



Preventing Sexual Violence in Higher Education Act Annual Report 2017

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This Report was prepared according to the requirements in the Illinois Preventing Sexual Violence in Higher Education Act. We recommend that you carefully read the Report in its entirety to understand the full context.

American InterContinental University (“AIU”) was founded in Europe in 1970 on the premise that universities should transcend the bounds of the traditional, theory-based approach to education by providing students with a curriculum that can help prepare them to pursue their professional interests in today's globalized, cutting-edge industries. For more than 45 years, AIU has offered specialized, flexible degree programs. Today, it operates campuses in Atlanta, Georgia and Houston, Texas as well as at AIU Online in Schaumburg, Illinois.

AIU’s mission is to provide for the varying educational needs of a career-oriented, culturally diverse and geographically dispersed student body with the goal of preparing students academically, personally, and professionally.

PART A

Provide one copy of the most recent version of each of the following documents:

- The higher education institution's comprehensive policy (*see* 110 ILCS 155/10).
(*AIU Annual Security Report beginning on page 11*)
- The higher education institution's concise, written notification of a survivor's rights and options under its comprehensive policy (*see* 110 ILCS 155/15).
(*Sexual Assault Policy and Prevention Information*)

PART B

I. Campus Training, Education and Awareness

A. Student Primary Prevention Programming

Identify any and all institutional actions and strategies intended to prevent sexual violence before it occurs by means of changing social norms and other approaches, including, without limitation, training programs, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars or panel discussions that occurred during the 2017 calendar year. *See* 110 ILCS 155/30(b). If necessary, append additional pages.

During the 2017 calendar year, AIU engaged in several activities supporting the goal of awareness, prevention and training on sexual assault and harassment that were aligned with our students that attend fully online programs. This included the following:

- *Email campaigns on Sexual Assault Policy and Prevention Information*
- *Student portal announcements which included information about additional resources on topics including:*
 - *Sexual Assault Policy and Prevention Information*
 - *Engaging Bystanders to Prevent Sexual Violence*
 - *Healthy Sexuality and Consent*
 - *NSVRC ("National Sexual Violence Resource Center") Campus Sexual Assault*
 - *NSVRC Engaging Bystanders*

B. Employee Training (*optional*)

Identify any and all training provided to higher education institution employees who, with respect to reports of sexual violence, domestic violence, dating violence or stalking: (1) receive student reports, (2) refer or provide services to survivors or (3) participate in the complaint resolution procedure. *See* 110 ILCS 155/30(c). If necessary, append additional pages.

During the 2017 calendar year, AIU engaged in several activities with the goal of awareness, prevention, and training on sexual assault and harassment.

All Employees

- *Email campaigns on Sexual Assault Policy and Prevention Information*
- *Article in the April issue of “The Pillar”, AIU’s staff newsletter*
- *Posters in staff common areas*
- *Annual training for all new staff and faculty*
- *Faculty portal announcements, which included information about additional resource on topics including:*
 - *Sexual Assault Policy and Prevention Information*
 - *Engaging Bystanders to Prevent Sexual Violence*
 - *Healthy Sexuality and Consent*
 - *NSVRC Campus Sexual Assault*
 - *NSVRC Engaging Bystanders*

Title IX Coordinators

- *Attended five Violence on Illinois Campuses Elimination Strategies (VOICES) Trainings and Symposia sponsored by the Cook County State’s Attorney*
- *Attended four Chicagoland Title IX Consortium roundtable meetings*
- *Attended intensive Hush Blackwell Coordinator and Investigator training*

II. Reports

Identify the total number of reports made to the following groups of individuals in the 2016 calendar year. If a higher education institution is aware that a student reported an incident more than once, it may provide an explanation for this or any other additional information regarding its reports in Part C below. *See* 110 ILCS 155/25 and 110 ILCS 205/9.21(b).

	Reports to the Title IX coordinator/responsible employees	Reports to confidential and anonymous resources
Sexual violence	0	0
Domestic violence	0	0
Dating violence	0	0
Stalking	0	0

A. Responses to Reports to the Title IX Coordinator or Responsible Employees

Of the total number of reports or disclosures made to the Title IX coordinator or responsible employees at the higher education institution (identified in Part B, Section II), please report the number of times the following occurred:

	Survivor requested not to proceed with the complaint resolution procedure	HEI investigated allegation	HEI referred allegation to local or State law enforcement	HEI resolved allegation through complaint resolution procedure
Sexual violence	N/A	N/A	N/A	N/A
Domestic violence	N/A	N/A	N/A	N/A
Dating violence	N/A	N/A	N/A	N/A
Stalking	N/A	N/A	N/A	N/A

B. Complaint Resolution Procedure Outcomes

Of the total number of reports reviewed through the complaint resolution procedure, identify the number of students who received the following outcomes. Please provide a description of the other types of discipline students received for violating the comprehensive policy in Part C of this report.

	Found not responsible for violation of comprehensive policy	Dismissed/expelled	Suspended	Otherwise disciplined
Sexual violence	N/A	N/A	N/A	N/A
Domestic violence	N/A	N/A	N/A	N/A
Dating violence	N/A	N/A	N/A	N/A
Stalking	N/A	N/A	N/A	N/A

PART C

Use this space to provide any explanations or clarifications for information and data provided as part of the report. (Append additional pages as necessary.)

The Illinois Preventing Sexual Violence in Higher Education Act, 110 Ill. Comp. Stat. 155/1 et seq. (the “Act”) does not specify what geographic areas to use to calculate data for this Report. However, the Illinois Attorney General’s undated “Preventing Sexual Violence in Higher Education Act Frequently Asked Questions Regarding Reporting Requirements” document states that this Report should include only data related to complaints of incidents that occurred within the geographic areas defined by the Clery Act as “Clery geography” (see 34 CFR 668.46(a)) or for which the location of the incident alleged in the complaint was unknown.

However, the Clery Act does not require AIU’s 100% online Illinois location to submit crime data because students enrolled at AIU’s online campus do not physically go to campus for class, so their physical interaction with faculty, staff and other students is limited. Regardless, AIU received no reports of sexual violence or harassment in the reporting period. Illinois residents, which are the focus for this Report, comprise approximately 5% of AIU’s online student enrollment.

AIU’s Illinois residents have access to contracted Confidential Advisor services through Resilience, a Chicago-based organization.

Submit completed reports via mail or email to the addresses below by **November 1, 2017**:

- Office of the Illinois Attorney General
Civil Rights Bureau
100 W. Randolph Street, 11th Floor
Chicago, IL 60601
civilrights@atg.state.il.us
- Illinois Department of Human Rights
100 W. Randolph Street, 10th Floor
Chicago, IL 60601

Sexual Assault Policy and Prevention Information

for students and employees

In the event of sexual assault, dating violence, domestic violence or stalking, victims are encouraged to report offenses in a timely manner to the President's Office, any Campus Security Authority (CSA), and/or the Title IX Coordinator.

The University is committed to creating and maintaining a community in which students, faculty and staff work in an environment free from all forms of harassment, exploitation, intimidation or violence. Prohibited conduct includes all forms of sex discrimination and sexual harassment, as well as sexual assault and sexual violence. Domestic violence, dating violence, and stalking are also prohibited by this policy. These are serious offenses that may result in suspension, required withdrawal, expulsion, or termination of employment.

Victims are encouraged to exercise their rights, if desired, including:

- Proceeding to a place where it is safe from further attack and reporting offenses to proper local law enforcement, campus security authority, and health officials
- Preserving any evidence of the assault that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order (do not drink, bathe, change clothing, or comb hair, as this may destroy evidence that may be needed to prosecute the offender)
- Obtaining immediate medical attention, including a forensic examination (completing a forensic examination does not require the victim to file a police report)
- Receiving appropriate counseling referral information
- Receiving information on services for health, victim advocacy, legal assistance, visa and immigration assistance, and student financial aid
- Completing crime reports
- Changing academic and work situations (e.g., student's course schedule; employee's work environment)
- Applying for judicial no-contact, restraining and protective orders
- Receiving as the right of both the accuser and the accused the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. If the alleged victim is deceased as a result of the crime or offense, the institution must provide results of the disciplinary hearing to the victim's next of kin, if so requested.



The University strongly advocates that a victim of sexual assault, dating violence, domestic violence or stalking report the incident in a timely manner. Victims may report a sexual assault, or incidents of dating violence, domestic violence and stalking to the President's Office, to any Campus Security Authority (CSA) or the Title IX Coordinator. Victims of sexual assault, dating violence, domestic violence and stalking also have the option of notifying proper local law enforcement. If requested by the victim, the University will assist the victim in notifying law enforcement. The victim also has the option to decline notifying authorities.

The University will (a) provide complainants 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, both within the University and in the community; and (b) provide complainants with written 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 complainant chooses to report the offense to campus security or to local law enforcement.

In addition, the President's Office will provide written information on off-campus agencies that provide services to victims of a sex offense. The University contracts with Resilience, a Chicago-based organization, to provide Confidential Advisor services to students who reside in Illinois and who are victims of a sexual assault or sexual violence. Specific contact information for the services identified in this section can be found on the last page of this document.

The University is obligated to comply with a victim's reasonable request for an accommodation (as described in (b) above) following an allegation of dating violence, domestic violence, sexual assault or stalking, regardless of whether the victim chooses to report the crime to local law enforcement. Requests for accommodations should be made to the individuals listed in the Contact Information section of this document; these individuals are responsible for deciding what, if any, accommodations will be implemented. When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- ◆ The specific need expressed by the complainant.
- ◆ The age of the students involved.
- ◆ The severity or pervasiveness of the allegations
- ◆ Any continuing effects on the complainant
- ◆ Whether the complainant and alleged perpetrator share the same class or job location.
- ◆ Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to imple-

ment the accommodation. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

If a victim informs the institution that they have an order of protection, no-contact order, restraining order or similar lawful order issued for a criminal, civil or tribal court in effect, the institution will uphold the conditions of the order to the best of its ability. The institution does not issue orders of protection, but will assist victims in identifying available resources to assist them in filing for an order.

The institution will protect the confidentiality of victims. Publicly available recordkeeping, such as mandatory Clery reporting, will be accomplished without the inclusion of identifying information, to the extent permitted by law.

The University encourages all victims of sexual harassment to report the offending behavior to a Title IX Coordinator, CSA, or Responsible Employee. Informing a University employee of such misconduct allows the University with an opportunity to promptly take remedial action and to investigate so that the victim may have an academic experience free from discrimination. The University can only address a specific situation if it is aware of it. However, the University understands that some individuals may feel more comfortable speaking with an off-campus resource in lieu of or in addition to a University employee.

Filing a Police Report

Although the procedure for filing a police report varies from city to city, there are basic steps to follow when you file a report.

- 1) Contact the police department in the city where the crime occurred. Talk to a police officer as soon as possible after the crime took place so your memory of the incident and individuals involved is fresh.
- 2) Know that you can file a police report at the police station or ask for an officer to come to your home. Some police jurisdictions allow you to file a police report online. Be prepared to answer questions such as the type of crime that transpired, items missing or damaged, name of the person who committed the crime (if known) and a description of the suspect along with the address and vehicle type (if known). Give your contact information so the officer can follow up with you on the case.
- 3) Receive a case number for your police report. Refer to the number when you want an update on your case and if you'd like a copy of the police report.
- 4) Understand that there is no fee to file a police report. However, there is often a fee to get a copy of the police report.

Prevention and Awareness Programs

The University will provide primary prevention and awareness programs for all incoming students and new employees that address topics including definitions, risk reduction, bystander intervention, reporting and investigation procedures, and sanctions as described within this document. The University will also provide ongoing prevention and awareness campaigns for students and employees that include this same information.

Specifically, these programs a) identify that the University prohibits any forms of conduct that can be identified as domestic violence, dating violence, sexual assault and stalking; b) define dating violence, domestic violence, sexual assault and stalking as those terms are defined for the purposes of Clery Act reporting; and c) define what behavior and actions constitute consent to sexual activity in the local jurisdiction. Information about these definitions can be found in the “Definitions” section of this document. The prevention and awareness campaigns are also designed to promote risk reduction and safe options for bystander intervention as described below.

Reducing Risk

General crime prevention strategies can help reduce the risk of falling victim to sexual related crimes. In addition, recognizing the warning signs of abusive behavior can serve as a deterrent to sexual related crimes. The following is an example of behaviors seen in people who abuse their partners. If someone exhibits more than three of any of these warning signs, there is a strong potential for abuse in the relationship. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.

- ♦ Past abuse ♦ Threats of violence or abuse ♦ Breaking objects ♦ Use of force during an argument ♦ Jealousy
- ♦ Controlling behavior ♦ Quick involvement ♦ Unrealistic expectations ♦ Isolation ♦ Blames others for problems
- ♦ Blames others for their feelings ♦ Hypersensitivity ♦ Cruelty to animals or children ♦ Jekyll-and-Hyde personality

Bystander Intervention

An engaged bystander is someone who intervenes in a safe and positive way before, during, or after a situation or event in which they see or hear behaviors that promote dating violence, domestic violence, sexual assault, or stalking. The bystander approach attempts to teach community members how to be engaged bystanders in a safe and effective way. Primary prevention activities take place before violence happens to prevent perpetration or victimization.

If you see someone in danger of being assaulted

1. Step in and offer assistance

Ask if the person needs help. Before stepping in, make sure to evaluate the risk. If it means putting yourself in danger, call 9-1-1 instead.

2. Don't leave

If you remain at the scene and are a witness, the perpetrator is less likely to do anything.

3. If you know the perpetrator,

tell the person you do not approve of their actions. Ask the person to leave the potential victim alone.

Investigation Procedures

The University has investigation procedures in place to address allegations of dating violence, domestic violence, sexual assault, or stalking, which are detailed in the catalog and to determine whether disciplinary action is necessary. Under these procedures, when a student or employee reports to the institution that they have been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the institution will provide a written explanation of the student's or employee's rights and options.

The University is committed to undertaking prompt, thorough, impartial and fair investigations, and to treating all individuals with respect and sensitivity. Depending upon the nature of the alleged or suspected policy violation, the relevant official (or his or her designee) will conduct an investigation either alone or with one or more other University officials as deemed appropriate by the University.

The investigation of any suspected or alleged violation of this policy will be completed within a reasonably prompt time frame following the filing of a complaint. If the University determines in its discretion that good cause exists to extend the time to complete the investigation, the parties will be notified in writing and provided with an explanation of the reason for the extension. The nature and extent of the investigation will vary depending upon the circumstances, including whether the parties are amenable to pursuing an informal resolution (and the matter is eligible for informal resolution, as discussed below). As part of the investigation, the relevant official (or his or her designee) will seek to interview the complainant and the accused. To help ensure a prompt and thorough investigation, complainants are asked to provide as much information as possible:

- ◆ The name, department, and position of the person or persons allegedly causing the dating violence, domestic violence, sexual assault, or stalking.
- ◆ A description of any relevant incident(s), including the date(s), location(s), and the presence of any witnesses.
- ◆ The alleged effect of the incident(s) on the complainant's opportunity to benefit from the University's programs or activities.
- ◆ The names of other individuals who might have been subject to the same or similar acts of dating violence, domestic violence, sexual assault, or stalking.
- ◆ Although it is not required, any steps the complainant has taken to try to stop the dating violence, domestic violence, sexual assault, or stalking.
- ◆ Any other information the complainant believes to be relevant to the alleged dating violence, domestic violence, sexual assault, or stalking.

Any accused parties are also expected to provide as much information as possible in connection with the investigation.

The University reserves the right to suspend any member of the University community suspected or accused of violating this policy or to take any other interim measures the University deems appropriate, pending the outcome of an investigation or grievance. Such interim measures can include, but are not limited to modifying course schedules and issuing a "no contact" order.

In situations involving suspected or alleged violations of this policy the University also reserves the right to take steps to protect the complainant as deemed necessary during the pendency of the investigation and resolution process (e.g., allowing for a change in academic situation, issuing a "no contact" order to the accused, or other measures as appropriate). Any such interim steps will be taken in a manner that minimizes the burden on the complainant 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.

Informal Resolution Process

Allegations of sexual assault, dating violence, domestic violence or stalking may not be resolved using an informal resolution process (i.e., mediation). However, other alleged violations of this policy, including some allegations of sexual harassment, may be resolved using an informal resolution process overseen by one or more University representatives if (i) the University determines, in its discretion, that such a process would be appropriate; and (ii) all parties agree to participate.

The parties to any such informal process will not be required to deal directly with one another without the University's involvement. Instead, one or more University representatives may arrange for or facilitate mediation between the involved parties and

coordinate other informal resolution measures. 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. In addition, any party can pursue formal resolution if he or she is dissatisfied with a proposed informal resolution.

Formal Resolution Process

The formal resolution process applies (i) when any party so requests in connection with a matter that is eligible for informal resolution; and (ii) to all matters that are not eligible for informal resolution (i.e., matters involving alleged or suspected sexual assault, dating violence, domestic violence or stalking). The University may also elect to use the formal resolution process in any matter when the University deems it appropriate. As part of the formal resolution process, the University may determine that further steps are required to complete the University's investigation. The following procedural protections apply to matters that are not resolved using the Informal Resolution Process described above.

Investigator Qualifications. The official(s) designated to conduct the investigation shall be trained in the investigation of, and other issues related to, sexual assault, domestic violence, dating violence, stalking and other misconduct covered by this Policy, shall not have a conflict of interest or bias for or against any parties involved in the potential Policy violation, and shall have received at least annual training on issues related to these issues delivered by third-party providers with specialized expertise in this area. Topics include, but are not limited to: relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.

Standard for Determining Responsibility. The standard used to determine whether this policy has been violated is whether it is more likely than not that the accused violated this policy. This is often referred to as a "preponderance of the evidence" standard.

Rights of Complainants and Accused Parties; Timing of Resolution. The University shall provide any individual suspected or accused of violating this policy with a written explanation of the suspected or alleged violations of this policy. Complainants and accused parties shall both be provided with the following in connection with the resolution of suspected or alleged violations of this policy.

- ◆ The opportunity to speak on their own behalf.
- ◆ The opportunity to identify witnesses who can provide information about the alleged conduct at issue.
- ◆ The opportunity to submit other evidence on their behalf.
- ◆ The opportunity to be accompanied to any meeting or proceeding related to the University's resolution of an alleged or suspected violation of this policy by an advisor of their choice. The University will not limit the choice of advisor or presence for either the complainant or accused, but advisors are prohibited from speaking on behalf of either the complainant or accused and may be removed or dismissed from the meeting or proceeding if they become disruptive or do not abide by this restriction on their participation.
- ◆ The opportunity to review any information that will be offered by the other party in support of the other party's position (to the greatest extent possible and consistent with FERPA or other applicable law), as well as timely and equal access to any other information that will be used during any informal or formal disciplinary proceedings.
- ◆ The right to be informed of the outcome of the investigation (to the greatest extent possible and consistent with FERPA or other applicable law).
- ◆ The opportunity to appeal the outcome of the investigation.

Sanctions; Corrective Actions. The investigator will present the results of the investigation to appropriate University officials along with any recommended corrective action, if applicable, to make a final determination. The University will take reasonable steps to prevent the recurrence of any violations of this policy and to correct the discriminatory effects on the complainant (and others, if appropriate). The range of potential sanctions/corrective actions that may be imposed are as follows:

Students: written or verbal apology; sexual assault, dating violence, domestic violence or stalking prevention education; verbal or written warning; a no-contact order issued by the University; probation, suspension, and dismissal from the University.

Employees: verbal coaching; documented coaching; written warning; final written warning; termination; administrative leave of absence; sexual assault, dating violence, domestic violence or stalking prevention education; a no-contact order issued by the University. *Note: Employees are also subject to all Employee Handbook, department, and workplace policies, including but not limited to the Code of Business Conduct & Ethics.*

Guests and other third parties: removal from the University property; referral to law enforcement; requirement to complete prevention education training prior to resuming a relationship with the University; termination of contractual or other arrangements.

In instances where the University is unable to take disciplinary or other corrective action in response to a violation of this policy because a complainant insists on confidentiality or for some other reason, the University will nonetheless pursue other steps to limit the effects of the conduct at issue and prevent its recurrence.

Notification of Outcome. After the conclusion of the investigation, the University will provide written notification to the complainant and the accused of the outcome (i.e., whether a violation of this policy has occurred), including the rationale for the outcome and explanation of the University's appeal procedures, within seven (7) calendar days after the conclusion of the proceeding unless the University determines that additional time is required. This notice shall be issued simultaneously to both parties to the extent practicable.

The University may also disclose to the complainant information about any sanctions or corrective actions taken that relate directly to the complainant (e.g., a "no contact" order). The University will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, or audio recordings, etc.).

Under no circumstances will the complainant be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome.

Right to Appeal. Once written notification of the resolution has been provided, either the complainant or the accused will have the opportunity to appeal the outcome (including the issue of whether there is a policy violation and any sanction(s) imposed). Any appeal must be submitted in writing to the Title IX Coordinator ("Coordinator") within seven (7) calendar days of being notified of the outcome and must set forth the grounds upon which the appeal is based.

If the Coordinator is unable to resolve the appeal for any reason, the University will designate another representative to decide the appeal. Neither party shall be entitled to a hearing in connection with any appeal, but the Coordinator (or designee) may request written submissions from the parties or consider any other information as deemed appropriate by the Coordinator (or designee). Both parties will be informed in writing of the outcome of any appeal, including any change to the initial decision, within fourteen (14) days of the date by which all requested information is received unless the Coordinator (or designee) determines that additional time is required. This notice shall be issued simultaneously to both parties to the extent practicable. Appeal decisions by the Coordinator (or designee) are final.

Prohibition Against Retaliation

No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of such a complaint shall be subject to retaliation, intimidation, coercion, threats or discriminatory action as a result of such activity or participation. 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. Any acts of retaliation, as defined above, shall be grounds for disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff.

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. Identifying information regarding complainants will not be included in any timely warnings or other publicly available records.

Contact information for your Title IX Coordinator is provided at the end of this document and in the staff section of the catalog

Definitions

Campus Security Authority

A campus security authority (CSA) is any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department; any individual to whom 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 discipline and campus judicial proceedings.

Confidential Advisor

A person who is employed or contracted by a higher education institution to provide emergency and ongoing support to student survivors of sexual violence and to assist complainants with (a) understanding possible next steps regarding reporting options and possible outcomes, including notifying local law enforcement; (b) identifying resources and services for survivors of sexual violence available both on campus and through community-based resources; (c) informing the survivor of their rights and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by either the institution or a criminal or civil court; (d) providing confidential services to and having privileged, confidential communications with survivors; (e) liaising with and assisting the survivor with reporting to campus officials, community-based sexual assault crisis centers, or local law enforcement upon request and as appropriate; and (f) liaising with the necessary campus authorities to secure interim protective measures and accommodations for the survivor upon request.

[110 ILCS 155/5](#)

Consent

Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. The manner of a person's dress does not constitute consent.

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: (a) the person is incapacitated due to the use or influence of alcohol or drugs; (b) the person is asleep or unconscious; (c) the person is under age; or (d) the person is incapacitated due to mental disability.

[110 ILCS 155/10\(I\)](#)

Dating Violence

The institution has determined, based on good-faith research, that Illinois law does not define the term dating violence. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence. [34 CFR § 668.46](#)

Domestic Violence

The institution has determined, based on good-faith research, that Illinois law does not define the term domestic violence. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

A felony or misdemeanor crime of violence committed

- ◆ By a current or former spouse or intimate partner of the victim;
- ◆ By a person with whom the victim shares a child in common;
- ◆ By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- ◆ By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- ◆ By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. [34 CFR § 668.46](#)

Responsible Employees

A responsible employee is any employee who (a) has the authority to take action to redress the harassment; (b) has the duty to report to appropriate University official(s) sexual harassment or any misconduct by students or employees; or (c) is an individual who a student could reasonably believe has this authority or responsibility. Responsible Employees include faculty, staff, and administrative personnel.

Definitions

Stalking

A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to fear for his or her safety or the safety of a third person or suffer other emotional distress.

A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.

A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion follows that same person or places that same person under surveillance and transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person. [720 ILCS 5/12-7.3](#)

Sexual Assault

A person commits criminal sexual assault if that person commits an act of sexual penetration and uses force or threat of force, knows that the victim is unable to understand the nature of the act or is unable to give knowing consent, is a family member of the victim, and the victim is under 18 years of age, or is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age. [720 ILCS 5/11-1.20](#)

Sexual Offenses

The institution has determined, based on good-faith research, that Illinois law does not define the term sexual offenses. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. [34 CFR § 668.46](#)

Contact Information

REMEMBER TO CALL 911 FIRST IN THE EVENT OF AN EMERGENCY

Internal

Title IX Coordinator*

Daniel Sessions (847) 585-2097

University President*

John Kline (847) 585-2014

Mandated Reporter

A Mandated Reporter is required to report 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. For the purposes of this document, the designated Mandated Reporter is Daniel Sessions (847) 585-2097.

Primary Campus Security Authority*

Michele Heath (847) 585-2038

Anonymous Reporting

Individuals who wish to anonymously report an incident of sexual assault or sexual violence may do so by leaving a voicemail message at (847) 585-2097. Please be aware that the school's ability to investigate or respond to claims may be limited in these instances.

Electronic Reports

Individuals who are victims of a sexual assault or who learn about a sexual assault as defined in this document may wish to submit a report electronically. Individuals who wish to report sexual abuse electronically can send an email to Ombudsman@aiuniv.edu.

Student Financial Aid

(877) 221-5800 or 8FA@aiuonline.edu

**Contact these individuals for assistance with options related to academic, living, transportation and working situations as well as protective measures.*

External

Confidential Advisor

This institution contracts with Resilience, a Chicago-based organization, to provide Confidential Advisor services to students that reside in Illinois who are victims of a sexual assault or sexual violence. If you wish to use these services, please contact them at 773-907-1062. Students who need more immediate assistance should call 911 or the Rape Crisis Hotlines listed below.

Local Police - Schaumburg Police Department (847) 895-4500

Hospital - AMITA Health Alexian Brothers Medical Center, 800 Biesterfield Road, Elk Grove Village, IL; (847) 437-5500

Legal Assistance

[Illinois Legal Aid \(statewide\)](#) - statewide

[Illinois Attorney General Resource List](#) – multiple agencies

[Prairie State Legal Services](#) - northern Illinois

[Land of Lincoln Legal Assistance Foundation](#) —central and southern Illinois

Visa and Immigration Assistance - [Immigration Advocates Network](#)

Local Support Agencies/Hotlines

Chicago Rape Crisis Hotline: (888) 293-2080

[Illinois Coalition Against Sexual Assault](#)

[Community Counseling Centers of Chicago](#)

[Northwest Center Against Sexual Assault](#)

Other National Resources

National Domestic Violence Hotline: (800) 799-7233

National Sexual Assault Hotline: (800) 656-4673

[Rape, Abuse and Incest National Network \(RAINN\)](#)

[US Dept. of Justice Office on Violence Against Women](#)

[National Coalition Against Domestic Violence](#)



ANNUAL SECURITY REPORT

American InterContinental University
231 North Martingale Road
Schaumburg, Illinois 60173

October 1, 2018

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Campus Security and Crime Prevention Information

The University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Violence Against Women Act (VAWA) and the Preventing Sexual Violence in Higher Education Act. Nothing in the law shall be construed to permit a school to retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual with respect to the implementation of the Clery Act.

Campus Facilities

Access is available to students 24/7 through the Virtual Campus.

The University considers the safety of staff when maintaining its administrative facilities and utilizes a regular maintenance schedule to minimize the potential for hazardous conditions. Staff who identify maintenance needs at the Campus Support Center that may pose a risk to safety should contact the mailroom to open a ticket.

Personal Safety

While the University attempts to provide a safe and secure environment, students, faculty, staff, and visitors are ultimately responsible for their safety. Safety is enhanced when students and employees take precautions such as:

- Report all suspicious activity to a Campus Security Authority (CSA) or Responsible Employees immediately. The primary CSA for this campus is the Vice President, Admissions Operations. Responsible Employees include faculty, staff, and administrative personnel.
- Never take personal safety for granted.
- Avoid walking alone at night. Travel with a friend or companion.
- Avoid parking or walking in secluded or dimly lit areas.
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, computers, etc.) unattended.
- Carry your keys with you at all times and don't lend them to anyone.
- Lock your car doors and close the windows when leaving your car.
- Never leave valuables in your car especially if they are easily noticeable.
- Inventory your personal property and make records of the serial numbers of all items of value.
- Never admit anyone without a valid ID badge on the premises.

The University informs students and employees about campus security procedures and practices during new student and employee orientation programs. These sessions are held prior to the beginning of a term (for students) and when new employees are hired. In addition, these programs also encourage students and employees to be responsible for their own security and the security of others.

Reporting a Crime

[*\(click here for contact information\)*](#)

If a student or employee is aware that a crime has been, or is being, committed on University property or at a University sponsored or recognized event off-campus during the hours that the University is open, the crime should be reported as soon as possible to the President's Office when the victim of a crime elects to, or is unable (physically/mentally) to, make such a report. This office is located at 231 North Martingale Road, Schaumburg, IL 60173.

Regular business hours for the University are 8am to 8pm (Monday through Thursday) and 8am to 5pm (Friday). If the crime has been committed after regular business hours, it should be reported to the front desk, CSA, or security guard. If the crime has been committed when the University is closed, it should be reported to the President's Office or primary CSA as soon as possible after school is open. In addition to reporting the crime to the President's Office, the crime should be reported to local law enforcement authorities. Other emergencies should also be reported to the President's Office.

The local police department for the University is the Schaumburg Police Department, 1000 Schaumburg Rd, Schaumburg, IL 60194. The local Police Department may be reached at (847) 882-3534. In an emergency, the local Police Department may be contacted by dialing 911.

The G4S security personnel have authority to determine whether individuals have lawful business at the University and may request identification to make that determination. In addition, they have the authority to ensure that University policies, such as parking and building access, are followed. They do not, however, have arrest authority. The University works with local law enforcement agencies and refers criminal incidents to the local police department having jurisdiction over such matters. AIU does not have a written memorandum of understanding (MOU) with state or local law enforcement agencies to investigate alleged criminal offenses.

Certain institutional employees are designated as a CSA. The CSA may include any official of the institution who has significant responsibility for student and campus activities and who has the authority and duty to take action and respond to particular issues on behalf of the institution.

The primary CSA will work with local law enforcement, as appropriate, when a crime is reported. If circumstances warrant, the University community will be notified if an on-going threat is posed related to a reported crime.

If you are the victim of or witness to a crime and do not want to pursue action through the University or the criminal justice system, you may still consider voluntarily making a confidential report. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself

and others. Reports filed in this manner are included in the annual crime statistics for the University. Students who wish to make a confidential report of a crime can do so by contacting Michele Heath, the VP of Admissions Operations. The campus does not have any pastoral or professional counselors on staff; however, the University contracts with Resilience, a Chicago-based organization, to provide individuals with the ability to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Students who are victims of a sexual assault and wish to speak with a Confidential Advisor at Resilience should view the contact information located [here](#).

The University does not tolerate violence or other threatening conduct against any members of the University community. This includes criminal acts against persons or property, as well as harassment based on age, color, disability, genetic information, marital status, national origin, race, religion, sexual orientation, veteran status, or any other status protected by applicable federal, state, or local law. The University will impose strict disciplinary actions and appropriately involve law enforcement officials should any acts of violence or threatening conduct occur on University facilities or at University-sponsored events. This includes acts of violence against women.

In addition to any criminal sanctions, the University will impose appropriate disciplinary sanctions if the offender is a student or employee of the University. The President's Office, Title IX Coordinator, and Responsible Employees should be contacted should one wish to file a complaint. The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph. However, note that, in cases of dating violence, domestic violence, sexual assault, and stalking complaints both the accuser and the accused are given the results without the need to make a written request.

Timely Warnings

In an effort to provide timely notice to the campus community in the event of a Clery Act Crime that may pose a serious or ongoing threat to members of the community, the University issues "Timely Warnings." The University may issue a Timely Warning for the following: arson; aggravated assault; criminal homicide; domestic violence; dating violence; robbery; burglary; sexual assault; hate crimes; and stalking. The University may also issue a Timely Warning for alcohol, drug, and weapon arrests or referrals that may cause a continuing threat to the community. The University will distribute these warnings through a variety of ways, including but not limited to emails, posters, web postings, and media. The University also has the ability to send text message alerts to the cell phone number listed in the student and employee University records.

The purpose of a Timely Warning is to notify the campus community of the incident and to provide information that may enable the community to take steps to protect themselves from similar incidents. The University will issue Timely Warnings considering on a case-by-case basis the following criteria: (1) one of the above listed crimes are reported; (2) the perpetrator has not been apprehended; and (3) there is a substantial risk to the safety of other members of the campus community because of this crime. The University may also issue an alert in other circumstances, which may pose a significant threat to the campus community.

Additionally, the University may, in some circumstances, issue Timely Warnings when there is a pattern of crimes against persons or property. The University Vice President of Policy and Administration will make the determination, in consultation with other campus offices, if a Timely Warning is required. For incidents involving off-campus crimes, the University may issue a Timely Warning if the crime occurred in a location used and frequented by students, staff, and/or faculty.

Emergency Response and Evacuation Procedures

The University maintains an Emergency Response Operations Plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health and safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters. Emergency Response Guides are posted at the University in every classroom. The Emergency Response Guide provides guidelines and procedures for various emergency situations, including but not limited to medical emergencies, violent crime in progress, evacuations, fire, and weather emergencies. The University has also communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

To report concerns that may require an emergency response, refer to the steps listed in "[Reporting a Crime](#)" section of this document.

If a potential emergency has been reported, the University Vice President of Policy and Administration will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the University Vice President of Policy and Administration will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

If it is determined that an impending or continuing threat to the health or safety of campus community members exists, University leadership and others involved in reviewing the threat will, without delay, and taking into account the safety of the community, determine the content of an emergency notification and initiate a campus safety alert via the University's emergency notification system. The University may delay a notification if issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The University Vice President of Policy and Administration is responsible for the issuance of an emergency notification/campus safety alert. These alerts can be distributed in various ways, as deemed appropriate for the situation. Most commonly, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff, an announcement will be sent to the University community in multi-modal format (e-mail, voice mail, or text using information listed in the student and employee University records) with information and instructions. The University will coordinate with local law enforcement to communicate the threat to the larger community as necessary.

The University tests emergency response and evacuation procedures annually through drills or exercises. The tests may be announced or unannounced. On June 14, 2017 at 10:00 am, the University conducted an unannounced fire drill at the Schaumburg location. Contact the President's Office for more information.

G4S Security maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test each year, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures.

Registered Sex Offenders

The Jacob Wetterling Act requires states to obtain information concerning registered sex offenders' enrollment or employment at institutions of higher education. Those seeking to obtain information about registered sex offenders should visit the following websites:

State: <https://www.isp.state.il.us/sor/> National: www.nsopr.gov.

Further, to the extent the State notifies an educational institution of information concerning registered sex offenders, the Family Educational Rights and Privacy Act (FERPA) does not prevent educational institutions from disclosing such information. The University currently does not receive information from local law enforcement about registered sex offenders who may be enrolled at or employed at the University.

Student Housing Facilities

The University does not maintain University-operated student housing facilities.

Fire Safety Reporting

Because the University does not maintain University-operated student housing facilities, it is not required to maintain a log of all fire related incidents, disclose fire statistics, or publish an annual fire safety report.

Missing Persons

Because the University does not maintain University-operated student housing facilities, it is not required to publish a missing student notification policy. However, students are encouraged to contact the local police if they have information about a missing person.

Monitoring Off Campus Locations of Recognized Student Organizations

The University does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Drug and Alcohol Abuse Prevention Information

In accordance with the requirements of the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226), and the Drug-Free Workplace Act of 1988 (Public Law 101-690), the University provides all students and employees with the following information concerning University policies and the consequences of the manufacture, distribution, possession, or use of any drug made illegal under federal, state or local law or the illegal possession and/or use of alcohol. In addition, the University conducts a biennial review of its drug and alcohol abuse prevention program to determine its effectiveness and ensure that sanctions are being consistently enforced. For more information about the biennial review, contact the University President. The University also enforces all federal, state and local drug laws, and also enforces the state's underage drinking laws.

Student must notify the University President, in writing, within five days of being convicted of a criminal drug statute at the University. Disciplinary action will occur within 30 days of receipt of the written notification and may range from a letter of admonishment to dismissal from the University.

Policy Regarding the Possession, Use and Sale of Drugs and Alcohol

Students and employees are prohibited from unlawfully manufacturing, distributing, possessing, or using any drug made illegal as a matter of federal, state, or local law or illegally possessing or using alcohol while on University property or misusing alcohol while participating in any University or work-related activity outside the University or workplace. Violation of this policy will subject students or employees to corrective action up to and including dismissal or termination of employment. In addition, a violation may result in local, state, and/or federal criminal charges.

Enforcement of State and Federal Laws Related to Drugs

The University enforces all federal, state, and local drug laws. This policy applies to all students, employees, and visitors. Many of the acts which violate this policy also violate criminal law and must be referred for prosecution.

Legal sanctions under local, state, and federal laws may include:

- suspension, revocation, or denial of a driver's license
- loss of eligibility for federal financial aid or other federal benefits
- property seizure
- mandated community service
- felony conviction that may result in 20-50 years imprisonment at hard labor without benefit of parole
- monetary fines

Enforcement of State Laws Related to Underage Drinking

The University enforces all state laws related to underage drinking. This policy applies to all students, employees, and visitors. State laws related to underage drinking prohibit persons under 21 years of age from possessing or consuming alcoholic beverages. Furnishing alcoholic beverages to underage persons is also prohibited. No person under

legal drinking age or any obviously intoxicated person shall be furnished, served, or given an alcoholic beverage.

Drug and Alcohol Abuse Prevention

In addition to local and state authorities, the federal government has four agencies (the Drug Enforcement Agency, U.S. Customs Service, Federal Bureau of Investigation, and the U.S. Coast Guard) engaged in combating illicit drugs. One should be aware that:

- it is a crime to hold someone else's illicit drugs
- it is a crime to sell fake "dope"
- it is a crime for being in a house where people are using illicit drugs, even if you are not using them
- it is a crime if drugs are in your locker, car, purse, or house which is considered "constructive possession"

Drug abuse, which can affect one's physical and emotional health and social life, is the utilization of natural and/or synthetic chemical substances for non-medical reasons to affect the body and its processes, the mind and nervous system, and behavior. Drugs can be highly addictive and injurious to the body. Among the manifestations may be loss of sense of responsibility and coordination, restlessness, irritability, anxiety, paranoia, depression, acting slow-moving, inattentiveness, loss of appetite, sexual indifference, coma, convulsions, and death.

There are classic warning signs that could be indicative of drug use. These signs include:

- Unexplained change in personality or attitude
- Drop in attendance and performance at work or school
- Deterioration of physical appearance, personal grooming habits
- Sudden mood swings, irritability, or angry outbursts
- Unexplained need for money or financial problems. May borrow or steal to get it
- Engaging in secretive or suspicious behaviors
- Sudden change in friends, favorite hangouts, and hobbies

Information regarding the effects of commonly abused drugs may be found on the internet at www.nida.nih.gov/DrugsofAbuse.html.

Drug and alcohol abuse education programs are offered by local community agencies. The University will post information about such education programs on the student portal.

In certain instances, students may be referred to counseling and/or a substance abuse help center. If such a referral is made, continued enrollment is contingent upon attendance and successful completion of any prescribed counseling or treatment. The cost of such assistance or treatment will be the responsibility of the student. Students who are seeking treatment for a substance abuse problem may contact the President's Office. Confidentiality will be maintained. In addition, students who believe they have

a substance abuse problem may find sources of treatment or advice by referring to the section of the local telephone book headed "Drug Abuse & Addiction Information and Treatment."

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their manager or Human Resources to receive assistance or referrals to appropriate resources in the community. Employees may also contact the Employee Assistance Program (EAP) by calling 1-800-272-2727.

There are also national organizations that may be contacted for help, such as:

- The Alcoholism and Drug Abuse Hotline 1-800-ALCOHOL (1-800-252-6465)
- National Drug Abuse Helpline 1-866-874-4553
- The National Institute on Drug Abuse Treatment Referral Hotline 1-800-662-HELP (4357) or <http://findtreatment.samhsa.gov/>
- Al-Anon for Families of Alcoholics 1-800-344-2666

IMPORTANT

As stated in the institution's catalog students convicted of any criminal offense while enrolled must report that conviction to the University within ten (10) days of receiving the conviction.

Sexual Assault and Prevention Policy

The University is committed to creating and maintaining a community in which students, faculty and staff work in an environment free from all forms of harassment, exploitation, intimidation or violence. The Sexual Assault and Prevention Policy prohibits all forms of sex discrimination and sexual harassment, as well as sexual assault and sexual violence. Domestic violence, dating violence, and stalking are also prohibited by this policy. These are serious offenses that may result in suspension, required withdrawal, expulsion, or termination of employment. Information about definitions referenced in this policy can be found in the "[Definitions](#)" section of this document.

In the event of sexual assault, dating violence, domestic violence or stalking, victims are encouraged to report offenses in a timely manner to the President's Office, any Campus Security Authority (CSA) and/or the Title IX Coordinator.

Victim's Rights

Victims are encouraged to exercise their rights, if desired, including:

- Proceeding to a place where it is safe from further attack and reporting offenses to proper local law enforcement, campus security authority, and health officials
- Preserving any evidence of the assault that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order (do not drink, bathe, change clothing, or comb hair, as this may destroy evidence that may be needed to prosecute the offender)
- Obtaining immediate medical attention, including a forensic examination (completing a forensic examination does not require the victim to file a police report)
- Receiving appropriate counseling referral information
- Receiving information on services for health, victim advocacy, legal assistance, visa and immigration assistance, and student financial aid
- Completing crime reports
- Changing academic and work situations (e.g., student's course schedule; employee's work environment.
- Applying for judicial no-contact, restraining and protective orders.
- Receiving as the right of both the accuser and the accused the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. If the alleged victim is deceased as a result of the crime or offense, the institution must provide results of the disciplinary hearing to the victim's next of kin, if so requested.

The University strongly advocates that a victim of sexual assault, dating violence, domestic violence or stalking report the incident in a timely manner. Victims may report a sexual assault, or incidents of dating violence, domestic violence and stalking to the President's Office, a CSA, or the Title IX Coordinator by contacting them either in writing or in person (specific [contact information](#) can be found on the last page of this document). Victims of sexual assault, dating violence, domestic violence and stalking also have the option of notifying proper local law enforcement. If requested by the victim, the University will assist the victim in notifying law enforcement. The victim also has the option to decline notifying authorities.

The University will:

- (a) provide complainants with written information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community; and
- (b) provide complainants with written 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 complainant chooses to report the offense to campus security or to local law enforcement.

In addition, the University President's Office will provide written information on off-campus agencies that provide services to victims of a sex offense. This institution contracts with Resilience, a Chicago-based organization, to provide Confidential Advisor services to students who reside in Illinois and who are victims of a sexual assault or sexual violence. If you wish to use these services, please contact them at (773) 907-1062.

Specific [contact information](#) for the services identified in this section can be found on the last page of this document.

The University is obligated to comply with a victim's reasonable request for an accommodation (as described in (b) above) following an allegation of dating violence, domestic violence, sexual assault or stalking, regardless of whether the victim chooses to report the crime to local law enforcement. Requests for accommodations should be made to the individuals listed in the [Contact Information](#) section of this document; these individuals are responsible for deciding what, if any, accommodations will be implemented. When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations provided a victim to the extent that maintaining confidentiality would not impair the University's ability to

provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

If a victim informs the institution that they have an order of protection, no-contact order, restraining order or similar lawful order issued by a criminal, civil or tribal court in effect, the institution will uphold the conditions of the order to the best of its ability. The institution does not issue orders of protection, but will assist victims in identifying available resources to assist them in filing for an order.

The institution will protect the confidentiality of victims. Publicly available recordkeeping, such as mandatory Clery reporting, will be accomplished without the inclusion of identifying information, to the extent permitted by law.

Residents of Illinois who wish to report incidents of sexual assault, dating violence, domestic violence or stalking electronically may do so by sending an email to Ombudsman@aiuniv.edu. Victims and witnesses can also choose to make an anonymous report by leaving a voicemail message at (847) 851-7021. Please be aware that the University's ability to investigate or respond to claims may be limited in these instances.

The University encourages all victims of sexual harassment to report the offending behavior to a Title IX Coordinator, CSA, or Responsible Employee as defined below. Informing a University employee of such misconduct allows the University with an opportunity to promptly take remedial action and to investigate so that the victim may have an academic experience free from discrimination. The University can only address a specific situation if it is aware of it. However, the University understands that some individuals may feel more comfortable speaking with an off-campus resource in lieu of or in addition to a University employee.

Filing a Police Report

Although the procedure for filing a police report varies from city to city, there are basic steps to follow when you file a report.

- Contact the police department in the city where the crime occurred. Talk to a police officer as soon as possible after the crime took place so your memory of the incident and individuals involved is fresh.
- Know that you can file a police report at the police station or ask for an officer to come to your home. Some police jurisdictions allow you to file a police report online. Be prepared to answer questions such as the type of crime that transpired, items missing

or damaged, name of the person who committed the crime (if known) and a description of the suspect along with the address and vehicle type (if known). Give your contact information so the officer can follow up with you on the case.

- Receive a case number for your police report. Refer to the number when you want an update on your case and if you'd like a copy of the police report.
- Understand that there is no fee to file a police report. However, there is often a fee to get a copy of the police report.

The local police department for the University is the Schaumburg Police Department, 1000 Schaumburg Rd, Schaumburg, IL 60194; (847) 882-3534.

Amnesty Under School Policy Against Drug and Alcohol Abuse

To encourage victims to report incidents of sexual assault, the school will consider any use of alcohol or drugs by the Complainant or witnesses at or near the time of the alleged Sexual Harassment to determine consent or memory only under this policy, and this behavior will not serve as the foundation for discipline or independent proceedings under another school policy. However, the school may, at its discretion, require students who violate the Drug Abuse and Prevention Policy to participate in education programs or recommend a meeting with an external counselor or other support persons.

Investigation Procedures

The University has investigation procedures in place to address allegations of dating violence, domestic violence, sexual assault, or stalking, which are detailed in the catalog and to determine whether disciplinary action is necessary. Under these procedures, when a student or employee reports to the institution that they have been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the institution will provide a written explanation of the student's or employee's rights and options.

The University is committed to undertaking prompt, thorough, impartial and fair investigations, and to treating all individuals with respect and sensitivity. Depending upon the nature of the alleged or suspected policy violation, the relevant official (or his or her designee) will conduct an investigation either alone or with one or more other University officials as deemed appropriate by the University.

The investigation of any suspected or alleged violation of this policy will be completed within a reasonably prompt time frame following the filing of the complaint. If the University determines in its discretion that good cause exists to extend the time to complete the investigation, the parties will be notified in writing and provided with an explanation of the reason for the extension. The nature and extent of the investigation will vary depending upon the circumstances, including whether the parties are amendable to pursuing an informal resolution (and the matter is eligible for informal resolution, as discussed below). As part of the investigation, the relevant official (or his or her designee) will seek to interview the complainant and the accused. To help ensure

a prompt and thorough investigation, complainants are asked to provide as much information as possible:

- The name, department, and position of the person or persons allegedly causing the dating violence, domestic violence, sexual assault, or stalking.
- A description of any relevant incident(s), including the date(s), location(s), and the presence of any witnesses.
- The alleged effect of the incident(s) on the complainant's opportunity to benefit from the University's programs or activities.
- The names of other individuals who might have been subject to the same or similar acts of dating violence, domestic violence, sexual assault, or stalking.
- Although it is not required, any steps the complainant has taken to try to stop the dating violence, domestic violence, sexual assault, or stalking.
- Any other information the complainant believes to be relevant to the alleged dating violence, domestic violence, sexual assault, or stalking.

Any accused parties are also expected to provide as much information as possible in connection with the investigation.

The University reserves the right to suspend any member of the University community suspected or accused of violating this policy or to take any other interim measures the University deems appropriate, pending the outcome of an investigation or grievance. Such interim measures can include, but are not limited to, modifying course schedules and issuing a "no contact" order.

In situations involving suspected or alleged violations of this policy the University also reserves the right to take steps to protect the complainant as deemed necessary during the pendency of the investigation and resolution process (e.g., allowing for a change in academic situation, issuing a "no contact" order to the accused, or other measures as appropriate). Any such interim steps will be taken in a manner that minimizes the burden on the complainant 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.

Informal Resolution Process

Allegations of sexual assault, dating violence, domestic violence or stalking may not be resolved using an informal resolution process (i.e., mediation). However, other alleged violations of this policy, including some allegations of sexual harassment, may be resolved using an informal resolution process overseen by one or more University representatives if (i) the University determines, in its discretion, that such a process would be appropriate; and (ii) all parties agree to participate.

The parties to any such informal process will not be required to deal directly with one another without the University's involvement. Instead, one or more University

representatives may arrange for or facilitate mediation between the involved parties and coordinate other informal resolution measures. 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. In addition, any party can pursue formal resolution if he or she is dissatisfied with a proposed informal resolution.

Formal Resolution Process

The formal resolution process applies (i) when any party so requests in connection with a matter that is eligible for informal resolution; and (ii) to all matters that are not eligible for informal resolution (i.e., matters involving alleged or suspected sexual assault, dating violence, domestic violence or stalking). The University may also elect to use the formal resolution process in any matter when the University deems it appropriate. As part of the formal resolution process, the University may determine that further steps are required to complete the University's investigation. The following procedural protections apply to matters that are not resolved using the Informal Resolution Process described above:

- *Investigator Qualifications.* The official(s) designated to conduct the investigation shall be trained in the investigation of, and other issues related to, sexual assault, domestic violence, dating violence, stalking and other misconduct covered by this Policy, shall not have a conflict of interest or bias for or against any parties involved in the potential Policy violation, and shall have received at least annual training related to these issues delivered by third-party providers with specialized expertise in this area. Topics include, but are not limited to: relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.
- *Standard for Determining Responsibility.* The standard used to determine whether this policy has been violated is whether it is more likely than not that the accused violated this policy. This is often referred to as a "preponderance of the evidence" standard.
- *Rights of Complainants and Accused Parties; Timing of Resolution.* The University shall provide any individual suspected or accused of violating this policy with a written explanation of the suspected or alleged violations of this policy. Complainants and accused parties shall both be provided with the following in connection with the resolution of suspected or alleged violations of this policy.
 - The opportunity to speak on their own behalf.
 - The opportunity to identify witnesses who can provide information about the alleged conduct at issue.
 - The opportunity to submit other evidence on their behalf.
 - The opportunity to be accompanied to any meeting or proceeding related to the University's resolution of an alleged or suspected violation of this

- policy by an advisor of their choice. The University will not limit the choice of advisor or presence for either the complainant or accused, but advisors are prohibited from speaking on behalf of either the complainant or accused and may be removed or dismissed from the meeting or proceeding if they become disruptive or do not abide by this restriction on their participation.
- The opportunity to review any information that will be offered by the other party in support of the other party's position (to the greatest extent possible and consistent with FERPA or other applicable law), as well as timely and equal access to any other information that will be used during any informal or formal disciplinary proceedings.
 - The right to be informed of the outcome of the investigation (to the greatest extent possible and consistent with FERPA or other applicable law).
 - The opportunity to appeal the outcome of the investigation.
- *Sanctions; Corrective Actions.* The investigator will present the results of the investigation to appropriate University officials along with any recommended corrective action, if applicable, to make a final determination. The University will take reasonable steps to prevent the recurrence of any violations of this policy and to correct the discriminatory effects on the complainant (and others, if appropriate).

The range of potential sanctions/corrective actions that may be imposed are as follows:

Students: written or verbal apology; sexual assault, dating violence, domestic violence or stalking prevention education; verbal or written warning; a no-contact order issued by the University; probation, suspension, and dismissal from the University.

Employees: verbal coaching; documented coaching; written warning; final written warning; termination; administrative leave of absence; sexual assault, dating violence, domestic violence or stalking prevention education; a no-contact order issued by the University. *Note: Employees are also subject to all Employee Handbook, department, and workplace policies, including but not limited to the Code of Business Conduct & Ethics.*

Guests and other third parties: removal from the University property; referral to law enforcement; requirement to complete prevention education training prior to resuming a relationship with the University; termination of contractual or other arrangements.

In instances where the University is unable to take disciplinary or other corrective action in response to a violation of this policy because a complainant insists on confidentiality or for some other reason, the University will nonetheless pursue other steps to limit the effects of the conduct at issue and prevent its recurrence.

- *Notification of Outcome.* After the conclusion of the investigation, the University will provide written notification to the complainant and the accused of the outcome (i.e., whether a violation of this policy has occurred), including the rationale for the outcome and explanation of the University's appeal procedures, within seven (7) calendar days after the conclusion of the proceeding unless the University determines that additional time is required. This notice shall be issued simultaneously to both parties to the extent practicable.

The University may also disclose to the complainant information about any sanctions or corrective actions taken that relate directly to the complainant (e.g., a "no contact" order). The University will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, or audio recordings, etc.).

Under no circumstances will the complainant be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome.

- *Right to Appeal.* Once written notification of the resolution has been provided, either the complainant or the accused will have the opportunity to appeal the outcome (including the issue of whether there is a policy violation and any sanction(s) imposed). Any appeal must be submitted in writing to the Title IX Coordinator ("Coordinator") within seven (7) calendar days of being notified of the outcome and must set forth the grounds upon which the appeal is based.

If the Coordinator is unable to resolve the appeal for any reason, the University will designate another representative to decide the appeal. Neither party shall be entitled to a hearing in connection with any appeal, but the Coordinator (or designee) may request written submissions from the parties or consider any other information as deemed appropriate by the Coordinator (or designee). Both parties will be informed in writing of the outcome of any appeal, including any change to the initial decision, within fourteen (14) days of the date by which all requested information is received unless the Coordinator (or designee) determines that additional time is required. This notice shall be issued simultaneously to both parties to the extent practicable. Appeal decisions by the Coordinator (or designee) are final.

Prohibition Against Retaliation

No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of such a complaint shall be subject to retaliation, intimidation, coercion, threats or discriminatory action as a result of such activity or participation. 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. Any acts of retaliation,

as defined above, shall be grounds for disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff.

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 and/or its schools. Identifying information regarding complainants will not be included in any timely warnings or other publicly available records.

Fabricated Allegations

Any allegations suspected to be fabricated for the purpose of harassing the accused party or disrupting the University's operations are subject to these investigation and grievance procedures and could result in disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff.

Prevention and Awareness Programs

The University will provide primary prevention and awareness programs for all incoming students and new employees that address topics including definitions, risk reduction, bystander intervention, reporting and investigation procedures, and sanctions as described within this document. The University will also provide ongoing prevention and awareness campaigns for students and employees that include this same information.

Specifically, these programs:

- Identify that the University prohibits any forms of conduct that can be identified as domestic violence, dating violence, sexual assault and stalking;
- Define dating violence, domestic violence, sexual assault and stalking as those terms are defined for the purposes of Clery Act reporting;
- Define what behavior and actions constitute consent to sexual activity in the local jurisdiction;

Information about these definitions can be found in the "[Definitions](#)" section of this document. The prevention and awareness campaigns are also designed to promote risk reduction and safe options for bystander intervention as described below.

Reducing Risk

General crime prevention strategies can help reduce the risk of falling victim to sexual related crimes (see the [Personal Safety](#) section earlier in this document). In addition, recognizing the warning signs of abusive behavior can serve as a deterrent to sexual related crimes. The following is an example of behaviors seen in people who abuse their partners. If someone exhibits more than three of any of these warning signs, there is a

strong potential for abuse in the relationship. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.

- Past abuse
- Threats of violence or abuse
- Breaking objects
- Use of force during an argument
- Jealousy
- Controlling behavior
- Quick involvement
- Unrealistic expectations
- Isolation
- Blames others for problems
- Blames others for their feelings
- Hypersensitivity
- Cruelty to animals or children
- Jekyll-and-Hyde personality

Bystander Intervention

An engaged bystander is someone who intervenes in a safe and positive way before, during, or after a situation or event in which they see or hear behaviors that promote dating violence, domestic violence, sexual assault, or stalking. The bystander approach attempts to teach community members how to be engaged bystanders in a safe and effective way.

Primary prevention activities take place before violence happens to prevent perpetration or victimization. If you see someone in danger of being assaulted:

- Step in and offer assistance. Ask if the person needs help. Before stepping in, make sure to evaluate the risk. If it means putting yourself in danger, call 9-1-1 instead.
- Don't leave. If you remain at the scene and are a witness, the perpetrator is less likely to do anything.
- If you know the perpetrator, tell the person you do not approve of their actions. Ask the person to leave the potential victim alone.

In 2017, the University provided activities in recognition of Sexual Assault Awareness Month and National Campus Safety Awareness Month. Some of the activities included posting information on the student portal periodically throughout the year. For additional information about these campaigns, please contact the President's Office.

AIU Contact Information

REMEMBER TO CALL 911 FIRST IN THE EVENT OF AN EMERGENCY

Internal Contacts

Title IX Coordinator*

Daniel Sessions, 847-585-2097

University President*

John Kline, 847-585-2014

Mandated Reporter

A Mandated Reporter is required to report 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. For the purposes of this document, the designated Mandated Reporter is Daniel Sessions, 847-585-2097.

Primary Campus Security Authority*

Michele Heath, 847-585-2038

Anonymous Reporting

Individuals who wish to anonymously report an incident of sexual assault or sexual violence may do so by leaving a voicemail message at 847-585-2097. Please be aware that the school's ability to investigate or respond to claims may be limited in these instances.

Electronic Reports

Individuals who are victims of a sexual assault or who learn about a sexual assault as defined in this document may wish to submit a report electronically. Individuals who wish to report sexual abuse electronically can send an email to: Ombudsman@aiuniv.edu

Student Financial Aid

877-221-5800 or 8FA@aiuonline.edu

**Contact these individuals for assistance with options related to academic, living, transportation and working situations as well as protective measures.*

External Contacts

Confidential Advisor

This institution contracts with Resilience, a Chicago-based organization, to provide Confidential Advisor services to students that reside in Illinois who are victims of a sexual assault or sexual violence. If you wish to use these services, please contact them at 773-907-1062. Students who need more immediate assistance should call 911 or the Rape Crisis Hotlines listed below.

Local Police

Schaumburg Police Department, 847-895-4500

Hospital

AMITA Health Alexian Brothers Medical Center
800 Biesterfield Rd, Elk Grove Village, IL 60007; 847-437-5500

Legal Assistance

- [Illinois Legal Aid \(statewide\)](#) - statewide
- [Illinois Attorney General Resource List](#) - multiple agencies
- [Prairie State Legal Services](#) - northern Illinois
- [Land of Lincoln Legal Assistance Foundation](#) -central and southern Illinois

Visa and Immigration Assistance

[Immigration Advocates Network](#)

Local Support Agencies/Hotlines

- Chicago Rape Crisis Hotline: 1-888-293-2080
- [Illinois Coalition Against Sexual Assault](#)
- [Community Counseling Centers of Chicago](#)
- [Northwest Center Against Sexual Assault](#)

Other National Resources

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>

Definitions

Campus Security Authority

A campus security authority (CSA) is any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department; any individual to whom 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 discipline and campus judicial proceedings.

Confidential Advisor

A person who is employed or contracted by a higher education institution to provide emergency and ongoing support to student survivors of sexual violence and to assist complainants with (a) understanding possible next steps regarding reporting options and possible outcomes, including notifying local law enforcement; (b) identifying resources and services for survivors of sexual violence available both on campus and through community-based resources; (c) informing the survivor of their rights and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by either the institution or a criminal or civil court; (d) providing confidential services to and having privileged, confidential communications with survivors; (e) liaising with and assisting the survivor with reporting to campus officials, community-based sexual assault crisis centers, or local law enforcement upon request and as appropriate; and (f) liaising with the necessary campus authorities to secure interim protective measures and accommodations for the survivor upon request.

[110 ILCS 155/5](#)

Consent

Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. The manner of a person's dress does not constitute consent.

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: (a) the person is incapacitated due to the use or influence of alcohol or drugs; (b) the person is asleep or unconscious; (c) the person is under age; or (d) the person is incapacitated due to mental disability. [110 ILCS 155/10\(1\)](#)

Dating Violence

The institution has determined, based on good-faith research, that Illinois law does not define the term dating violence. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence. [34 CFR § 668.46](#)

Domestic Violence

The institution has determined, based on good-faith research, that Illinois law does not define the term domestic violence. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

A felony or misdemeanor crime of violence committed

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. [34 CFR § 668.46](#)

Responsible Employees

A responsible employee is any employee who (a) has the authority to take action to redress the harassment; (b) has the duty to report to appropriate University official(s) sexual harassment or any misconduct by students or employees; or (c) is an individual who a student could reasonably believe has this authority or responsibility. Responsible Employees include faculty, staff, and administrative personnel.

Stalking

A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to fear for his or her safety or the safety of a third person or suffer other emotional distress.

A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.

A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion follows that same person or places that same person under surveillance and transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person. [720 ILCS 5/12-7.3](#)

Sexual Assault

A person commits criminal sexual assault if that person commits an act of sexual penetration and uses force or threat of force, knows that the victim is unable to understand the nature of the act or is unable to give knowing consent, is a family member of the victim, and the victim is under 18 years of age, or is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age. [720 ILCS 5/11-1.20](#)

Sexual Offenses

The institution has determined, based on good-faith research, that Illinois law does not define the term sexual offenses. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. [34 CFR § 668.46](#)