand the fact, nature, or extent of the act (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction), and/or is physically helpless. For example, an individual is incapacitated, and therefore unable to give consent, if the individual is asleep, unconscious, or otherwise unaware that sexual activity is occurring. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to a mental or physical condition. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, lack of awareness of circumstances or surroundings, or the inability to communicate for any reason.

- Where alcohol or other drugs are involved, one does not have to be intoxicated or drunk to be considered incapacitated. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's: decision-making capacity, awareness of consequences and ability to make informed judgments, or capacity to appreciate the nature of the act. Whether a responding party reasonably should have known that a complainant was incapacitated will be evaluated using an objective reasonable person standard. The question is whether the responding party knew, or a sober, reasonable person in the position of the responding party, knew or should have known, that the complainant was incapacitated.
- An individual may experience a blackout state in which they appear to be giving consent, but do not actually have conscious awareness or the ability to consent. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication or impairment.
- It is the responsibility of each party to be aware of the intoxication level of the other party before engaging in sexual activity. In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all Parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity.

Again, being intoxicated or impaired by drugs or alcohol is never a justifiable defense for sexual misconduct and does not excuse one from the responsibility to obtain consent.

V. Prohibition against Retaliation and Intimidation

Retaliation is strictly prohibited by the University as well as by Title IX and the Illinois Preventing Sexual Violence in Higher Education Act. No individual who, in good faith, makes a complaint alleging a violation of this Policy, reports or discloses an alleged violation of this Policy, is accused of a violation of this policy or participates in the investigation or resolution of such a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation is any action taken against an individual that (i) adversely affects the individual's opportunity to benefit from the University's programs or activities; and (ii) is motivated in whole or in part by the individual's filing a

complaint or reporting or disclosing an alleged violation of this Policy responding to a complaint or otherwise participating in the grievance process. In addition, any act of intimidation designed to prevent an individual from reporting a violation of this Policy or otherwise participating in the investigation or resolution process is prohibited. Individuals who engage in acts of retaliation or intimidation, as defined in this Policy, are subject to disciplinary action that may include, but is not limited to, the sanctions listed in the Investigation and Resolution Procedures section of this Policy, up to and including exclusion, expulsion, or dismissal from the University, and termination of employment, including revocation of tenure.

VI. Institutional Crime Reporting

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") requires institutions of higher education to compile and publish statistics on certain criminal offenses including sexual assault (i.e., non-consensual sexual intercourse), domestic and dating violence and stalking that occur on or adjacent to school properties. Although the University strongly encourages everyone to report any crime that occurs on or around campus, the Clery Act requires certain crimes reported to a Campus Security Authority (CSA) be included in those annual statistics. Specifically, the Clery Act defines a Campus Security Authority as:

- A campus police or security department;
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police or security department . . . such as an individual who is responsible for monitoring entrance into institutional property;
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; or
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

All crimes reported and documented under the Clery Act will be recorded in an anonymous manner that neither identifies the specifics of the crime or the identity of the complainant. The University is also obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when the warning could potentially compromise law enforcement efforts or identify the victim/survivor). A reporting party under this Policy will never be identified in a timely warning.

VII. Mandatory Reporting of Child Abuse, Child Sexual Abuse and Child Neglect

All University employees¹ are mandated reporters under the Illinois Abused and Neglected Children's Reporting Act. Mandated reporters are required to immediately report to the Illinois Department of Children and Family Services (DCFS) suspected child abuse and/or neglect when they have "reasonable cause to believe" that a child known to them in their professional or official capacity may be an abused or neglected child. This is done by calling the DCFS Hotline at 1-800-252-2873 or 1-800-25ABUSE.

¹ University volunteers having regular contact with minors are also Mandated Reporters.

- A “child” means any person under the age of 18 years, unless legally emancipated.
- “Abused child” means a child whose parent or immediate family member, any person responsible for the child's welfare, any individual residing in the same home as the child or a paramour of the child's parent:
 - Inflicts, causes to be inflicted, or allows to be inflicted upon such child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health or loss or impairment of any bodily function;
 - Creates a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health or loss or impairment of any bodily function;
 - Commits or allows to be committed any sex offense against such child;
 - Commits or allows to be committed an act or acts of torture upon such child;
 - Inflicts excessive corporal punishment;
 - Commits or allows to be committed the offense of female genital mutilation;
 - Causes to be sold, transferred, distributed or given to such child under 18 years of age, a controlled substance, except for controlled substances that are prescribed and dispensed to such child in a manner that substantially complies with the prescription; or
 - Commits or allows to be committed the offense of involuntary servitude, involuntary sexual servitude of a minor or trafficking in persons.

There is *no* option for confidentiality in the case of suspected child abuse, child sexual abuse and/or child neglect. In other words, all mandated reporters with reasonable cause to believe that a child known to them in their professional capacities may be abused, sexually abused or neglected are required to contact DCFS. Mandated reporters must also notify the Title IX Coordinator that a DCFS report has been made.

REPORTING OPTIONS AND AVAILABLE RESOURCES

There are various reporting options and resources available to the University community for individuals who wish to make a complaint or report of an alleged or suspected violation of this Policy. The University encourages those who have experienced sexual discrimination or misconduct to talk to one or more of the individuals or agencies identified below.

I. Confidential Advisors

Individuals wishing to obtain confidential assistance without making a report to the University may do so by speaking with a confidential advisor. Aurora University has entered into an agreement with Mutual Ground to provide confidential advisor services to Aurora University students seeking to make a confidential report or otherwise access confidential assistance. Representatives of Mutual Ground are trained and available to discuss incidents of sexual misconduct or interpersonal violence in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Disclosures to these trained confidential advisors **will not** trigger the University's investigation into an incident. In addition to providing confidential counseling, confidential advisors also provide emergency and ongoing support to individuals who have experienced sexual misconduct or interpersonal violence, including:

- The provision of information regarding the individual’s reporting options and possible outcomes, including without limitation, reporting to the University pursuant to this Policy and notifying local law enforcement;
- The provision of resources and services, including, but not limited to, services available on campus and through community-based resources, such as, sexual assault crisis centers, medical treatment facilities, counseling services, legal resources, medical forensic services and mental health services;
- The provision of information regarding orders of protection, no contact orders or similar lawful orders issued by the University or a criminal or civil court;
- An explanation of the individual’s right to have privileged, confidential communications with the confidential advisor consistent with state and federal law;
- Assistance in contacting campus officials, community-based sexual assault crisis centers and/or local law enforcement upon requested; and/or
- Assistance with securing interim protective measures and accommodations upon request.

Contact information for confidential advisors is as follows:

Mutual Ground
 418 Oak Avenue
 Aurora, IL 60506
mutualground.org
 Sexual Assault 24-Hour Hotline: [630-897-8383](tel:630-897-8383)

II. On-Campus Confidential Resource Contact Information

In addition to these confidential advisors, the University makes available to students the following on campus confidential resources:

Aurora Campus

- Aurora University Counseling Center (630-844-5416, 1400 Southlawn Place)
- University Chaplain (630-844-6866, 430 South Evanslawn Avenue)
- Wellness Center (630-844-5434, 1400 Southlawn Place)

George Williams Campus

- Counseling Services (262-24-8597, 350 Constance Blvd.

These resources are available whether or not a reporting party chooses to make an official report or participate in the University’s Investigation and Resolution Procedures or in the criminal process, and can assist parties with obtaining needed resources, explain reporting options, navigating the reporting process, and providing ongoing support as needed.

III. Off-Campus Confidential Resources

In addition to the confidential advisors and on-campus confidential resources noted above, the following off-campus agencies also employ individuals available to discuss incidents of misconduct in confidence. Disclosures to these entities **will not** trigger the University’s investigation into an incident. Please note that limitations of confidentiality may exist for individuals under the age of 18.

- **National Sexual Assault Telephone Hotline:** 800-656-HOPE (4673)
- **State of Illinois Domestic Violence Hotline:** 877-863-6338
- **Association for the Prevention of Family Violence in Wisconsin:** 262-723-4653
- **Local 24-hour Crisis Intervention Services (Counseling/Advocacy)**

Aurora Campus

Mutual Ground

418 Oak Ave

Aurora, IL 60506

Sexual Assault Hotline (24/7): 630-897-8383

General phone number: 630-897-0080

George Williams Campus

Association for the Prevention of Family Violence

735 N. Wisconsin St. Suite 101

Elkhorn, WI 53121

Crisis Hotline: 262-723-4653

Walworth County Dept. of Health & Human Services

W4051 County Road NN

Elkhorn, WI 53121

Crisis Hotline (24/7): 800-365-1587

General phone number: 262-741-3200

Woodstock Campus

McHenry County Crisis Program

PO Box 1990

Woodstock, IL 60098

Crisis Hotline (24/7): 800-892-8900

IV. Reporting to the University

The University strongly encourages individuals, including third party bystanders, to report incidents of sex discrimination, sexual misconduct, and interpersonal violence prohibited under this Policy to the Title IX Coordinator, an Assistant Title IX Coordinator or other University employee. With the exception of the Confidential Advisors and the other confidential resources identified directly above, all other University employees, as well as students working as Peer Advisors, Resident Assistants, Graduate Assistants, and Campus Safety personnel, who receive a report of sex discrimination, sexual misconduct, or interpersonal violence in the context of their employment are required to report all the details of the incident (including the identities of both the complainant and alleged responding party) to the Title IX Coordinator.

The University will promptly and equitably investigate all suspected or alleged violations of this Policy. Although there is no specific time limit for reporting a suspected violation of this Policy, an individual who believes that he or she has been subjected to conduct that violates this Policy is encouraged to contact the appropriate official as soon as possible after the alleged or suspected violation to discuss the available options for proceeding. Prompt reporting is strongly encouraged as

it becomes more difficult to compile information relating to a grievance as the time increases between the alleged or suspected incident(s) and the report of the incident(s).

A. How to Make a Report

In addition to notifying a non-confidential University employee, incidents of sex discrimination, sexual misconduct, and interpersonal violence may be reported to:

- **Title IX Coordinator**, Shaun Neitzel, 105C Eckhart Hall, Phone: 630-844-6515, sneitzel@aurora.edu

- **Assistant Title IX Coordinators**
Ann Almasi-Bush, Assistant Dean of Student Life and Assistant Title IX Coordinator
Office location: 105A Eckhart Hall
Phone: 630-844-4578
Email: aalmasi@aurora.edu

Dr. Amy Gray, Vice President for Student Success and Assistant Title IX Coordinator
Office location: 310C Eckhart Hall
Phone: 630-844-5467
Email: agray@aurora.edu

Dr. Kate Herrick, Vice President for Academic and Student Life GWC and Assistant Title IX Coordinator
Office location: Meyer Hall
Phone: 262-245-8581
Email: kherrick@gwc.aurora.edu

Nicole Pieart, Associate Athletic Director/Student Well-being and Assistant Title IX Coordinator
Office location: 245 Alumni Hall
Phone: 630-844-6174
Email: npieart@aurora.edu

Mary Weis, Vice President for Human Resources and Assistant Title IX Coordinator
Office location: 104 Eckhart Hall
Phone: 630-844-3866
Email: mweis@aurora.edu

- **Aurora University Department of Campus Public Safety**
1408 Southlawn Place, Aurora, IL 60506
630-844-5450 (emergency)
630-844-6140 (non-emergency)
cpsafety@aurora.edu
- **For Employees:** The Employee Assistance Program (800-272-7255)

Reports may be submitted in person, in writing, electronically, or anonymously, and may be submitted by complainants, third parties, or bystanders.

Electronic reports can be submitted via the University Sexual Misconduct webpage at <http://www.aurora.edu/about/reports-policies/sexual-misconduct>. The report can be submitted anonymously. Upon filing an electronic report, the electronic reporter (if not anonymous) will receive an electronic response within 12 hours.

If you are in immediate danger, **call 911 for the Aurora Police Department. The non-emergency number for the Aurora Police Department is 630-256-5000.** The Aurora University Campus Public Safety Department can also connect you to the Aurora Police Department. See Section VII below for more information on reporting to law enforcement.

B. Privacy of Reports

The privacy of all parties involved in complaints or reports of sexual misconduct or interpersonal violence prohibited by this Policy will be respected to the extent permitted under relevant law. Information related to a complaint or report of a violation of this Policy will be shared only with those University employees who need to know to assist in the investigation and/or resolution of the matter pursuant to the University's Investigation and Resolution Procedures. All University employees who are involved in the review, investigation or resolution of sex discrimination, sexual misconduct and interpersonal violence complaints will receive specific training regarding the safeguarding of private information.

V. Information Regarding the Rights of Reporting Parties

Upon receiving a report of an incident of sexual misconduct or interpersonal violence prohibited under this Policy, the University is obligated to provide the reporting party with a written document (separate from this Policy) listing, in plain, concise language, the reporting party's available rights, options and resources, as well as a description of the University's Sex Discrimination, Sexual Misconduct and Interpersonal Violence Investigation and Resolution Procedures.

VI. Requests for Confidentiality

In some cases, an individual may disclose an incident of sexual misconduct or interpersonal violence to a non-confidential source but wish to maintain confidentiality or request that no investigation into a particular incident be pursued or no disciplinary action be taken. The determination of whether a request for confidentiality can be honored is made by the Title IX Coordinator or designee. All Responsible Employees *must* report alleged or suspected violations of this Policy to the Title IX Coordinator or designee and should inform any reporting party requesting confidentiality of their obligation to do so. The Title IX Coordinator or designee will must balance such requests for confidentiality along with the obligation to provide a safe and nondiscriminatory environment for all members of the campus community, including the individual who has experienced the alleged misconduct. When weighing an individual's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator or designee will consider the seriousness of the alleged conduct and the risk to the community's safety; the reporting party's age; whether there have been other harassment grievances against the same individual; whether the alleged incident is isolated or

part of a pattern of conduct; and the reporting party's rights for notification under federal and state law. The Title IX Coordinator or designee will also consider whether the University has other means to obtain the relevant information, as well as whether:

- The accused individual has records from a prior educational institution or elsewhere indicating a history of sexual misconduct or interpersonal violence;
- The accused individual threatened further sexual misconduct or other violence against the complainant or others;
- The alleged sexual misconduct or interpersonal violence was committed by multiple accused individuals;
- The alleged sexual misconduct or interpersonal violence was perpetrated with a weapon;
- The alleged sexual misconduct or interpersonal violence was committed against a minor; and/or
- The complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

Although rare, there are times when the University may not be able to honor an individual's request for confidentiality in order to provide a safe, non-discriminatory environment. If the Title IX Coordinator determines that it cannot honor the request for confidentiality, or the University cannot abide by the reporting party's requests, it will inform that party prior to initiating any investigation and will, to the extent possible, only share information with those responsible for handling the University's response. Further, the University will not disclose the identity of either party except as necessary to resolve the complaint or to implement interim protective measures and accommodations or when provided by State or federal law.

If a reporting party's request for confidentiality limits the University's ability to investigate a matter, the University will still take any steps it deems necessary to limit the effects of the alleged or suspected sexual misconduct and prevent its recurrence. For example, the University might provide training and education, adjust policies, conduct climate surveys, or provide increased security at a given location.

Complainants also have the option to, or not to, notify and seek assistance from law enforcement authorities. Complainants are also free to explore whether they might be able to obtain a judicial no-contact order, restraining order, or protective order, or similar lawful order issued by a criminal, civil or tribal court or by the University. The Title IX Coordinator is available to assist individuals who have further questions about these issues.

VII. Reporting to Law Enforcement

In addition to contacting the Title IX Coordinator, an Assistant Coordinator, or other responsible employee, a reporting party has the option to contact the appropriate law enforcement authorities regarding the possibility of filing a criminal complaint. The Title IX Coordinator and other University personnel, confidential resources, and off-campus confidential advisors are available to assist students and others in making contact with appropriate law enforcement authorities upon request. All Reporting Parties have the option to pursue a criminal complaint with an appropriate law enforcement agency, to pursue a harassment complaint under the University's Investigation and Resolution Procedures, or to pursue both processes simultaneously.

The University will investigate and resolve alleged or suspected violations of this Policy where appropriate even if a criminal complaint is not pursued by the reporting party. Any pending criminal investigation or criminal proceeding may have some impact on the timing of the University's investigation, but the University will commence its own investigation as soon as is practicable under the circumstances. The University reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding. Because the standards for finding a violation of criminal law are different from the standards in this Policy, criminal investigations or reports are not indicative of whether or not a violation of this Policy has occurred. The University will cooperate with law enforcement agencies to the extent permitted by law if a reporting party decides to pursue the criminal process.

The University may, in some circumstances, be required by law enforcement to defer the fact-finding portion of its investigation for a limited time while law enforcement gathers evidence. In such cases, the Title IX Coordinator shall inform the parties of the need to defer the University's fact-finding, provide regular updates on the status of the investigation and notify the parties when the University's fact-finding resumes. During this time period, the University will take any additional measures necessary to protect the reporting party and the University community.

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy, criminal investigations or reports are not determinative of whether sexual misconduct or interpersonal violence, for purposes of this Policy, has occurred. In other words, conduct may constitute sexual misconduct or interpersonal violence under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to investigate or prosecute.

For more information regarding the option to pursue a criminal complaint, contact:

- The City of Aurora Police Department, 1200 East Indian Trail; Aurora, IL, 60505, 911 (emergency); 630-256-5000 (non-emergency)
- City of Williams Bay Police Department, 250 Williams St., P.O. Box 580, Williams Bay, WI 53191; 911 (emergency); 262-245-2710 (non-emergency)
- City of Woodstock Police Department, 656 Lake Ave., Woodstock, IL 60098; 911 (emergency), 815-338-2131 (non-emergency)
- Kane County State's Attorney Office, 37w777 IL Route 38, Suite 300, St. Charles, IL 60175, 630-232-3500

In addition to having the option of pursuing a criminal complaint, individuals also have the right to request that law enforcement issue emergency protective restraining orders or to pursue such orders through the court process. The University can assist parties who wish to do so. Complainants who receive emergency or permanent protective or restraining orders through a criminal or civil process should notify the Title IX Coordinator so that the University can work with the individual and the subject of the restraining order to manage compliance with the order on campus.

For more information about protective or restraining orders, see/contact:

- The City of Aurora Police Department, 1200 East Indian Trail; Aurora, IL, 60505, 911 (emergency); 630-256-5000 (non-emergency)
- Kane County State's Attorney Office, 37w777 IL Route 38, Suite 300, St. Charles, IL 60175,

VIII. Medical Assistance

The University also strongly encourages all individuals who feel they have been victims of sexual misconduct or interpersonal violence to seek immediate assistance, preferably within the first 12 hours post assault, from a medical provider for emergency services, including treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services. Medical treatment can also be crucial to preserving evidence in the event of a criminal investigation. Seeking medical attention helps preserve the full range of options, including the options of working through the University's Investigation and Resolution Procedures and/or filing criminal complaints. Medical personnel may be covered by federal and/or state privacy laws, such as the Health Insurance Portability and Accountability Act ("HIPAA"). Under Illinois law, medical personnel are required to alert police when it reasonably appears that the individual requesting the treatment has received an injury sustained as a victim of a criminal offense, including sexual violence. However, it is the individual's choice whether he or she wants to speak to the police.

Our local emergency rooms have trained health care professionals on staff, including Sexual Assault Nurse Examiners, experienced in assessment, evidence collection and treatment of victims of sexual assault. While victims will be referred to our local emergency rooms for medical attention, our Wellness Center on the Aurora campus can provide additional information and support to victims on how to seek further medical attention and what to expect at the visit.

Medical Services may be obtained at:

Presence Mercy Medical Center (24/7, ER assistance)
1325 N. Highland Ave.
Aurora, IL 60506
Phone: 630-859-2222

Centegra Hospital
1 Doty Rd.
Woodstock, IL 60098
Phone: 815-338-2500

Rush-Copley Medical Center (24/7, ER assistance)
2000 Ogden Ave.
Aurora, IL 60504
Phone: 630-978-6200

Mercy Walworth Hospital
N2950 State Road 67
Lake Geneva, WI 53147
Phone: 262-245-053

For further support and advocacy, individuals may contact Mutual Ground (630-897-8383), the local sexual assault/domestic violence crisis center in Aurora. Professionals from Mutual Ground provide free, 24-hour crisis intervention which includes support for victims at the hospital emergency room, information about medical exams and evidence collection, as well as individual counseling and support groups.

IX. Preserving Evidence

Even if an individual has not been physically hurt, a timely medical examination is recommended so that forensic evidence can be collected and preserved. An individual may choose to allow the collection of evidence by medical personnel even if he or she chooses not to make a report to the police. In order to best preserve forensic evidence, it is suggested that an individual not shower, bathe, douche, smoke, or change clothes or bedding before seeking medical attention, and that medical attention be sought as soon as

possible. If the individual decides to change clothes, he she can bring them unwashed to the hospital or medical facility in a paper bag.

Under Illinois law, emergency medical or forensic examinations (i.e., evidence collection) for sexual assault survivors are provided free of charge to the patient. **Individuals can obtain a free emergency medical or forensic examination at:**

Presence Mercy Medical Center (24/7, ER assistance) 1325 N. Highland Ave. Aurora, IL 60506
Phone: 630-859-2222

Individuals who have experienced sexual misconduct or interpersonal violence are also encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents.

X. Amnesty/Good Samaritan Policy

Amnesty: The welfare of students and employees in our community is of paramount importance. Pursuant to State law, the University is obligated to include an amnesty provision in this Policy that provides immunity to any student who reports, in good faith, an alleged violation of the University's Policy involving sexual misconduct or interpersonal violence to a responsible employee. Accordingly, to encourage good faith reports of violations of this Policy, the University will not discipline a student who makes a good faith report of sex discrimination, sexual misconduct, or interpersonal violence for any violation of Aurora University's Code of Conduct, such as underage drinking, that is revealed in the course of such a report, unless the institution determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk. The University may, however, pursue educational remedies regarding alcohol or other drugs.

Good Samaritan: At times, students and employees may need assistance. The University encourages students and employees to offer help and assistance to others in need. Sometimes, students and employees are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to make a report or to help take a victim of sexual misconduct to the Office of Campus Public Safety). The University pursues a policy of limited immunity for students or employees who offer help to others in need. While policy violations may not be overlooked, the University will provide educational options, rather than disciplinary sanctions, to those who offer their assistance to others in need.

INVESTIGATION AND RESOLUTION PROCEDURES

Aurora University is committed to the prompt and equitable resolution of all alleged or suspected violations of this Policy about which the University knows or reasonably should know, regardless of whether a report alleging a violation of this Policy has been filed and regardless of where the conduct at issue occurred. While under Illinois law reporting parties have the right to request a prompt procedure, the University is committed to providing a prompt resolution in all matters.

In resolving a particular matter, the University may use some or all of the following processes: Initial Assessment and Interim Measures, Informal Resolution, Formal Resolution (a formal investigatory process leading to a finding), Sanctioning, and Appeal. Regardless of the specific processes employed, the University

will complete its Investigation and Resolution Procedures (excluding any appeals) within 60 calendar days unless the University determines in its discretion that more time is required, in which case the parties will be notified and provided with an explanation of the reason for the extension of the 60-day period. The University will provide periodic updates as it deems appropriate.

The University's ability to investigate a particular situation, or the extent of the investigation in any given situation, may be affected by any number of factors, including whether the report is anonymous, the reporting party is willing to file a report or consent to an investigation, the reporting party's request for confidentiality, the location where the alleged or suspected conduct occurred, and the University's access to information relevant to the alleged or suspected violation of this Policy. The University is nonetheless committed to addressing all alleged and suspected violations of this Policy to the fullest extent possible under the circumstances. In instances where the reporting party is unwilling or unable to file a report and participate in an investigation and resolution process, the University may elect to proceed and to seek resolution of the matter in accordance with the Procedures described below or other process that resolves the complaint in a manner consistent with applicable law and relevant Office for Civil Rights (OCR) or other relevant government guidance. Similarly, the University may also proceed to seek resolution of the alleged or suspected Policy violation in cases in which the reporting party does not wish to participate in the Investigation and Resolution process. In these cases, the University will serve as the reporting party in the procedures described below.

The Title IX Coordinator will review the available options with both the reporting party and the responding party. These include the opportunity to request interim measures as well as the opportunity to request that the grievance be resolved through either the Informal Resolution process or the Formal Resolution process. The reporting party and the responding party will receive periodic updates regarding the status of the resolution.

I. Initial Assessment and Interim Measures

Whatever the source, the University will make every effort to bring reports as quickly as possible to the Title IX Coordinator for preliminary assessment. The primary goal of the University's response at this stage is to assist and support the reporting party, regardless of whether the reporting party chooses to report the incident to law enforcement. The Initial Assessment will also determine whether the alleged conduct would present a potential violation of the Policy and whether further action is warranted.

Upon receipt of a report, the Title IX Coordinator and/or his or her designee will implement any appropriate Interim Measures and Remedies to protect the safety of the parties and the campus community and will seek to provide Interim Measures and Remedies for the parties that address their safety and well-being. Such measures and remedies may be requested by or provided to either party and may include, but are not limited to, counseling services, changes to academic, living, dining, transportation, and campus work situations; academic assistance, accommodations or adjustments; obtaining and enforcing campus orders of "no contact," honoring an order of protection or a no contact order entered by a State civil or criminal court; and/or the provision of escorts. Any such interim measures will be taken in a manner that minimizes the burden on the reporting party to the extent possible. Interim measures will be kept confidential to the extent that maintaining such confidentiality would not impair the ability of the University to provide the interim measures.

The University will provide Reporting Parties with information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other

services available for victims by the University and in the community. The University will also provide Reporting Parties with information about their options for, and available assistance in, changing academic, living, transportation, and working situations if requested and reasonably available, regardless of whether the reporting party chooses to report the crime to campus security or to local law enforcement. The University will facilitate such changes if the reporting party requests them and if they are reasonably available, regardless of whether the reporting party chooses to report the crime to campus security or local law enforcement.

An employee's or student's failure to comply with the terms of interim measure directives is a separate and serious violation of the University Codes of Conduct.

A. Initial Assessment

The first step of the Initial Assessment will typically be a meeting between the reporting party and the Title IX Coordinator and/or designee. At this time, a written complaint or statement may be submitted by the reporting party, but a written complaint or statement is not necessary; information provided by the reporting party in any form will be considered in resolving allegations reported to the University. This meeting will allow the Title IX Coordinator and/or designee to:

- Assess the nature and circumstances of the allegation.
- Discuss the types of conduct prohibited by the Policy and review the reporting party's complaint as it pertains to the prohibited conduct.
- Address any immediate concerns about the physical safety and emotional well-being of the parties.
- Notify the reporting party of the option to notify law enforcement and be assisted in doing so, as well as the option not to notify law enforcement.
- Provide the reporting party with information about the range of available on and off campus resources and services, including confidential resources and services, and assist them in accessing these resources.
- Describe the range of Interim Measures and Remedies for security and support, including orders of no contact, changes in academic, living, dining, transportation, and working situations, course adjustments and other forms of academic support. In addition, the University may, at its discretion, impose an interim suspension or leave of absence on the responding party in cases where the University believes there is risk of harm to others. Any Interim Measures or Remedies will be taken in a manner that minimizes the burden on the reporting party to the extent possible.
- Discuss fully the options afforded to the reporting party, the rights and responsibilities of both parties (including the right to be accompanied during any meeting related to the matter by an advisor of their choice whose participation will be limited to consulting privately with the party they accompany), the Informal Resolution process, the Formal Resolution process, and the need to preserve any relevant evidence or documentation in the case. All parties will be informed that the University prohibits any retaliation against parties who have filed a report, assisted, or participated in any manner in an investigation or proceeding under this Policy.
- Assess whether there is a need for a timely warning or emergency notification under federal law.

If the reporting party at any time requests that their identity remain confidential or that no formal action be taken, the University will balance this request along with its responsibility to take steps to foster an educational environment that is free of discrimination and harassment for all members of the campus community, as described above.

As soon as practicable after the initial meeting with the reporting party, the responding party will also be notified that a report or complaint alleging a violation of the University Policy has been made unless the University determines that notifying the responding party is not necessary or appropriate under the circumstances. When notified of the report or complaint, the responding party will also receive parallel discussion of the options afforded to them, the rights and responsibilities of both parties (including the right to be accompanied during any meeting related to the matter by an advisor of their choice whose participation will be limited to consulting privately with the party accompanied by the advisor), the Informal Resolution process, the Formal Resolution process, the prohibition against retaliation, the need to preserve any relevant evidence or documentation in the case, and the availability of interim measures and remedies. The responding party will also be provided with a written explanation of these rights.

The responding party may elect to accept responsibility for all or part of the conduct alleged by the reporting party at this stage or at any later stage throughout the process. In that case, the Title IX Coordinator and/or their designee may initiate an Investigation for the purposes of providing additional information that may be relevant to the University official charged with determining appropriate sanctions. If the responding party does not accept responsibility, the investigation will proceed as described below. In addition, if the responding party withdraws a prior acceptance of responsibility, the process will continue as described below.

B. Interim Measures

Throughout the Investigation and Resolution process, the Title IX Coordinator will monitor the effectiveness of the interim measures or remedies described above and coordinate with the both parties on the provision and implementation of these measures.

II. Informal Resolution Process

Where appropriate, the Informal Resolution process can be used to resolve allegations of sexual misconduct or interpersonal violence by taking immediate and corrective action to stop the conduct, address its effects, and prevent recurrence without implementing a Formal Resolution process and its subsequent determination of a University Policy violation. The Informal Resolution process may include the range of interim measures described above, as well as targeted and/or broad-based training and educational programming for relevant individuals and groups and/or any other remedy that will achieve the goals of the University Policy. An Informal Resolution process may also include a remedies-based process [mediation], which allows both parties to come to a mutual agreement regarding the resolution of the grievance. This process is facilitated by the Title IX Coordinator or his/her designee. For example, both parties may agree that the permanent application of interim measures (e.g. no contact agreement) may be sufficient to resolve the grievance. This option is available if (i) the University determines, in its discretion, that such a process would be appropriate; and (ii) all parties agree to participate. The Informal Resolution process will never be used to resolve allegations of sexual violence.

The parties to any Informal Resolution process will not be required to deal directly with one another without the University's involvement. Instead, the Title IX Coordinator or his or her designee may arrange for or facilitate a remedies-based process or other form of mediation between the involved parties and coordinate other remedies-based measures. Once an Informal Resolution process is complete, both parties will be notified simultaneously/contemporaneously (to the greatest extent possible, and consistent with FERPA or other applicable law) of the resolution. The Informal Resolution

process does not conclude with a finding; responding parties are not charged with a policy violation and are not found to be “responsible” or “not responsible” of a policy violation.

Any party may request that the informal resolution process be terminated at any time, in which case the Formal Resolution process (described below) would commence. The University may, at its discretion, also commence the Formal Resolution process at any time. In addition, while the results of the Informal Resolution process cannot be appealed, any party can pursue Formal Resolution if he or she is dissatisfied with a proposed Informal Resolution.

III. Formal Resolution

A report of sexual misconduct or interpersonal violence can also be resolved through a Formal Resolution process. The Formal Resolution process will be used in instances in which the Informal Resolution was not successful; the option to pursue resolution via an Informal Resolution was declined by either party; or at the discretion of the University. The formal resolution process involves the following steps:

A. Investigation

The Formal Resolution process includes a prompt, thorough, impartial and fair investigation into the allegations of sex discrimination, sexual misconduct or interpersonal violence. Throughout the investigation and process, reporting parties and responding parties will be treated fairly and equitably.

The Title IX Coordinator will assign an internal investigator who has been trained in the investigation of, and other issues related to sex discrimination, sexual misconduct, and interpersonal violence. It is common practice, but not required, for the assigned investigator to select another trained investigator to participate in the investigation process in a secondary role. The investigators shall not have a conflict of interest or bias for or against any parties involved in the potential policy violation. In addition, all investigators shall receive 8 to 10 hours of annual training regarding the investigation of, and other issues related to, sex discrimination, sexual misconduct and interpersonal violence. The investigator(s) will undertake an Investigation for the purposes of adjudicating whether the responding party is responsible for the alleged violation(s) of the Policy.

The Title IX Coordinator will inform the parties that a grievance has been filed and provide notification of the assigned University investigator(s). The Title IX Coordinator will notify the parties of any secondary investigator if and when that assignment is made. If either the party has any concerns about a potential conflict of interest on the part of the assigned University investigator or secondary investigator, the reporting party or responding party should notify the Title IX Coordinator in writing within three calendar days of receiving notice of the referral of the grievance to a disciplinary process.

Should the institution require more than sixty (60) days to complete the investigation and resolution process, both parties will be provided with written notice of the circumstances contributing to the need for additional time and the estimated completion date of the investigation and hearing process.

The nature and extent of the investigation will vary depending upon the circumstances. As part of the investigation, the investigator(s) will review any information gathered during the Initial Assessment and will seek to interview the reporting party and the responding party. The University will also seek to identify and interview any potential witnesses and gather and review physical, documentary, and/or

other relevant evidence. To help ensure a prompt and thorough investigation, the reporting party and responding party are expected to provide as much information as possible in connection with the investigation. Both parties will be updated periodically during the investigation about the progress of the investigation and anticipated time for resolution of the investigation. Additional information regarding the investigation is as follows:

- The University investigator(s) will conduct individual interviews with the reporting party, responding party and any potential witnesses in an effort to gain as much information as possible. Interviews may take place in person, by phone, or through electronic means.
- Timely notice will be provided to Reporting and Responding Parties of all interviews/meetings at which they may/must be present, and both parties will be provided with timely and equal access to information. For interviews, a minimum of 48 hour notice of the interview date, time and location will be provided to the interviewee.
- The investigator(s) will make every effort to be sensitive to the needs of the interviewee while remaining committed to gaining a thorough understanding of the incident and any precipitating events.
- The reporting party and responding party have the right to be accompanied to any interview or other meeting related to this process by the advisor/support person of their choice. The support person may attend but shall not participate in the hearing, interview or related meeting.
- All parties are allowed to suggest questions to be posed by the University investigator to other participating parties and respond to the other party, and to submit other evidence on their own behalf.
- The use of any recording devices (photo, video or audio) is prohibited.
- Questions about the reporting party's sexual history with anyone other than the responding party, or vice versa, are prohibited. Moreover, a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.
- Character witnesses will not be allowed.
- In addition to conducting interviews, the University investigator will seek to collect and review any relevant evidence pertaining to the grievance, such as text/email /voicemail messages, social media messages and postings, written communications, law enforcement records, hospital reports, and other relevant evidence.
- The University investigator will notify the reporting party and responding party of the date upon which no additional evidence will be accepted (i.e. close of evidence).

B. Review of Investigation Report

Upon completion of the investigation, the investigator(s) will produce an Investigation Report that summarizes and analyzes the allegations, the relevant facts, and any supporting documentation. The Investigation Report will be provided to the Title IX Coordinator and shared with the parties (to the extent permitted by FERPA or other applicable law). Both parties will have an opportunity to review the Investigation Report and provide to the Title IX Coordinator their comments on the report identifying any factual inaccuracies or misunderstandings within two business days of receipt of the report. The investigator(s) will address any identified factual inaccuracies or misunderstandings as appropriate.

C. Findings

Based all information gathered during the investigation, including the comments received from both parties after Review of Investigation Report with the Title IX Coordinator, the investigator(s) will make a finding as to whether the University's Policy has been violated (i.e. make a finding as to whether the responding party is Responsible or Not Responsible for any policy violation(s)).

Standard of Proof: The standard used to determine whether the Policy has been violated is the "preponderance of the evidence" standard. In other words, in order to find that the responding party is "Responsible" for a Policy violation in the matter, the investigator(s) must conclude that based on the information obtained during the investigation it is *more likely than not* that the responding party violated this Policy.

D. Sanctioning and Corrective Actions

If the Formal Resolution process concludes with a finding based on a preponderance of the evidence that the responding party is responsible for a violation of the Policy, sanctions shall be determined and/or recommended as follows:

- When the **responding party is a student** who has been found responsible for a violation of University Policy, the sanctions shall be determined by the investigator(s).
- When the **responding party is a faculty member** who has been found responsible for a violation of University Policy, the investigator(s) shall make a recommendation of sanctions which shall be immediately reviewed by the Vice President for Academic Affairs. Disciplinary sanctions, up to and including dismissal, may be imposed consistent with the provisions of the Faculty Handbook then in effect. Where the matter being investigated involves an allegation of sexual harassment or sexual misconduct, the University may modify timelines and procedures set forth in the applicable Faculty Handbook in order to achieve a prompt and equitable resolution of the matter.
- When the **responding party is a staff member** who has been found responsible for a violation of University Policy the Vice President of Human Resources will determine the appropriate sanction and any other corrective actions, unless a different process is required under any applicable collective bargaining agreement.

Each person involved in the sanctioning process will receive 8-10 hours of annual training regarding issues related to sex discrimination, sexual misconduct and interpersonal violence, as well as sanctioning guidelines consistent with relevant federal and state law and regulations.

The University will take reasonable steps to prevent the recurrence of any violations of the Policy and to correct the discriminatory effects on the reporting party (and others, if appropriate). The range of disciplinary sanctions that may be imposed along with other corrective actions for a finding of a Policy violation are as follows. One or more of the following sanctions may be imposed at the discretion of the assigned University investigator.

- Expulsion/Termination of Employment: Permanent separation from the University. Students who have been expelled or employees whose employment has been terminated may not be on campus without specific written permission of the Title IX Coordinator, Vice President for Human Resources or designee. If an expelled student or terminated employee is found on campus without permission

for any reason, the local area Police Department will be called and he/she will be charged with criminal trespass.

- Suspension: Separation of the student or employee from the University for a specified period of time. The student or employee will not participate in University-sponsored activities and may not be on campus without specific written permission of the Title IX Coordinator, Vice President for Human Resources or designee. If any suspended student or employee is found on campus for any reason without permission, the local area Police Department will be called and he/she will be charged with criminal trespass. Employment suspensions may be made without pay or benefits during the period of suspension.
- Loss of On-Campus Housing: The student is suspended from the residence halls, either on a temporary or permanent basis. Normally, a student who receives this sanction by the appropriate hearing body or disciplinary hearing officer is entitled to a reasonable time, not to exceed 48 hours, to vacate his/her University housing facility. If, however, there is reason to believe that the student poses a substantial threat to harm oneself or others, damage University property, or disrupt the stability and continuance of normal University operations and functions, the University reserves the right to accelerate this process.
- Loss of Extracurricular Privileges: The student may lose the privilege of participating in extracurricular activities and/or running for or holding office in any student group or organization as part of a disciplinary sanction. This includes, but is not limited to, participation in athletic, music, and dramatic events, programs, groups, and teams.
- Residence Hall Reassignment: The student will be involuntarily reassigned to another residence hall. Normally, a student who receives this sanction by the appropriate hearing body or disciplinary hearing officer is entitled to a reasonable time, not to exceed 48 hours, to relocate to the new room assignment. If, however, there is reason to believe that the student presence may disrupt the room, floor community or residence hall, this process can be accelerated.
- No Contact Agreement: The student or employee will be prohibited from initiating contact with another member of the University community. Contact includes direct interactions in person, through technology, or through a third-person. This may include limiting access to areas to avoid incidental contact. A No Contact Agreement may be imposed at a student's or employee's request without conduct proceedings if it does not involve any accommodation changes. A No Contact Agreement is not limited by location and would remain in place for the duration of enrollment or employment; it would only be considered terminated if all parties agree to have it terminated through the coordination of the Title IX Coordinator.
- University Referral: The student is assigned a mandatory referral to a campus resource, such as the Counseling Center, Wellness Center, and/or alcohol and drug education programs. The employee is assigned to a mandatory referral to a University resource, such as the university's Employee Assistance Program.
- Parental Notification: If the University determines that the student has committed a disciplinary violation relating to a forcible or non-forcible sex offense, the University may disclose the final results of the Investigation and Resolution process. The final results include the name of the student, the violation committed, and any sanction imposed by the institution against the student. Other information, including the name of any alleged or suspected victim who is a student, may not be disclosed without the prior written consent of the student victim. **(Refer to Policy Statement D at the close of this document for the Aurora University Parental Notification Policy.)**
- Restitution Fines: A student or organization is required to make payment to the University or to another specified person(s) or group(s) for damages incurred as a result of a violation of this Policy.

- Restitution Service: The student is required to perform service to assist in developing increased awareness of the impact of their decisions and raise awareness of more appropriate behavior(s).
- Educational Activity: The student will complete a research project, paper, community program, bulletin board, etc. The employee will participate in a University-identified training program.
- Restriction of Privileges or No-Trespass Directive: The student or employee is restricted from entering certain buildings, attending certain events or using specific programs due to their behavior. Residence hall students may have their visitation privileges restricted or revoked for a certain time period, or specific guests may not be allowed into a residence hall. Participation in University organizations or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the investigator(s) based on the incident. Students or employees may also be barred from campus pursuant to a No-Trespass directive.
- Suspension of Group Recognition: Withdrawal of official recognition of a group for a stated period of time, which will include conditions for reinstatement of recognition.
- Revocation of Group Recognition: Permanent cancellation of the official University recognition and privileges of a group found in violation of University regulations.
- Registration Hold: A hold will be placed on a student's registration if the student fails to complete a sanction or withdraws prior to official resolution of an allegation. Holds are intended to be temporary until either the sanction or the conduct process is complete. A student who fails to complete a sanction or withdraws prior to resolution of an allegation does not remain in good disciplinary standing, is not entitled to readmission pending further proceedings, and also may be limited in his or her ability to access transcripts and other official documentation.
- Disciplinary Probation: A specified period of time during which the student is removed from good disciplinary standing. Any additional violations during the probationary period will result in more severe consequences, up to and including expulsion. Students on disciplinary probation are in jeopardy of losing the privilege of living in the residence halls for the following academic year.
- Disciplinary Admonition: A written warning to the student or employee that the cited behavior is not in accordance with the Aurora University Sexual Misconduct Policy. The student or employee is warned that further misconduct may result in more severe disciplinary action.

Additional corrective actions for the reporting party may include but are not limited to support services and accommodations such as escorts, counseling and medical services, academic or residential accommodations and support. Corrective actions and remedies at the level of the institution may include but are not limited to, providing and/or requiring appropriate forms of counseling and training, developing educational materials and programming, implementation of revised policies and procedures, undertaking climate surveys and other mechanisms to identify and address patterns of violations.

In no event will the reporting party in matters involving an alleged violation of the Policy be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome. If the University is unable to take disciplinary or other corrective action in response to a violation of this Policy, the University will nonetheless pursue other steps to limit the effects of the conduct at issue and prevent its recurrence.

A responding party may also be subject to prosecution under relevant local and/or federal law. The reporting party may pursue criminal/civil action against the responding party regardless of the University's action.

E. Notification

The finding(s) of responsibility or non-responsibility for any policy violation(s), the rationale for the finding(s), and any resulting sanctions or corrective actions will be determined by the investigator(s) and provided to the Title IX Coordinator within seven calendar days of the close of Review of Investigation Report, unless additional time is needed by the investigator(s). The Title IX Coordinator will subsequently notify both parties of the outcome simultaneously/contemporaneously to the greatest extent possible. Each party will be notified in writing of the finding(s), sanction(s) and any other corrective action(s), and information regarding appeal rights.

1. ***For allegations of sexual assault, dating/domestic violence and stalking:*** Written notification will be provided to the reporting party and the responding party of the finding(s) and applicable sanctions or corrective actions within seven calendar days, unless the University determines that additional time is required.
2. ***For all other allegations of sex discrimination, including harassment:*** Written notification will be provided to the reporting party of the findings and the responding party of the finding(s) within seven calendar days, unless the University determines that additional time is required. Consistent with the limitations upon disclosure set forth in FERPA, any applicable sanctions or corrective actions related to a finding of “responsible” for allegations in this category will be communicated only to the responding party.

F. Appeals

Once written notification of the resolution has been provided, either party has the right to submit an appeal of the finding and/or of the sanctions or corrective actions imposed.

1. ***Grounds for Appeal:*** Appeals of a finding or sanction may be submitted solely upon one or more of the following three grounds:
 - a. Allegations that the investigator(s) deviated from the investigation and resolution process outlined in the Policy in a way that substantially altered the outcome of the case;
 - b. Substantive new evidence or information that was not available or known to the appellant/party during the investigation process and that is sufficient to alter a decision;
 - c. The sanction is disproportionate to the violation.

Reporting parties shall have the same rights as responding parties with respect to appealing a finding and/or sanction or corrective action imposed under this Policy. Appeals must be submitted in writing to the Vice President for Student Life within five calendar days after the party pursuing the appeal receives notice of the outcome of the Investigation and Resolution procedure. Failure to appeal within the allotted time will render the original decision and any sanction final and conclusive.

2. ***Appeal Process:*** The appeal process has two steps. First, within seven calendar days of receiving an appeal of either finding or sanction, the appeals officer will determine whether the appeal satisfies the grounds for appeals and will notify the parties simultaneously (to the greatest extent possible) in writing of his or her decision

regarding this issue. The appeals officer will be the Vice President for Student Life (VPSL) or designee. If the VPSL determines that the grounds for appeal are not satisfied, he or she may deny the appeal without further consideration.

If the VPSL determines that the appeal request satisfies the grounds for appeal, he or she will share the written appeal document with the other party (e.g., if the responding party files an appeal, the appeal is shared with the reporting party). The party that did not initiate the appeal will then have three business days after receiving a copy of the appeal to submit a written response to the appeal (but any such response must be limited to the issues raised by the party taking the appeal and cannot constitute a counter-appeal). If both parties have filed appeals, they shall both be permitted to file written responses to the other's appeal document within the same three business day period of time. Any such responses must be submitted to the VPSL.

Any such appeal(s) will then be reviewed by the VPSL. The VPSL will review the Investigation Report and may, in his or her discretion, interview the investigator(s) or any other person who participated in the investigation or sanctioning process. The VPSL will deliver his or her written decision to the parties within 45 days of receiving the appeal unless there are extenuating circumstances that require an extension. The VPSL may: (1) uphold the original decision, (2) remand the finding and/or sanction for further investigation or reconsideration, or (3) modify, augment, or eliminate the sanction. Within seven days of the VPSL's review and determination of the outcome of the appeal, the VPSL will notify the parties contemporaneously/simultaneously (to the greatest extent possible) in writing of the outcome of the appeal and the rationale for the decision. Appeal decisions by the VPSL are final.

If upon appeal a decision is remanded or an investigation is reopened, the results of the remanded investigation and determination are not appealable unless an additional appeal is permitted in the sole discretion of the VPSL.

All sanctions will be in effect during any appeal. A request may be made to the VPSL to delay implementation of a sanction until the appeal is decided, but parties should presume unless otherwise informed that any sanction(s) will go into effect immediately. Graduation, study abroad, internships/externships, etc. do NOT in and of themselves constitute exigent circumstances, and students may be barred from participating in those activities during an appeal. In cases where the appeal results in reinstatement to the university or resumption of privileges, all reasonable attempts will be made to restore the student to his or her prior status.

IV. Additional Policies and Procedures

A. Rights of Reporting and Responding Parties

The parties shall be provided with the following in connection with the resolution of suspected or alleged violations of this Policy:

1. Rights of Reporting Parties

- Access to confidential on- and off-campus counseling and other support services, with the University's assistance upon request, including contact information for local rape crisis centers and law enforcement as set forth in the University's Sex Discrimination, Sexual Misconduct and Interpersonal Violence Policy ("Policy").
- Access to or the ability to request information regarding reasonable accommodations to University academic, transportation, work, dining and/or living arrangements, no-contact orders, and other interim measures to enable you to continue to access your education.
- Information about the importance of preserving evidence as may be necessary to the proof of criminal sexual assault, domestic violence, dating violence, or stalking.
- Opportunity to submit a written statement to the Title IX Coordinator when filing a report; however, a written statement is not necessary and information provided by the reporting party in any form will be considered in resolving allegations reported to the University.
- Notice of your right to choose whether to notify proper law enforcement authorities, including campus law enforcement and local police, and of your right to decline to notify such authorities.
- Notice of your right to file, separate from any University procedures, a criminal complaint or petition for an order of protection through local law enforcement and of your right to do so with (or without) assistance from the University.
- Freedom from retaliation.
- Amnesty from discipline for alcohol or drug use that occurs during incidents of reported sexual misconduct where the health and safety of third parties is not at risk.
- Notice of your right to choose whether to file an official complaint with the University.
- Access to information regarding how the campus will protect your privacy and confidentiality and the full range of options, including potential sanctions, available for the resolution of your complaint.
- A prompt, fair, impartial and thorough investigation and appropriate resolution of all credible complaints of sexual harassment, sexual violence, sexual exploitation, domestic violence, dating violence, and stalking made in good faith to the University conducted by University officials who receive annual training.
- Information regarding the opportunity to object (and the process for doing so) to a University official's participation in the Investigation and Resolution Procedures if that individual has a conflict of interest.
- Information and assistance needed to effectively participate in all proceedings regarding the complaint.
- The same opportunities as the responding party to participate in the Investigation and Resolution Procedures, including:
 - To be accompanied to any interview or other meeting related to this process by the advisor/support person of their choice. The support person may attend but shall not participate in the hearing, interview or related meeting.
 - To receive timely notice of all interviews/meetings at which they may/must be present, and both parties will be provided with timely and equal access to information. For interviews, a minimum of 48 hour notice of the interview date, time and location will be provided to the interviewee.

- To speak on their own behalf, suggest questions to be posed by the University investigator to other participating parties and respond to the other party, and to submit other evidence on their own behalf.
- To identify and/or present statements from fact witnesses or submit any other evidence that the investigator deems relevant.
- To receive periodic status updates and to be informed about the outcome of the investigation and resolution process (to the greatest extent possible and consistent with the Family Educational Rights and Privacy Act (FERPA) or other applicable law).
- To appeal the outcome, including any resulting finding(s), sanction(s) or corrective action(s).

2. Rights of Responding Parties

- Access to confidential on- and off-campus counseling and other support services.
- Notification of the allegations within the complaint, including the nature of the alleged violation.
- An explanation of the University investigation and resolution process for allegations of sex discrimination, sexual misconduct, and interpersonal violence.
- Information regarding the University's process for determining a finding of responsibility and the range of sanctions that may be imposed upon a finding of responsibility.
- A prompt, fair, impartial and thorough investigation and appropriate resolution of all credible complaints of sexual harassment, sexual violence, sexual exploitation, domestic violence, dating violence, and stalking made in good faith to the University conducted by University officials who receive annual training.
- A process in which you are considered "not responsible" for an alleged Policy violation until proven responsible by a preponderance of the evidence.
- Freedom from retaliation.
- Access to information regarding how the campus will protect privacy and confidentiality throughout resolution of the complaint.
- Information regarding the opportunity to dispute (and the process for doing so) to a University's official's participation in the Investigation and Resolution Procedures if that official has a conflict of interest.
- Information and assistance needed to effectively participate in all proceedings regarding the complaint.
- The same opportunities as the responding party to participate in the Investigation and Resolution Procedures, including:
 - To be accompanied to any interview or other meeting related to this process by the advisor/support person of their choice. The support person may attend but shall not participate in the hearing, interview or related meeting.
 - To receive timely notice of all interviews/meetings at which they may/must be present, and both parties will be provided with timely and equal access to information. For interviews, a minimum of 48 hour notice of the interview date, time and location will be provided to the interviewee.
 - To speak on their own behalf, suggest questions to be posed by the University investigator to other participating parties and respond to the other party, and to submit other evidence on their own behalf.
 - To identify and/or present statements from fact witnesses or submit any other evidence that the investigator deems relevant.

- To receive periodic status updates and to be informed about the outcome of the investigation and resolution process (to the greatest extent possible and consistent with the Family Educational Rights and Privacy Act (FERPA) or other applicable law).
- To receive notice of the outcome of the investigation and any sanction determinations.
- To appeal the outcome, including any resulting finding(s), sanction(s) or corrective action(s).

B. Confidentiality

To the extent permitted by law, the confidentiality of all parties involved in the resolution of alleged or suspected violations of this Policy will be observed, provided that it does not interfere with the University's ability to conduct an investigation and take any corrective action deemed appropriate by the University. Consistent with the University's obligations under the Clery Act and VAWA, identifying information regarding reporting parties will not be included in any Timely Warnings or other publicly-available records.

C. Advisors or Support Persons

The reporting party and the responding party both have the right to have an advisor/support person of their choice accompany them at all stages of the resolution process of a Title IX matter, including both informal and formal procedures relating to an alleged or suspected violation of this Policy.

- An advisor/support person is not allowed to advocate for a party like an attorney would advocate in court. In other words, the advisor/support person does not serve as an advocate or representative of a party and may not be actively involved in any of the corresponding meetings and/or interviews. The advisor/support person should not directly address the investigator(s) about the matter during the meeting or interview.
- A reporting party and responding party may use a different advisor/support person at various stages in the process.
- An advisor/support person must respect the privacy of all parties throughout the investigation and resolution process.
- An advisor/support person may not provide support for more than one reporting party or responding party during a case that involves multiple parties. Any requests for an exception to this should be directed to the Title IX Coordinator.
- Any party deciding to use as an advisor/support person an individual who works as an attorney or has a J.D. degree must inform the Title IX Coordinator a minimum of 24 hours prior to the meeting or other proceedings in question.
- As needed to protect the integrity of the investigation and resolution process, Aurora University reserves the right to excuse from any meeting or other proceedings an advisor/support person who is a witness with information about facts material to the investigation.
- Aurora University also reserves the right to excuse from any meeting or other proceedings any advisor/support person who is disruptive or who does not adhere to the limitations outlined in this form.
- Aurora University prohibits retaliation against any individuals filing a report of sexual misconduct or participating in the investigation of the report. An advisor/support person is protected by and subject to this retaliation prohibition. An advisor/support person may not retaliate against any person participating in this process. If an advisor/support person experiences retaliation as a result

of participation in an investigative, disciplinary, or appeal process under the University's Title IX or discrimination/harassment procedures, the advisor/support person should contact the Title IX Coordinator, Shaun Neitzel (sneitzel@aurora.edu, 630-844-6515, Eckhart Hall 105).

D. Conflict of Interest

The University requires any individual participating in the investigation, sanctioning or appeal of sexual misconduct or interpersonal violence matters to disclose any potential or actual conflict of interest. The reporting and responding party will both receive notice of the individuals or individuals with authority to make a finding or impose a sanction before those individuals initiate contact with either party. If a party believes that an investigator(s) has/have a conflict of interest, the party should submit a request to replace the investigator(s) to the Title IX Coordinator within three calendar days of a party's notice of the conflicted individual's participation. In cases involving a faculty member where a party believes that the Vice President for Academic Affairs (VPAA) has a conflict of interest, a request to replace the VPAA should be submitted to the Title IX Coordinator within three calendar days of a party's notice of the conflicted individual's participation. In cases where a party believes that the appellate official has a conflict of interest, a request to replace that member should be submitted to the Title IX Coordinator within three calendar days of a party's notice of the conflicted individual's participation. Any individual or individuals reviewing an appeal of the findings or imposed sanctions shall not have participated previously in the complaint resolution procedure.

E. Records Maintenance

The University will maintain documentation and records regarding alleged violations of the Policy and their resolution in a manner that protects the confidentiality of the parties involved, complies with the Family Educational Rights and Privacy Act (FERPA), and to the extent possible excludes personally identifiable information of victims of sexual misconduct, interpersonal violence, and stalking.

All files relating to the Title IX Investigative Report, Initial Assessment, Informal Resolution, Investigation, Sanctions and Appeals will be maintained by the Title IX Coordinator. If a student has been found responsible for violating the Policy, this finding remains a part of that student's conduct record.

F. Special Provisions

- **Attempted Violations:** In most circumstances, the University will treat attempts to commit any of the violations listed in this Policy as if those attempts had been completed.
- **The University as Complainant:** As necessary, the University reserves the right to initiate a student or employee conduct complaint, to serve as complainant, and to initiate conduct proceedings without a formal grievance by the victim or reporting party.
- **Fabricated Allegations:** The University will not tolerate fabricated allegations. Any allegations suspected to be fabricated for the purpose of harassing another student or employee or disrupting the University's operations constitute a separate and serious violation of University policy and may also violate civil and criminal laws. Any student or employee who knowingly corroborates a fabricated allegation is also in violation of this Policy.
- **Parental Notification:** Parents/guardians of the involved parties may be notified of reported violations of this Policy in accordance with the Parental Notification Policy (Policy Statement M in the Aurora University Student Handbook).

PREVENTION, EDUCATION, AND TRAINING

Aurora University is committed to the prevention of and education about sexual misconduct. In order to accomplish this, the University provides training through a variety of mechanisms and multiple constituencies.

I. Officials with Responsibility for Investigation or Adjudication of Sexual Misconduct or Interpersonal Violence.

The University will provide officials responsible for the investigation or adjudication of sexual misconduct or interpersonal violence under this Policy with at least 8 hours of annual training on issues related to sex discrimination, sexual misconduct and interpersonal violence, including:

- The University's Policy;
- The relevant federal and State law concerning sexual violence, domestic violence, dating violence, and stalking;
- The roles of the University, medical providers, law enforcement, and community agencies in ensuring a coordinated response to a reported incident of sexual violence;
- The effects of trauma on a survivor;
- The types of conduct that constitute sexual violence, domestic violence, dating violence, and stalking, including same-sex violence;
- Consent and the role drugs and alcohol use can have on the ability to consent;
- Cultural sensitivity and compassionate communication skills for dealing with persons reporting sex discrimination, sexual misconduct and interpersonal violence;
- Complainant-centered and trauma-informed response training;
- Providing services to or assisting in locating services for complainant; and
- How to conduct the University's Sex Discrimination, Sexual Misconduct and Interpersonal Violence Investigation and Resolution Procedures in a way that protects the safety of complainants and promotes institutional accountability.

II. Primary Prevention and Awareness Programs

The University will provide primary prevention and awareness programs for all incoming students and new employees that include the following:

- A statement that the University prohibits the offenses of sexual assault, domestic violence, dating violence and stalking, and a description of the University's policies that prohibit this conduct;
- The definition of consent and inability to consent, in reference to sexual activity, as defined in the applicable jurisdiction;
- The definition of sexual assault, domestic violence, dating violence, and stalking (or similar offenses) in this Policy and in the applicable jurisdiction;
- The definition of retaliation as it relates to sexual violence;
- A description of 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, or stalking against a person other than such individual;

- Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- The procedures that a complainant should follow if sexual assault, domestic violence, dating violence, or stalking has occurred, as described in this Policy;
- The complainant's options for reporting such incidents to the University, to University law enforcement, and to local law enforcement;
- The complainant's options for reporting such incidents to a confidential advisor or other confidential resources;
- Available survivor services;
- The possible sanctions and protective measures that the University may impose following a final determination of a violation of University Policy regarding sexual assault, domestic violence, dating violence, or stalking;
- The procedures for University disciplinary action in cases of alleged sexual assault, domestic violence, dating violence, or stalking, as described in this Policy, including the standard of proof that is used;
- Information about how the University will protect the confidentiality of complainants, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the complainant, to the extent permissible by law, and how the University will maintain as confidential any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures;
- A statement that the University will provide written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for student and employee complainants both within the University and in the community;
- A statement that the University will provide written notification to complainants about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures, if so requested by the complainant and if such accommodations are reasonably available, regardless of whether the complainant chooses to report the crime to campus security or local law enforcement; and
- A statement that, when a complainant reports to the University that the complainant has been a victim of sexual assault, domestic violence, dating violence, or stalking, whether the offense occurred on or off campus, the University will provide the complainant a written explanation of the complainant's rights and options.

III. Ongoing prevention and awareness campaigns

The University will also provide ongoing prevention and awareness campaigns for students and employees that include the information covered in the primary prevention and awareness programs, including electronic and hard copies of this Policy and procedures.

POLICY STATEMENT B: Zero Tolerance

Every member of the Aurora University community is valued and shall be treated with respect and dignity. Aurora University strives to cultivate a climate of cultural competence among faculty, staff and

students and community. Aurora University is committed to recruiting/retaining a culturally diverse faculty, staff and student population.

Aurora University has no tolerance for any harassing/demeaning behavior. Any member of the university (faculty, staff and students) who engages in adverse behaviors surrounding race, class, culture, gender, sexual orientation or ability will be subject to the laws of both the state of Illinois and the University, as stated in the A-Book, Faculty Handbook and Personnel Manual. The University will take suitable action, which may include expulsion and/or dismissal, to protect its interests and its commitment to the right of every member of the Aurora University community to live, work, and study in a bias-free environment.

The University condemns all discriminatory behaviors, whether verbal or physical. Any member of the University community accused of harassment or discrimination is subject to disciplinary procedures. In addition, the accused may be subject to prosecution under the criminal code of the State of Illinois.

Students are encouraged to file grievance procedures against people in violation of university standards. This can be done using the Report It! Form available on SpartanNet, by contacting Campus Public Safety, or by reporting it to a member of the Student Life Staff. Retaliation against persons who report such behavior will not be tolerated. Instances of retaliation in response to the initiation of formal or informal grievance procedures will be regarded as new cases of harassment and may result in the filing of additional complaints.

POLICY STATEMENT C: Aurora University Computer Use Policy

Computers are an essential tool in higher education for instruction, research, and public service. Aurora University is committed to providing a wide range of high-quality computing services to students, faculty, and staff and to support the mission of the University as set out by the governing board. The following policies have been established to ensure the security and integrity of the University's computing resources and the fair and equitable access to those resources by all the members of the University community. These policies apply to all University computing systems (desktop, laboratory, and network), all personal machines attached to the campus network, and all hardware, software, data, and telecommunications devices associated with these systems. Failure to abide by these policies may result in the loss of computing privileges, assessment of damage costs, and possible disciplinary action.

Authorized Use: Access to Aurora University computing resources is available to faculty, staff, and all currently enrolled full-time and part-time students. Access may also be extended to others in support of educational and community service activities in the Aurora University educational and community service activities in the Aurora University service area. All computer accounts for staff leaving the University and students who do not register for the current semester will be removed within 30 days. Students who have completed at least six hours of credit in the last year at Aurora University but are not currently enrolled may continue using their accounts until the end of one additional semester. Accounts that have not been accessed for 120 calendar days will be deemed inactive and removed from the system.

Distribution of Resources: The utility of the University's computing services depends on the balanced distribution of limited resources. All users are expected to assist in the conservation of these resources and to avoid excessive system usage, connect time, and disk storage. Specifically prohibited is the use of the network for recreational activities that place heavy load on scarce resources, the creation or

distribution of mass mailings or exceptionally large e-mail messages, and other types of use that would cause congestion of the network or otherwise interfere with the work of others.

Disruptive Activities: Any deliberate attempt to tamper with, disrupt, delay, or endanger the regular operation of the University's computing resources is prohibited. Attempted access of AU servers using unauthorized methods, the creation or propagation of computer worms or viruses, or the distribution of electronic mail or software intended to replicate or do damage to another user's account or to University hardware, software or data is considered vandalism and will be treated as such.

Commercial Activity: The University's computing resources are reserved for instructional purposes and the professional activities of its faculty and staff. The use of these systems for personal business or commercial use, such as the posting of commercial web pages and the distribution of unsolicited advertising, is prohibited.

Property Rights: All computer programs and files, unless they have been explicitly placed in the public domain by their owners, are private property and may not be copied or distributed without authorization. The users of Aurora University computer resources are subject to applicable laws governing intellectual property and should be aware that the copying, distribution, or use of protected material without proper permission or license is prohibited.

Privacy: Rights to privacy on the part of members of the Aurora University community extend into the computing environment. Prohibited activities include the following: accessing or attempting to access another user's computer account or files without specific authorization; the deliberate, unauthorized attempt, through misrepresentation or any other mechanism, to access University computers, computer facilities, networks, systems, programs, or data; and the use of University computer resources to gain access to restricted databases. Electronic mail poses unique challenges to the right of privacy; although all users have the right to expect that their electronic mail messages will not be viewed by others, for a variety of reasons this is difficult to ensure, and users are urged to post e-mail messages with the understanding that occasionally their messages may reach readers other than the intended recipients. Users should also be aware that authorized computer administrators may on rare occasions need to access users' accounts for purposes of system maintenance and resource management. The use of a drone is prohibited unless otherwise designated for use by official University members.

Harassment and Fraudulent Behavior: The sending of harassing messages or files to or about another person, interfering with the legitimate work of another user, the transmission and display of abusive or obscene messages, and the sending of messages under an assumed name or modified address or with the intent to obscure the origin of the message is a violation of this policy and such activity may also be subject to applicable state and federal laws.

Freedom of Expression: The free exchange of ideas is central to the educational process. The Aurora University computer use policy supports this principle, with the exception of uses that violate the law, endanger computer resources, violate the policies articulated in this document, or are otherwise determined by University authorities to be inappropriate, unethical, or inconsistent with the educational goals of the university.

POLICY STATEMENT D: Parental Notification Policy

Aurora University recognizes that students have specific rights and expectations in terms of their privacy. When a student enters postsecondary education, the rights afforded by the Family Educational Rights and Privacy Act (FERPA) transfer to the student, regardless of his or her age. At the same time, Aurora University understands that parents often play a central role in the continued moral education and development of college students. The Family Policy Compliance Office of the U.S. Department of Education, which is responsible for enforcing FERPA, has developed extensive FERPA guidance for parents, available here: <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/parents.html>. In addition, in accordance with the Family Educational Rights and Privacy Act, the University has established the following guidelines for the release of student education records.

The Senior Vice President for Student Life or other University representative may release student education records (or personally identifiable information contained in such records) to a parent or guardian without a student's prior consent for the following reasons:

- University officials may determine that it is necessary to disclose personally identifiable information from a student's education records to appropriate parties to address a health or safety emergency. A health or safety emergency exists when there is an articulable and significant threat to the health or safety of a student or other individuals. Some examples of situations that might constitute a health and safety emergency include, but are not limited to: a natural disaster, a terrorist attack, a campus shooting, the outbreak of an epidemic disease, life-threatening illness or injury, or a suicide attempt.
- If the University determines that the student has committed a disciplinary violation relating to the use or possession of alcohol or a controlled substance, and the student is under the age of 21 at the time of disclosure to the parent.
- If the University determines that the student has committed a disciplinary violation relating to a crime of violence or non-forcible sex offense, the University may disclose the final results of the disciplinary process. The final results include the name of the student, the violation committed, and any sanction imposed by the institution against the student. Other information, including the name of any alleged victim who is a student, may not be disclosed without the prior written consent of the student victim. A crime of violence means any one of the following offenses, or attempts to commit the following offenses: arson, assault offenses, burglary, criminal homicide (murder, non-negligent or negligent manslaughter), destruction, damage, or vandalism of property, kidnapping or abduction, robbery, and forcible sex offenses. A non-forcible sex offense means statutory rape or incest.
- Information may also be released to a parent when the student is the parent's dependent for tax purposes. The University must be provided with a copy of the parent's most recent tax return before any covered information may be disclosed, or the student can sign and submit the

dependent student disclosure form available at the Family Compliance Office website:
<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/modelform2.html>.

- In addition, law enforcement records are not covered by FERPA; therefore, the Campus Public Safety Department may contact the parents of a student who has been arrested on campus or in connection with an investigation.

Aurora University is dedicated to the development and success of each student and hopes to work in partnership with parents in this essential enterprise. If you have any questions or concerns about this policy, please contact Shaun Neitzel, Dean of Student Life, at (630) 844-6515.

POLICY STATEMENT E: Alcohol and Controlled Substances

The Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, require that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education must adopt and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Aurora University supports this requirement and will maintain a drug-free environment in the workplace, on the campus, and for all University-sponsored events.

Aurora University prohibits the unlawful manufacture, possession, distribution, or use of illicit drugs and/or alcohol by students and employees. This policy applies both to on-campus and off-campus activities, including student-sponsored social activities. Additionally, Aurora University prohibits the manufacture, possession, distribution or use of alcohol on the Aurora University campus, including the residence halls.

Sanctions for Alcohol Violations

As an educational institution, Aurora University expects its students to behave in a mature and responsible manner. As an alcohol-free campus, intoxicants are not permitted on campus, no matter the student's age. When a student fails to follow the alcohol policy, the University considers such a violation to be serious. The sanctions given for alcohol violations represent a commitment to providing learning outcomes that will help the student to understand the impact of their behavior not only on themselves but also on the University community.

The sanctions listed below do not represent an all-inclusive list. Based on the severity of the violation, the level of cooperation with staff members during the incident, the disciplinary history of the student, and/or any other factors, any Class of sanctions, any combination thereof, or any additional sanctions may be instituted, as deemed appropriate by the disciplinary hearing officer. Student Life works in conjunction with other areas on campus, such as Athletics, who also reserve the right to respond to student conduct situations with their own processes.

Please note that other policies violated in conjunction with an alcohol violation may result in additional sanctions.

CLASS ONE

- **Disciplinary Admonition.** Notification that the student will face additional disciplinary action should he/she be held responsible for future policy violations.
- **Educational.** The student will complete two online Judicial Educator alcohol modules within ten days.
- **Fine.** The student will pay a fine of \$100.
- **Parental Notification.** The Dean of Student Life or designee will notify the parents/guardians of students under the age of 21 of the violation.
- **Supplemental.** Additional sanctions as deemed appropriate by the disciplinary hearing officer.

CLASS TWO

- **Disciplinary Probation.** The student will be placed on disciplinary probation for a period no less than one full semester in addition to the current semester.
- **Educational.** The student will host a screening of an alcohol education video, along with 5-10 friends they will invite. A staff member will facilitate the experience, including a pre-test, a post-test, and discussion questions. The student will complete an educational sanction, as directed by the disciplinary hearing officer.
- **Fine.** The student will pay a fine of \$200.
- **Counseling Referral.** The student will meet with a member of the Counseling Services staff to discuss his/her alcohol use.
- **Parental Notification.** The Dean of Student Life or designee will notify the parents/guardians of students under the age of 21 of the violation.
- **Supplemental.** Additional sanctions as deemed appropriate by the disciplinary hearing officer.

CLASS THREE

- **Loss of On-Campus Housing.** The student will have their housing contract cancelled.
- **Outside Involvement.** The student will be prohibited from representing the University in a leadership capacity.
- **Assessment.** The student will complete an alcohol screening assessment through a University-approved resource at their own expense within three weeks and will complete any recommendations within a time period specified by the assessor.
- **Fine.** The student will pay a fine of \$300.
- **Parental Notification.** The Dean of Student Life or designee will notify the parents/guardians of students under the age of 21 of the violation.
- **Supplemental.** Additional sanctions as deemed appropriate by the disciplinary hearing officer.

CLASS FOUR

- **Suspension.** The student will be suspended from Aurora University for a minimum of one full semester in addition to the current semester.
- **Parental Notification.** The Dean of Student Life or designee will notify the parents/guardians of students under the age of 21 of the violation.
- **Supplemental.** Additional sanctions as deemed appropriate by the disciplinary hearing officer.

Sanctions for Controlled Substance Violations

As an educational institution, Aurora University expects its students to behave in a mature and responsible manner. In accordance with state and federal law, the University prohibits the use, possession, or distribution of any state or federally controlled substance or drug paraphernalia except as

expressly permitted by law. When a student fails to abide by this policy, the University considers such a violation to be serious and the student will be subject to disciplinary action. **The University also reserves the right to pursue criminal action against the offending student(s).** According to state statutes, penalties for the delivery of controlled substances are increased if conducted on school grounds or within 1,000 feet of school grounds (720 ILCS 550/4, Section 5)

The sanctions listed below do not represent an all-inclusive list. Based on the severity of the violation, the level of the student's cooperation with staff members during the incident, the disciplinary history of the student, and/or any other factors, any sanctions, any combination thereof, or any additional sanctions may be instituted, as deemed appropriate by the disciplinary hearing officer. Student Life works in conjunction with other areas on campus, such as Athletics, who also reserve the right to respond to disciplinary situations with their own processes and additional sanctions. Please note that other policies violated in conjunction with a controlled substance violation may result in additional sanctions.

CLASS ONE

- ✓ ***Loss of On-Campus Housing (Deferred).*** Further disciplinary concerns/additional violations of University policy will result in the student facing suspension from the residence halls at Aurora University.
- ✓ ***Probation.*** The student will be placed on disciplinary probation for the remainder of his/her time as a student at Aurora University.
- ✓ ***Educational.*** The student will complete an educational sanction, as directed by the disciplinary hearing officer. The student then will schedule assessment meetings with Counseling Services and the Wellness Center.
- ✓ ***Fine.*** The student will pay a fine of \$200.
- ✓ ***Community Service.*** The student will complete ten hours of community service.
- ✓ ***Parental Notification.*** The Dean of Student Life or designee will notify the parents/guardians of students under the age of 21 of the violation.
- ✓ ***Supplemental.*** Additional sanctions as deemed appropriate by the disciplinary hearing officer.

CLASS TWO

- ✓ ***Loss of On-Campus Housing.*** The student will have his/her housing contract cancelled, either for a designated period of time or permanently.
- ✓ ***Assessment.*** The student will complete a controlled substance screening assessment through a University-approved resource at his/her own expense within three weeks and will complete any recommendations within a time period specified by the assessor.
- ✓ ***Fine.*** The student will pay a fine of \$300.
- ✓ ***Parental Notification.*** The Dean of Student Life or designee will notify the parents/guardians of students under the age of 21 of the violation.
- ✓ ***Criminal Report.*** Campus Public Safety will issue a "Notice to Appear" in court or criminal complaint in response to the criminal violation.
- ✓ ***Supplemental.*** Additional sanctions as deemed appropriate by the disciplinary hearing officer.

CLASS THREE

- ✓ ***Suspension/Expulsion.*** The student will be suspended from Aurora University, either for a designated period of time or permanently.
- ✓ ***Fine.*** The student will pay a fine of \$400.

- ✓ **Parental Notification.** The Dean of Student Life or designee will notify the parents/guardians of students under the age of 21 of the violation.
- ✓ **Criminal Report.** Campus Public Safety will issue a “Notice to Appear” in court or criminal complaint in response to the criminal violation.
- ✓ **Supplemental.** Additional sanctions as deemed appropriate by the disciplinary hearing officer.

Effects of Using Alcohol and Controlled Substances

Substance and alcohol abuse not only affects the users, it affects their loved ones and those with whom they work, live, or attend class. Abusers can be unpleasant and dangerous. Substance/alcohol abuse can cause impaired eyesight, slower reaction time, lessened concentration, and poor judgment. In addition, it can affect the safety, motivation, and attitude of the abusers and those they are around.

Students should be aware of the health risks associated with the use of illicit drugs and alcohol. Student employees in supervisory roles, such as Resident Assistants, will be provided with training in the recognition of or early warning signals of drug/alcohol abuse. Informational materials will be made available to students and staff through the Office of Student Life.

POLICY STATEMENT F: Off-Campus Behavior

Many of Aurora University’s undergraduate students live off campus. Students choosing to live off campus are asked to provide their current local address and contact information to the University. Any community is comprised of a mixture of residents, often including senior citizens, families with children, and single professionals. In the communities surrounding Aurora University, student residents are considered to be representatives of the University, even at their off-campus residences. As a result, the University is concerned about the impact of students’ conduct in the community.

We ask students to be considerate of their neighbors. Students should recognize that their schedules may differ considerably from other residents’ schedules and be considerate of community issues such as noise, parking, trash, property maintenance and alcohol usage. It is the student’s responsibility to know and follow the City of Aurora Ordinances. These can be found at (<http://www.aurora-il.org/>).

General expectations include the following:

- Check your lease to determine who is responsible for lawn maintenance and trash. It is important that you keep your home and yard clean and managed.
- Park cars in the street legally, or in your driveway, not on the lawn; keep parked cars to a minimum and do not infringe on the ability of others to get in and out of their driveways without their view being obstructed.
- Be aware that loud music or cars, shouting individuals, or increased traffic will disrupt your neighbors.
- Take care of your pets. Barking dogs or other wandering pets are disruptive and a safety hazard. Pets such as dogs should be leashed unless in a fenced area. Always clean up after your pet.
- Take responsibility for your guests and ask them to respect your neighbors’ property and quality of life.

Enforcement of Off-Campus Housing Policies:

The Department of Campus Public Safety is a police department recognized by the State of Illinois. The Department of Campus Public Safety has the right to conduct criminal investigations involving off-campus behavior of Aurora University students and/or Aurora University property. The department is committed to the safety and well-being of the Aurora University community. The department is also committed to being a good neighbor with those who live in the neighborhood surrounding Aurora University.

Neighborhood Contact: CPS asks residents of the university neighborhood to contact them directly with concerns related to neighborhood disturbances and/or dereliction of property involving current AU students. Upon receiving information, CPS Officers, possibly in conjunction with Aurora Police Officers, will respond and contact the AU students implicated to attend to the concern and investigate as necessary.

CPS Response: When CPS officers are informed of an activity that may be in violation of the City of Aurora ordinances, Illinois State law and/or Aurora University policy, contact will be made with those present at the address. Examples of this include, but are not limited to:

- Noise complaints
- Possible underage drinking
- Criminal damage to property
- Domestic calls/complaints
- Assault
- Battery
- Any other circumstances which would prompt a CPS officer who is on patrol to make contact with an off-campus AU student

Sanctions for Off-Campus Housing Policy Violations

Community Disturbance. Unreasonably disrupting or interfering with the rights of neighbors at off-campus locations, including, but not limited to, failure to abide by applicable University regulations and policies as well as local, state and federal laws. While the below sanctions describe general guidelines for students who violate the policy, the University has the discretion to assign stronger sanctions based on the severity of the incident, including but not limited to, loss of athletic or leadership status, suspension, expulsion or removal from the University.

AU STUDENT/TENANT SANCTIONS

| | Documented underage drinking - NO | Documented underage drinking - YES |
|--|--|---|
| 1 st offense <i>in either column</i> | Probation; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) | Probation; Online Judicial Educator, \$100 fine; Parental notification; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) |
| 2 nd offense <i>in either column *</i> | Probation to suspension; \$100 fine; Parental notification; attendance required at the next Good Neighbor | Probation to suspension; \$200 fine; Parental notification; attendance required at the next Good Neighbor |

| | | |
|--|---|---|
| | presentation (with an additional \$100 fine if student chooses not to attend) | presentation (with an additional \$100 fine if student chooses not to attend) |
| 3 rd offense <i>in either column</i> | Suspension to expulsion; Parental notification | Suspension to expulsion; Parental notification |

* A second offense for either tenants or non-tenants may result in the student being restricted from serving in a leadership capacity on campus (e.g. team captain, executive board of a student organization, peer advisor, etc.)

AU STUDENT/NON-TENANT SANCTIONS

| | Contributed to community disturbance | Documented underage drinking |
|---|---|--|
| 1 st offense <i>in either column</i> | Admonition; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) | Admonition; Online Judicial Educator; Parental notification; \$100 fine; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) |
| 2 nd offense* <i>in either column</i> | Probation; \$100 fine; Parental notification; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) | Probation; \$150 fine; Parental notification; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) |
| 3 rd offense <i>in either column</i> | Probation to suspension; \$150 fine; Parental notification; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) | Probation to suspension; \$200 fine; Parental notification; attendance required at the next Good Neighbor presentation (with an additional \$100 fine if student chooses not to attend) |
| 4 th offense <i>in either column</i> | Suspension to expulsion; Parental notification | Suspension to expulsion; Parental notification |

* A second offense for either tenants or non-tenants may result in the student being restricted from serving in a leadership capacity on campus (e.g. team captain, executive board of a student organization, peer advisor, etc.)

Dereliction of Property (Violation of the City of Aurora ordinance, article IV. Property Maintenance, regarding property maintenance including):

AU STUDENT/TENANT SANCTIONS

Improper disposal of trash, including but not limited to, garbage, inoperable vehicles, junk and trash, rubbish, and weeds.

- 1st Offense: Good Neighbor violation ticket issued; 24 hours to comply with ordinance
- 2nd Offense: Good Neighbor violation ticket issued; 24 hours to comply with ordinance

- *3rd and Subsequent Offenses: Good Neighbor violation ticket issued; 24 hours to comply with ordinance; \$50 fine per tenant*

Inadequate maintenance of lawn and landscaping including, but not limited to, weeds exceeding a height of eight inches.

- *1st Offense: Good Neighbor violation ticket issued; 48 hours to comply with ordinance*
- *2nd Offense: Good Neighbor violation ticket issued; 48 hours to comply with ordinance*
- *3rd and Subsequent Offenses: Good Neighbor violation ticket issued; 48 hours to comply with ordinance; \$50 fine per tenant*

Parking illegally including, but not limited to, parking in prohibited areas, e.g. grass or dirt; parked vehicles in excess of the number allowed for single-family and two-family residential purposes.

- *1st Offense: Good Neighbor violation ticket issued; 24 hours to comply with ordinance*
- *2nd Offense: Good Neighbor violation ticket issued; 24 hours to comply with ordinance*
- *3rd and Subsequent Offenses: Good Neighbor violation ticket issued; 24 hours to comply with ordinance; \$50 fine per vehicle*

Other residential ordinances as described by City of Aurora Code

- *1st Offense: Good Neighbor violation ticket issued; 24 hours to comply with ordinance*
- *2nd Offense: Good Neighbor violation ticket issued; 24 hours to comply with ordinance*
- *3rd and Subsequent Offenses: Good Neighbor violation ticket issued; 24 hours to comply with ordinance; \$50 fine per tenant*

Request for Assistance

In the event that a student-tenant experiences a situation at their off-campus residence beyond their immediate control, Aurora University provides an option through which assistance can be requested. In situations where student-tenant(s) believe that they need assistance to regain control of the guests at their off-campus residence, the student-tenant should follow these steps:

1. Contact the Office of Campus Public Safety at 630-844-6140.
2. Request assistance in removing all guests from the property
3. Provide their name and your address
4. Await the arrival of Campus Public Safety; upon arrival, all student-tenants must be prepared to show ID and provide a description of the events leading to the request for assistance
5. Schedule a meeting with the Dean of Student Life within 48 hours of the request for assistance

Seeking assistance in situations beyond your immediate control can be a responsible decision in avoiding a potential disruption to the community. Should a student-tenant choose to take this action, the following adjustments will be made in response to any violation of the Off-Campus Housing policy discovered during the Request for Assistance. If no evidence of a community disturbance, underage drinking, or other illegal activity is found during the Request for Assistance, no citations would be issued.

NOTE: This policy does not impact the response of the Aurora Police Department.

For violations of the Off-Campus Housing Policy found during a Request for Assistance:

1. Student-tenants who are already on probation and face potential suspension or expulsion from the University would be allowed to remain on probation rather than be suspended or expelled in this particular instance
2. Any resulting fine would be charged at 50%; the student(s) would be provided with the option to work off the fine through community service
3. All additional sanctions would apply as described above under “Sanctions for Off-Campus Housing Policy Violations.”

POLICY STATEMENT G: Good Samaritan Policy

*The following policy is designed to protect the health and safety of students who may need medical attention as a result of excessive alcohol consumption or abuse of controlled substances. **If you receive attention or seek medical assistance for a peer as a result of excessive intoxication or serious injury after consuming alcohol or controlled substances, you may not be subject to formal disciplinary action for violating University policy as set forth in greater detail below.***

The health and safety of students are of primary importance at Aurora University. Students must not only consider their own health and safety but also that of their peers. In addition, it is imperative that medical assistance be sought when an individual experiences excessive intoxication or serious injury after consuming alcohol or controlled substances.

Aurora University recognizes that the potential for disciplinary action by the University may seem like a disincentive to students seeking medical assistance for themselves or other students in incidents related illegal alcohol or drug use. When a student’s health or safety is threatened or appears to be in jeopardy, however, Aurora University wants to encourage all students to take immediate action.

Students needing or calling for medical assistance during an incident involving alcohol or controlled substances will not be subject to formal disciplinary action by the University for acting in violation of University policy if they follow the steps described below.

The recipients of medical attention will not be subject to formal disciplinary action if they elect to schedule a meeting with the Dean of Student Life or designee within two working days after the incident. If the student is hospitalized, this meeting must be scheduled within two working days after his/her release from the hospital. The student must agree to timely completion of any recommended alcohol and/or drug education, assessment or treatment as determined at this meeting. These recommendations will be based on the University’s concern for student health and safety. If the student does not follow these conditions, he/she will not qualify under the Good Samaritan Policy and would be subject to formal disciplinary action.

Similarly, any student seeking medical assistance on behalf of a peer will not be subject to formal disciplinary action, regardless of whether the reporting student was in violation of University policy at that time.

Reporting students will not be subject to formal disciplinary action if they elect to schedule a meeting with the Dean of Student Life or designee within two working days after the incident. If the reporting student was in violation of University policy at the time of the incident, the student must agree to timely completion of any recommended alcohol and/or drug education, assessment or treatment as

determined at this meeting. These recommendations will be based on the University's concern for student health and safety. If the student does not follow these conditions, he/she will not qualify under the Good Samaritan Policy and will be subject to formal disciplinary action.

To the extent permitted by law, University officials or hospital personnel reserve the right to contact the parents of students that are hospitalized for alcohol or drug abuse or that are unconscious or otherwise in serious physical jeopardy. In these cases, parental notification will be taken as a precautionary measure.

Please note that the University cannot control how local law enforcement officials will respond should they become aware of an alcohol- or drug-related incident.

POLICY STATEMENT H: Student Leaves of Absence Policy

Voluntary Medical Leave Of Absence (MLOA)

The purpose of a voluntary medical leave of absence (MLOA) is to provide a student with time away from Aurora University for treatment of a physical or mental health condition that impairs a student's ability to function successfully or safely as a member of the University community. The authority to grant an MLOA and permission to return from an MLOA resides with the Dean of Student Life. This policy applies to all undergraduate and graduate students.

Aurora University has designed this policy to ensure that students are given the individualized consideration and support necessary to address their particular circumstances. This policy is designed to provide for a flexible and individualized process to facilitate student requests for MLOA, with the goal of having students return to the University and successfully complete their studies.

This policy is intended for the benefit of students who experience unanticipated medical situations during an academic semester. Students who wish to Withdraw or take a non-medical Leave of Absence can do so by completing a Leave of Absence/Withdrawal Form, available in the Registrar's Office and the Crouse Center for Student Success.

MLOA Approval Process

A student who is experiencing physical or mental health issues that are interfering with his or her academic course work and/or ability to participate in campus life may request MLOA by following the process outlined below.

1. **Initial Discussion of Potential Accommodations or Leave.** A student experiencing physical or mental health issues that are interfering with his or her academic course work and/or ability to participate in campus life should feel free to contact the Wellness or Counseling Centers, if desired, the Disability Support Services Office, or the Dean of Student Life to explore whether an MLOA is available. Depending upon the circumstances, the University and student may discuss whether reasonable accommodations, modifications, or academic adjustments are available that may permit the student to continue his or her studies without the need to take MLOA.
2. **Request for Medical Leave of Absence.** If, after completing the preliminary process above, the student is interested in pursuing a Medical Leave of Absence, the student should fill out and submit to the office of the Dean of Student Life a **Request for Medical Leave of Absence Form**, with appropriate documentation from a licensed physician or mental health professional

regarding the student's need to take leave. At the student's request, the University will assist the student in obtaining the necessary MLOA Request form, completing it, and contacting different University representatives and offices (such as the Directors of the Wellness Center or Counseling Center) who may have useful information or be able to provide documentation that assists in preparation of the Request.

3. **Dean of Student Life's Determination.** As soon as possible after receiving the Request and documentation, the Dean of Student Life will notify the student in writing of the Dean of Student Life's determination. Upon approving a request for MLOA, the Dean of Student Life will also inform the student of the status of the student's current coursework and withdrawal from classes. If the student begins such a leave during a semester, the student will generally be assigned "withdrawal" grades without academic penalty for all pending classes (even if the normal deadline for withdrawal has passed). Where a student believes he or she has made significant academic progress in an enrolled course or courses, however, the student has the option of requesting an "incomplete" in lieu of withdrawal. The determination whether to allow an "incomplete" in these circumstances will be made by the Vice President for Student Life in consultation with the Provost. On-campus residents beginning MLOAs will normally be expected to vacate the residence hall within 48 hours of the granting of a request for MLOA; upon request, the University will assist the student in making such arrangements. Tuition and room charges for a student taking MLOA will be reviewed by the Dean of Student Life and adjustments will be made to the student's account to provide the student with the greatest benefit financially.
4. **Timing of Determination.** The Dean of Student Life will act as quickly as possible in deciding whether to grant a Request for MLOA, so that any student who is found to meet the standard for granting a MLOA may promptly begin his or her requested leave and obtain the support he or she needs.
5. **Timing of Request for MLOA.** To obtain an MLOA for the current semester, students are encouraged to request an MLOA and complete a **Request for Medical Leave of Absence Form** on or before the final day of classes. However, the University may, in its discretion, grant a retroactive MLOA.

Involuntary Student Leaves of Absence

Purpose and Scope of Policy

It is the policy of Aurora University to foster a campus environment that is conducive to learning, promotes the University's educational purposes, maintains reasonable order, and protects the rights and safety of all members of the University community. In extraordinary circumstances, the University may place a student on an involuntary leave of absence or take other appropriate action, including but not limited to disciplinary action, for reasons of personal or community safety, subject to the procedure outlined below.

This policy applies to all students of the University – including both undergraduate and graduate -- and to all University locations, programs, and activities. In addition to utilizing this policy, the University also reserves the right to take action under the University's disciplinary procedures. This policy does not preclude the University from exercising its discretion to remove or dismiss a student from the University, its programs or activities, or University-owned facilities as a result of the violation of Aurora University policies, procedures, rules, or regulations. Students with medical or mental health issues or

conditions are subject to the same conduct requirements applicable to all Aurora University students and may be subject to appropriate discipline, including removal from the University.

Policy

A student may be required to take an involuntary leave of absence from Aurora University and/or be involuntarily removed from the University's programs, activities, or facilities if the University determines that, for any reason, (a) the student presents a danger to the fulfillment of the mission of the University or to the life, health, welfare, safety, or property of any member of the University community or other person; or (b) the student's conduct renders him or her unable to function safely or effectively in the University's programs, activities, or facilities without harming himself or herself, harming one or more other individuals, or disrupting the experiences of others. Such circumstances may include, but are not necessarily limited to, engaging in physical or sexual violence, activity involving illegal drugs or other controlled substances, disruptive conduct, conduct that threatens the safety of others, or conduct that demonstrates an inability to care for oneself or safely participate in the University's programs or activities.

The procedure outlined below will be initiated (i) only after reasonable attempts to secure a student's voluntary cooperation for a leave of absence have been pursued; or (ii) if a student refuses to agree to, or does not adhere to reasonable conditions established for, the student's return or reinstatement to the University, continued presence on campus, or continued presence in University housing or other University program or activity.

Procedure

The Dean of Student Life or designee may be alerted to a student's concerning or troubling conduct from a variety of sources on campus and may take action accordingly. If the Dean of Student Life deems it appropriate, this procedure may be initiated, subject to any modifications that the University deems appropriate in its discretion. Any pending disciplinary proceedings will usually be suspended pending a meeting with the student and evaluation of the student under this procedure, but this is a matter reserved to the University's discretion.

1. **Information gathering.** Upon initiation of this procedure, the Dean of Student Life will consult on a confidential basis with others in the campus community who have knowledge regarding the student's conduct and circumstances and other appropriate persons with knowledge about the student's condition and circumstances (*e.g.*, parents, healthcare providers) to determine whether the student is able to comply with this policy.
2. **Initial meeting with student/possible voluntary leave.** If practicable under the circumstances, the Dean of Student Life will schedule a meeting with the student as part of the information gathering process. The student may be accompanied by a non-attorney advisor. At any time, the Dean of Student Life may discuss with the student whether the student wishes to take a voluntary leave and may also attach appropriate reinstatement conditions to the granting of any such leave, to the extent such conditions are deemed necessary or appropriate for purposes of adhering to the conduct standards set forth in this policy.
3. **Individualized assessment.** Any determination that a student's conduct is inconsistent with the standards set forth in this policy or other University policies shall be based on an

individualized assessment. This assessment shall be based upon the best available objective evidence, which may include available medical information.

4. **Possible interim suspension/withdrawal.** If the University concludes that a student presents an immediate danger (a) to the fulfillment of the mission of the University or to the life, health, welfare, safety, or property of any member of the University community or other person, or (b) demonstrates a serious inability to function safely or effectively in the University's programs, activities, or facilities without an immediate risk of harming himself or herself or others, the Dean of Student Life may withdraw the student or restrict the student's access to campus for an interim period before a final determination is made.
5. **Considering an involuntary leave (or other involuntary action).** If the review process outlined above does not result in the student's decision to take a voluntary leave or the Dean of Student Life's determination that no further proceedings are warranted, the Dean of Student Life shall then determine whether, under all of the individual circumstances of the case, the University wishes to consider an involuntary leave of absence (or other involuntary action). If the Dean of Student Life determines that the matter should be handled as an involuntary leave of absence (or other involuntary action), the Dean of Student Life shall proceed to make a final determination as follows.
6. **Final determination.** In making a final determination, the Dean of Student Life will consider any information obtained during the preliminary review, as well as any other information that the student submits or that the Dean of Student Life deems relevant. The Dean of Student Life will also afford the student, who may be accompanied by a non-attorney advisor, an opportunity to be heard in person or through other means. The Dean of Student Life may also consult with other University representatives and appropriate health care providers on a confidential basis in making an individualized judgment based upon all of the facts and circumstances.
7. **Possible evaluation.** As part of this final determination, the Dean of Student Life may require the student to schedule an evaluation by a qualified, licensed medical and/or mental health professional within and/or outside the University, with the student responsible for any costs of such evaluation and with the results of that evaluation to be shared with the Dean of Student Life, the student, as well as with Director of the Wellness Center and/or Director of the Counseling Center, as applicable. The University maintains a list of local treatment providers with experience in conducting these evaluations and will provide the list to the student as a resource. The Dean of Student Life shall consider the results of this evaluation and other information collected in making a final determination.
8. **Communicating the final decision.** Any decision by the Dean of Student Life to require an involuntary leave of absence (or other involuntary action) shall be communicated to the student in writing as soon as possible after the decision is rendered. The student has a right to be informed of the pertinent information upon which the decision is based, as well as the contemplated length of the leave, which will be determined on a case-by-case basis. The conditions under which a student may return to or seek readmission at the University will also be determined on a case-by-case basis and be specified in writing at or near the time that the decision is issued, with the understanding that those conditions may be subject to change over time depending upon the circumstances.

9. **Appeal.** Students have the right to appeal the Dean of Student Life's decision in an involuntary leave situation. Any student appeal should be made in writing to the Vice President for Student Life within seven (7) days of the student's receipt of the written decision from the Dean of Student Life. The grounds for appeal should be set forth in writing. The student may submit supporting documentation or other information in support of the appeal. The Vice President for Student Life will decide the appeal as soon as is practicable and will issue a written decision regarding the appeal. That decision shall be final.

Reinstatement after a Leave of Absence

A student retains his or her student status with the University during an approved MLOA or Involuntary Leave of Absence. However, while application for readmission to the University is not required, a student who has taken a leave of absence must be reinstated by the Dean of Student Life before the student may then register for classes.

When a student is interested in returning to the University following a voluntary or involuntary leave of absence, the student should take the following steps to initiate the reinstatement process.

1. **Contact Dean of Student Life.** The student should first contact the Dean of Student Life to communicate the student's interest in returning to the University, as far in advance of the desired return date as is reasonably possible. The student must complete and submit to the Dean of Student Life a Reinstatement Form (and housing application, if applicable). The University requests that students submit any request for reinstatement and any supporting materials by July 15 for consideration for the Fall Semester and by December 1 for the Spring Semester. Reinstatement is generally not available for the summer session. This schedule will help ensure that the Dean of Student Life (and other University offices that the Dean of Student Life chooses to involve, such as the Wellness or Counseling Centers), will have adequate time to review the student's request for reinstatement and make a determination. If materials are received shortly after the applicable deadline, if information is missing, or if the University needs additional time to process the student's request, the University may elect to treat the request as one to return for the following semester rather than the semester originally identified by the student. However, the University will make every effort to be flexible and attempt to honor a student's request to return for the desired semester.
2. **Information Requested by the Wellness or Counseling Centers.** Depending upon the circumstances underlying the student's original MLOA or Involuntary Leave of Absence, and at the Dean of Student Life's discretion, the Dean of Student Life will consult with the Wellness and/or Counseling Centers in evaluating a request to return. The University will determine on a case-by-case basis what information, if any, the Wellness or Counseling Centers may require to assess a student's readiness to return following a leave of absence. Depending upon the nature and individual circumstances surrounding a particular student's leave of absence, the University may require information demonstrating that the student has the capability to handle day-to-day functioning in the University academic and living environment safely, with or without reasonable accommodations. Any decision whether to require this information will be made on an individualized basis and will be conveyed to the student, to the greatest extent possible, at the time the student is placed on Leave. There are many ways in which a student might be able to demonstrate his or her readiness to handle day-to-day functioning, including but not limited to information from medical providers or documentation from a reliable adult (non-family

member) who has had significant interaction with the student during the leave of absence. Such information, if required, (a) should include an assessment of the student's ability to successfully complete coursework, internships, or other academic requirements and to participate safely in University programs and activities; and (b) the basis for any recommendation that the student is ready to return to University.

3. Dean of Student Life's Determination. The Dean of Student Life will evaluate the information provided by the Wellness and/or Counseling Centers and any other sources, as well as the request provided by the student, and make a determination whether the student may return to the University. Reinstatement is based on the student's readiness to manage safely and successfully a full-time course load (minimum of 12 credits for undergraduates; minimum of 9 credits for graduate students) or a comparable course load to the load that the student managed prior to his or her leave. In such circumstances, the University will also remain open to discuss potential reasonable accommodations that may assist the student in transitioning back to full-time status.

The Dean of Student Life will notify the student in writing of the determination. Factors the Dean of Student Life will typically consider include but are not necessarily limited any or all of the following:

- a. Evaluation and recommendation by the Wellness and/or Counseling Centers;
- b. The student's demonstrated ability to engage in productive and realistic academic planning;
- c. The student's ability to participate safely and independently in the University's programs and activities;
- d. The student's personal statement included on the Reinstatement Form;
- e. Any coursework completed or employment during the MLOA; and
- f. Any other factors that the Dean of Student Life deems relevant under the student's particular circumstances.

Negative Recommendation. If, upon review, the Wellness and/or Counseling Center submits a recommendation to the Dean of Student Life that a student is not ready for return, or if the Dean of Student Life otherwise concludes that the student is not ready to return, the student will be advised of this determination in writing, at which time the University will also explain the concerns underlying the negative determination and, as appropriate, set forth recommendations that will enhance the student's chance of a positive determination the next time the student's request is considered. The University will also, upon request, discuss with the student whether a reasonable accommodation is available to enable the student to resume studies in some capacity. A student may appeal a negative recommendation to the University by submitting an appeal letter in writing to the Vice President for Student Life within 10 calendar days of receiving notice of the negative recommendation. The student may also submit any information he or she believes to be relevant to the appeal. The Vice President for Student Life will review the student's submission and notify the student in writing of the University's final determination as to whether the student will be permitted to return as requested.

Returning Students. Upon reinstatement, the Dean of Student Life will notify appropriate campus offices of the student's return to classes and campus. A student who returns after being on medical or involuntary leave for more than two consecutive semesters (excluding summer) will be subject to the most current University catalog.

POLICY STATEMENT I: Publicity and Posting

Publicity for events on the Aurora University campus is allowed for all officially recognized student organizations, clubs, academic classes and departments, and other non-academic Aurora University departments. Advertising for events not affiliated or officially sanctioned by Aurora University will not be approved for posting. All publicity materials designated for non-residence hall facilities must be approved by the Office of Student Activities; postings for residence halls must be approved by the Office of Residence Life. Prior to approval for publicity, the event must be approved and the room reservation confirmed.

All publicity materials must indicate the Aurora University-affiliated group sponsoring the event; the date, time, and location of the event; and contact information for the event. It is the responsibility of the sponsoring group to remove all postings within three days of the event. Publicity containing any of the following will not be approved and will be removed immediately if posted:

- Any reference to illegal substances, unless in connection with an educational message or event.
- Any reference promoting the use of alcohol, unless in connection with an educational message or event.
- Offensive language or images and/or graphic illustrations.
- Language and/or graphic illustrations/images that dehumanize or discriminate against individuals on the basis of race, age, gender, religion, sexual orientation, national or ethnic origin, disability, or any other characteristic protected by Aurora University policy and/or applicable law.
- Any information that would violate local, state, or federal law or Aurora University policy.

Please adhere to the following when posting:

- Materials only may be posted on bulletin boards in hallways and classrooms designated for general use.
- Only staples, tacks, or masking tape may be used to post flyers on bulletin boards.
- Postings may not cover, deface, or remove the posted materials of another organization.
- All postings must be approved by the appropriate office.

Non-compliance with posting policies will be referred to the Office of Student Activities or the Office of Residence Life, as appropriate. Violations of the posting policy may result in disciplinary action.

Please refer to the Office of Residence Life Guidebook for more information on publicity and posting in the residence halls.

POLICY STATEMENT J: Online Communities

Aurora University recognizes that students are using social media platforms such as Facebook and Twitter to connect with one another in positive ways. We encourage students to use these sites responsibly, and to remain aware of the potential for unintended consequences of their activities.

Students should exercise caution in posting identifying information, such as addresses, phone numbers, or date of birth, as those details can be used for identity theft or stalking.

Students should also be conscious of the accessibility and near-permanence of content posted online. Photos, status updates, and other materials could be found by employers in the future, and will factor into their hiring decisions. Even after items are deleted or placed behind privacy controls, it is still possible for content to be distributed and located.

Although faculty and staff will not actively monitor AU student use of these platforms, online depictions of policy violations brought to the attention of the University will be subject to investigation and possible disciplinary action.

POLICY STATEMENT K: Student Employment Policies

Affirmative Action/Equal Employment Opportunity

Aurora University is committed to the process of affirmative action in maintaining and promoting nondiscrimination in all areas of recruitment and employment of individuals at all levels. Our commitment is to maintain a supportive educational environment for minority and non-minority individuals of the University community.

It is the policy of Aurora University to treat people as individuals, respecting them for who they are, what they have achieved as individuals, and how they contribute to the growth and betterment of this institution.

It is the policy of the University to apply this respect for individuals to all areas of employment practice. The University will provide employment opportunity to individuals based on the operational needs of the University and the qualifications of the individuals who are applicants and employees, and will do so without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, ancestry, disability or age.

This policy extends to all employment practices including recruitment, hiring and appointment, selection for training, upgrading, promotion, demotion, job classification, assignment, working conditions, employee treatment, hours, compensation, benefits, transfer, layoff, termination and all other terms, conditions and privileges of employment.

This policy extends to all individuals both employed and potentially employed by Aurora University, and whether full-time, part-time, student or temporary employee.

If any person believes he or she is the victim of an act of employment discrimination, he or she is encouraged to report the incident to the Director of Human Resources. Action may also be channeled through the State and/or Federal Government. The phone number for the State of Illinois Department of Human Rights is 630-814-6200.

Drug-Free Schools And Communities Act

Implications of the Drug-free Schools and Communities Act Amendments of 1989, Public Law 101-226 for Student Employees

- Student employees must notify Human Resources of any criminal conviction for a violation occurring in the workplace no later than five days after such conviction.

- Student employees who use prescribed drugs or narcotics during work should report this fact to the Director of the Wellness Center along with acceptable medical documentation.
- Student employees who are experiencing work-related problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek, counseling help. University sponsored or required counseling is to be kept confidential and is not to influence performance appraisals.
- Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the Office of Human Resources stating that the employee is capable of performing his job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other company policies.
- Alleged violations will be handled on a case-by-case basis. Circumstances surrounding each case will be thoroughly investigated. Sanctions will range from probation to expulsion from the University and referral for prosecution. General procedures if anyone is suspected or alleged to have violated the standards are as follows. It is understood that the University reserves the right to skip any or all steps.
 1. Notice in writing of the specific violation that is being charged.
 2. A meaningful opportunity to be heard and to present any relevant information in response to the charge.
 3. The right to assistance in such proceedings by an advisor of his or her choice.
 4. A determination based on clear and convincing evidence that a standard of conduct occurred.

Questions regarding this policy should be directed to the Office of Human Resources. The University retains the right to change or terminate this policy at its discretion without notice. For additional information regarding student alcohol policy, please refer to “Alcohol and Illegal Substance Policy” under University Policies in this handbook.

POLICY STATEMENT L: Missing Student Notification

If a member of the Aurora University community is concerned about the whereabouts of a resident student and believes the student may be missing, the Office of Residence Life and the Office of Campus Public Safety should be notified. All resident students will be provided with the option to register a confidential contact person to be notified in the case that the student is determined to be missing for at least 24 hours. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. Regardless of whether or not a confidential contact person is provided, local law enforcement will be notified when an on-campus student has been determined to be missing for at least 24 hours. Parent(s) or guardian(s) of students less than 18 years of age and not emancipated will also be notified. This policy does not preclude implementing these procedures in less than 24 hours if circumstances warrant a faster implementation.