



# SECURITY REPORT

Oak Point University - Oak Brook Campus

October 1, 2021

Oak Point University  
2122 York Road  
Oak Brook, IL 60523  
[www.oakpoint.edu](http://www.oakpoint.edu)

# **Oak Point University - Oak Brook Campus**

## **2021 ANNUAL SECURITY REPORT**

### **Introduction**

The University's Oak Brook campus opened in May, 2021. While there are no crime statistics to be included, this report provides students and employees of Oak Point University ("University") with information on: the University's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others. This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended.

### **Policy for Preparing the Annual Report**

This report is prepared by the University Controller. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Office of Enrollment Management, the University Library and may also be accessed on the University website (<https://oakpoint.edu/policies-reports-fast-facts/>). The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

### **General Safety and Security Policies**

#### **Campus Security Personnel & Relationship with Local Law Enforcement**

The University does not have a campus security or police department.

The University does engage with a third-party security firm to monitor the facility. While the University does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local police.

#### **Campus Security Authorities**

The University has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the University's annual report of crime statistics.

The campus security authorities to whom the University would prefer that crimes be reported are listed below.

- Executive Vice President at 630.537.9610
- Assistant Vice President – Technology, Security and Facilities at 630.537.9787

## **Reporting a Crime or Emergency**

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.

Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of University staff will assist a student in making the report to the police.

Individuals, including third parties and bystanders, can submit a report of Sexual Harassment electronically and anonymously by following instructions found in the Sexual Harassment Policy: <https://mk0resuniversitysmlw.kinstacdn.com/wp-content/uploads/2021/07/sexual-harassment-policy-8.2020-1.pdf>

## **Confidential Reporting**

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the University's Sexual Harassment Policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community

as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University encourages its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The University does not have pastoral counselors.

## **Security of and Access to Campus Facilities**

### **Closed Circuit Television Monitors (CCTV)**

CCTV is located throughout the University and is a part of the campus security program. The CCTV is monitored both internally and by a third-party security firm.

### **Guest Pass Policy**

Guests are not permitted in the classrooms while classes are in progress unless permission has been given in writing by the Dean/Program Director. In all other areas of the University, guests must be accompanied and supervised by a member of the University.

### **Identification Badges**

An Oak Point University laminated picture ID is required for all students and employees. The Oak Point University ID Badge must be worn at all times while at the University and at off campus clinical sites.

ID cards are issued at registration each year and at other times during the year through the Student & Employee Affairs Office. ID Badges are the property of Oak Point University and must be returned upon graduation or withdrawal from the University.

### **Access to University Campus**

University students have access to the lower-level common area, 1st and 2nd floor of the Oak Point University Building. Access to the classrooms and printer locations is controlled by badge access.

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

University Administration and Building Management routinely monitor various safety elements within the University's campus facilities, including the egress lighting in hallways and stairwells and the proper functioning of fire doors and restricted access equipment. Repairs are promptly made when deficiencies are noted.

### **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and

employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

- Introduction and training regarding the University's mass notification system and the ability to inform the Administration and Security Department, through this system, of suspicious activity on and around campus property at new student orientation
- Mandatory, annual on-line training program which includes modules on emergency preparedness, violence in workplace, active shooter procedures, preventing harassment, and various other safety issues
- On-line training modules offered periodically, including topics such as signs of violence or other behavioral concerns and the importance of bystander intervention
- Annual updates and review of security procedures and measures

### **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.

### **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the University will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), 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 purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

## **Drug and Alcohol Policy**

Oak Point University prohibits the purchase, use, sale, distribution, or possession of alcohol on University premises, including all locations used for programs and educational experiences, or at off-campus social events sponsored by the University where currently enrolled students will be in attendance. University policy does provide for limited exception of this policy only with written approval of the President. The University enforces the state's underage drinking laws.

Students and employees may not be on University premises, including all Medical Center locations used for programs and educational experiences, while under the influence of alcohol or non-prescription controlled substances.

The University enforces federal and state drug laws. The University prohibits on University property the purchase, use, sale, manufacture, distribution or possession of controlled

substances, unless as prescribed by a physician. Violators of this policy are subject to disciplinary action under the Student Code of Conduct and/or the Employee Code of Conduct policies and, depending on the circumstances, to criminal prosecution.

## **Federal Drug Laws**

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

**Drug and Alcohol State Laws**

Category	Summary (Illinois Compiled Statutes)
Possession of Marijuana	<p>Illinois' Cannabis Control Act can be found at 720 ILCS 550/1 et seq. It is unlawful for any person to knowingly possess cannabis. Possessing no more than 10 grams is a civil violation punishable by a minimum fine of \$100 and a maximum fine of \$200. Possessing more than 10 grams but not more than 30 grams is a Class B misdemeanor, which can include a prison sentence of up to 6 months and a fine of up to \$1,500. As the amount of cannabis increases, the crime classification becomes more severe and related penalties increase.</p> <p>Illinois residents age 21 and older may legally purchase recreational cannabis and possess up to 30 grams of cannabis flower. The possession limit is 15 grams of cannabis flower for non-Illinois residents. 410 ILCS 705/10-10. It is unlawful for individuals under the age of 21 to purchase, possess, use, transport, grow, or consume cannabis, except where otherwise authorized for medical purposes. 410 ILCS 705/10-15.</p>
Controlled Substances	<p>Illinois statutes cover a wide range of offenses related to controlled substances. <i>See</i> 720 ILCS 570/401 et seq. Penalties for the possession and delivery of illegal drugs include prison sentences and monetary fines. These vary widely by the type of drug, amount confiscated, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug. Trafficking controlled substances will result in more severe penalties.</p> <p>As an example, possession of between 15 grams and 99 grams of heroin, cocaine, morphine, or LSD is punishable by a fine of up to \$200,000 and 4 to 15 years in prison.</p>
Alcohol and Minors	<p>With very limited exceptions, it is illegal for anyone under the age of 21 to possess or consume alcohol, and it is also illegal to use fake identification for the purpose of obtaining alcohol. <i>See</i> 235 ILCS 5/6-20. A violation is a Class A misdemeanor, which can include a prison sentence of up to 1 year and a fine of up to \$2,500. Courts could also potentially impose other penalties like probation, community service, driver's license suspension, and alcohol education or treatment when a minor violates the state's alcohol laws.</p> <p>No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give, or deliver such alcoholic liquor to another person under the age of 21 years, except in the performance of a religious ceremony or service. <i>See</i> 235 ILCS 5/6-16(a)(iii). A violation is a Class A misdemeanor and the sentence shall include, but shall not be limited to, a fine of not less than</p>

Category	Summary (Illinois Compiled Statutes)
	\$500 for a first offense and not less than \$2,000 for a second or subsequent offense.
Driving Under the Influence (DUI)	Driving while under the influence of alcohol and drugs is prohibited. <i>See</i> 625 ILCS 5/11-501. A violation occurs when a person is driving or physically controlling a motor vehicle with a blood or breath alcohol concentration of 0.08 percent or greater. A violation may also occur when driving is impaired due to the driver being under the influence of alcohol and/or other drugs (even if BAC is not 0.08 percent or greater). A DUI is a Class A misdemeanor, which can include a prison sentence of up to 1 year and a fine of up to \$2,500. Increased penalties are available for subsequent offenses and other aggravating circumstances (i.e., getting a DUI while transporting a person under the age of 16).

## Drug and Alcohol Abuse Prevention Program

The University has a drug abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. The University has developed various programming to inform students and employees about the penalties under federal and state law relating to drugs and alcohol and the physical effects of alcohol and drug abuse and to prevent the illicit use of drugs and the abuse of alcohol by students and employees, including web-based training modules, distributed pamphlets and publications, and surveys to assess other programmatic needs. The University's programming also provides services related to drug and alcohol use and abuse including dissemination of informational materials, educational programs, counseling services, referrals, and University disciplinary actions. The content of this information may be found in the University Catalog:

(<https://www.oakpoint.edu/student-resources/academic-catalogs/>). The Biennial reports are retained for three years, after the fiscal year in which the record was created. Hard copies are held in the offices of the Assistant Vice President - Technology, Security and Facilities, Counseling & Wellness Services, Financial Aid, Enrollment Management, and the Library. An electronic copy is stored in the University's internal shared drive, as well as on the public website at <https://www.oakpoint.edu/student-resources/counseling/>.

The annual policy notification process is formally conducted for new students through distribution of the Oak Point University Catalog, via the University website. Additionally, all enrolled students, both on and off campus, receive policy notification in their first academic term. Thereafter, to ensure distribution, an annual Drug Free Schools and Campuses Act notice regarding the Oak Point University Alcohol and Other Drugs policy is disseminated to all students electronically within each academic year. Students are required to acknowledge that they have read and understood the policy by submitting an electronic check-box reply at [https://resu.formstack.com/forms/university\\_acknowledgement](https://resu.formstack.com/forms/university_acknowledgement).

The Oak Point University Employee Handbook is distributed to each new employee by the Human Resources Department at time of employment. The annual Drug Free Schools and Campuses Act notice regarding the Oak Point University Alcohol and Other Drugs policy is disseminated to all employees electronically within each academic year. Employees are required to acknowledge that they have read and understood the policy in the online new hire and annual training and compliance program. An electronic copy of the Oak Point University Employee Handbook and policies are stored in the University's intranet:



<https://resuniv.sharepoint.com/sites/DocumentCenter/Documents/ResU%20Employee%20Handbook%201.2021.pdf>

## **Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Sexual Harassment Policy: <https://www.oakpoint.edu/titleix/>
- Oak Point University Equal Employment Opportunity and Anti-harassment and Discrimination Policy: <https://www.oakpoint.edu/titleix/>
- Student Code of Conduct Policy: <https://www.oakpoint.edu/titleix/>

The following sections of this report discuss the University's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

### **Primary Prevention and Awareness Program:**

The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the University prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

### **Crime Definitions**

<b>Crime Type (Illinois Compiled Statutes)</b>	<b>Definitions</b>
Dating Violence	The institution has determined, based on good-faith research, that Illinois law does not define the term dating violence.
Domestic Violence	Illinois' Domestic Violence Act indicates that "domestic violence" means "abuse", which means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis. (750 Ill. Comp. Stat. § 60/103).

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>In addition, Illinois law includes the following:</p> <ul style="list-style-type: none"> <li>• Domestic Battery (720 Ill. Comp. Stat. § 5/12-3.2): A person commits domestic battery if he or she knowingly without legal justification: (1) Causes bodily harm to any family or household member; (2) Makes physical contact of an insulting or provoking nature with any family or household member.</li> <li>• Aggravated Domestic Battery (720 Ill. Comp. Stat. § 5/12-3.3): (a) A person who, in committing a domestic battery, knowingly causes great bodily harm, or permanent disability or disfigurement commits aggravated domestic battery. (a-5) A person who, in committing a domestic battery, strangles another individual commits aggravated domestic battery. For the purposes of this subsection (a-5), "strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.</li> <li>• For purposes of the above crimes, "family or household members" is defined at 720 Ill. Comp. Stat. § 5/12-0.1 as: "Family or household members" include spouses, former spouses, parents, children, stepchildren, and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of this Code. For purposes of this Article, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship.</li> </ul>
Stalking	<ul style="list-style-type: none"> <li>• Stalking (720 Ill. Comp. Stat. § 5/12-7.3): <ul style="list-style-type: none"> <li>○ A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress.</li> <li>○ A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that</li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>person; or (2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.</p> <ul style="list-style-type: none"> <li>○ A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion: (1) follows that same person or places that same person under surveillance; and (2) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.</li> <li>• Aggravated Stalking (720 Ill. Comp. Stat. § 5/12-7.4): A person commits aggravated stalking when he or she commits stalking and: (1) causes bodily harm to the victim; (2) confines or restrains the victim; or (3) violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986.</li> <li>• Cyberstalking (720 Ill. Comp. Stat. § 5/12-7.5): <ul style="list-style-type: none"> <li>○ A person commits cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person, and he or she knows or should know that would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress.</li> <li>○ A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; or (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</li> <li>○ A person commits cyberstalking when he or she knowingly, surreptitiously, and without lawful justification, installs or otherwise places electronic monitoring software or spyware on an electronic communication device as a means to harass another person and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards</li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>that person or a family member of that person; (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</p> <ul style="list-style-type: none"> <li>○ A person commits cyberstalking when he or she, knowingly and without lawful justification, creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours, and which contains statements harassing another person and: (1) which communicates a threat of immediate or future bodily harm, sexual assault, confinement, or restraint, where the threat is directed towards that person or a family member of that person, or (2) which places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint, or (3) which knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</li> </ul>
Sexual Assault	<ul style="list-style-type: none"> <li>• Criminal Sexual Assault (720 Ill. Comp. Stat. § 5/11-1.20): A person commits criminal sexual assault if that person commits an act of sexual penetration and: (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.</li> <li>• Aggravated Criminal Sexual Assault (720 Ill. Comp. Stat. § 5/11-1.30): <ul style="list-style-type: none"> <li>a. A person commits aggravated criminal sexual assault if that person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense: (1) the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon; (2) the person causes bodily harm to the victim, except as provided in paragraph (10); (3) the person acts in a manner that</li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>threatens or endangers the life of the victim or any other person; (4) the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony; (5) the victim is 60 years of age or older; (6) the victim is a person with a physical disability; (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes; (8) the person is armed with a firearm; (9) the person personally discharges a firearm during the commission of the offense; or (10) the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.</p> <p>b. A person commits aggravated criminal sexual assault if that person is under 17 years of age and: (i) commits an act of sexual penetration with a victim who is under 9 years of age; or (ii) commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act.</p> <p>c. A person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is a person with a severe or profound intellectual disability.</p> <ul style="list-style-type: none"> <li>• <b>Predatory Criminal Sexual Assault of a Child (720 Ill. Comp. Stat. § 5/11-1.40):</b> A person commits predatory criminal sexual assault of a child if that person is 17 years of age or older, and commits an act of contact, however slight, between the sex organ or anus of one person and the part of the body of another for the purpose of sexual gratification or arousal of the victim or the accused, or an act of sexual penetration, and: (1) the victim is under 13 years of age; or (2) the victim is under 13 years of age and that person: (A) is armed with a firearm; (B) personally discharges a firearm during the commission of the offense; (C) causes great bodily harm to the victim that: (i) results in permanent disability; or (ii) is life threatening; or (D) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.</li> </ul>
Rape, Fondling, Incest, Statutory Rape	For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. The institution has

Crime Type (Illinois Compiled Statutes)	Definitions
	determined, based on good-faith research, that Illinois law does not define these terms.
Other "sexual assault" crimes	<p>Other crimes under Illinois law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> <li>• Criminal Sexual Abuse (720 Ill. Comp. Stat. § 5/11-1.50): <ul style="list-style-type: none"> <li>a. A person commits criminal sexual abuse if that person: (1) commits an act of sexual conduct by the use of force or threat of force; or (2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent.</li> <li>b. A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age.</li> <li>c. A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.</li> </ul> </li> <li>• Aggravated Criminal Sexual Abuse (720 Ill. Comp. Stat. § 5/11-1.60): <ul style="list-style-type: none"> <li>a. A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense: (1) the person displays, threatens to use, or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon; (2) the person causes bodily harm to the victim; (3) the victim is 60 years of age or older; (4) the victim is a person with a physical disability; (5) the person acts in a manner that threatens or endangers the life of the victim or any other person; (6) the person commits the criminal sexual abuse during the course of committing or attempting to commit any other felony; or (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception.</li> <li>b. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member.</li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>c. A person commits aggravated criminal sexual abuse if: (1) that person is 17 years of age or over and: (i) commits an act of sexual conduct with a victim who is under 13 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or (2) that person is under 17 years of age and: (i) commits an act of sexual conduct with a victim who is under 9 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 9 years of age but under 17 years of age and the person uses force or threat of force to commit the act.</p> <p>d. A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim.</p> <p>e. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a person with a severe or profound intellectual disability.</p> <p>f. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.</p> <ul style="list-style-type: none"> <li>• Sexual Relations Within Families (720 Ill. Comp. Stat. § 5/11-11): A person commits sexual relations within families if he or she: (1) Commits an act of sexual penetration as defined in Section 11-0.1 of this Code; and (2) The person knows that he or she is related to the other person as follows: (i) Brother or sister, either of the whole blood or the half-blood; or (ii) Father or mother, when the child, regardless of legitimacy and regardless of whether the child was of the whole blood or half-blood or was adopted, was 18 years of age or over when the act was committed; or (iii) Stepfather or stepmother, when the stepchild was 18 years of age or over when the act was committed; or (iv) Aunt or uncle, when the niece or nephew was 18 years of age or over when the act was committed; or (v) Great-aunt or great-uncle, when the grand-niece or grand-nephew was 18 years of age or over when the act was committed; or (vi) Grandparent or step-grandparent, when the grandchild or step-grandchild was 18 years of age or over when the act was committed.</li> </ul>
Consent (as it relates to sexual	"Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or

Crime Type (Illinois Compiled Statutes)	Definitions
activity) (720 Ill. Comp. Stat. §5/11-1.70)	<p>submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.</p> <p>A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.</p>

University Definition of Consent

In addition to the definition of consent under state law, the institution uses the following definition of consent in its Sexual Harassment Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

- “Consent” is freely given agreement to sexual activity.
- Lack of consent is a critical factor in determining whether Sexual Harassment has occurred. As defined above, consent is freely given agreement to sexual activity. Consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through manipulation, force, or coercion of any kind, and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct, or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive. 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: impairment or incapacitation due to alcohol and/or drug use, permanent/temporary mental or physical disability, being below the age of consent, being asleep, and being unconscious are factors which detract from or make consent impossible. Silence or an absence of verbal or physical resistance or submission resulting from use or threat of force does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop. Also, a person’s manner of dress does not constitute consent; consent to past sexual activity does not constitute consent to future sexual activity.



## Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don’t make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent (implicitly or expressly), stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a person whose judgment is impaired.
- Be aware of the signs of impairment, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include:

- Past abuse
- Threats of violence or abuse
- Breaking objects
- Using force during an argument
- Jealousy

- Controlling behavior
- Quick involvement
- Unrealistic expectations
- Isolation
- Blames others for problems
- Hypersensitivity
- Cruelty to animals or children
- “Playful” use of force during sex
- Jekyll-and-Hyde personality

### Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don’t hesitate to contact the police.

### Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

### **Ongoing Prevention and Awareness Campaign:**

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: online presentations, distribution of written materials, periodic email blasts, and guest speakers. Past programming and currently planned programming include the following:

- PPAP training is provided both at new student orientation and through a web-based learning program module. It is provided to employees at new employee orientation and, annually, through a web-based learning program module.
- OPAC consists of web-based learning program modules offered on an annual basis as well as posting and distribution of various educational and support resources throughout the year. University employees also participate in training programs sponsored by the Illinois Attorney General's office related to sexual assault, domestic violence, dating violence and other campus safety topics.

### **Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911. You may also contact the University's Title IX Coordinator, Eric Hernandez, at 630.537.9855.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

#### *Preservation of Evidence & Forensic Examinations*

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Elmhurst Hospital, Main Campus, 155 E Brush Hill Rd, Elmhurst, IL 60126, 331.221.1000.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

### Security/Law Enforcement & How to Make a Police Report

- Oak Brook Village Police Department, 1200 Oak Brook Rd, Oak Brook, IL 60523, 630.368.8700
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when the incident occurred, where it occurred, and what occurred, to the best of the victim's ability.

### Information about Legal Protection Orders

- In Illinois, there are three different kinds of protection and no contact orders available to victims: a Domestic Violence Order of Protection, a Sexual Assault Civil No Contact Order, and a Stalking No Contact Order. Information about these orders may be found on the Illinois Attorney General's website at: <http://illinoisattorneygeneral.gov/women/OrdersofProtectionPoster.pdf>.
- A Domestic Violence Order of Protection is governed by the Illinois Domestic Violence Act and is appropriate for victims seeking a restraining order against a person with whom the victim has a relationship. Illinois law also provides protection in the form of Sexual Assault Civil No Contact Order and Stalking No Contact Orders. A Sexual Assault Civil No Contact Order may be granted for any person who is a victim of nonconsensual sexual conduct. A Stalking No Contact Order provides protection for any victim of a course of conduct that causes the victim to fear for his or her safety or the safety of another person, or to suffer emotional distress. Stalking No Contact Orders provide relief when such relief is not available to the victim through the Illinois Domestic Violence Act or through a Sexual Assault Civil No Contact Order.
- A protection order may be obtained by filing a petition with the court for an order of protection. To obtain an order of protection, victims may go to their local circuit court clerk's office and get papers to seek an order of protection. A victim should be prepared to present documentation (including a police report number if an arrest was made) and/or other forms of evidence when filing for an order of protection. The judge will then review the petition and enter a temporary order of protection, if the judge determines there is enough evidence to support the order.
- An order of protection should be filed in the local circuit court:

DuPage County State's Attorney's Office in the Victim Services Unit located at: 503 N. County Farm Road, Wheaton, IL 60187. The phone number is: 630-407-8010. More information about filing protection orders in DuPage County can be found at:

[https://www.dupageco.org/States\\_Attorney/3363/](https://www.dupageco.org/States_Attorney/3363/)

Suburban Municipal Districts may also grant orders of protection.

- Victims may also choose to access paperwork online before arriving at the courthouse:
  - You can choose to use an online program that assists you in understanding how to fill out all the paperwork needed for an order of protection and print it out at home. Once completed, victims should take the paperwork to the Clerk's Office at the appropriate courthouse.

The online program is located at:

<https://www.illinoisprotectionorder.org/OOP/>

- There are no programs to assist with Stalking No Contact Orders or Civil No Contact Orders, but victims can still access the needed paperwork online and fill it out before bringing it to the courthouse. The paperwork is located at: <https://www.illinoisprotectionorder.org/OOP/>

The Illinois Attorney General's Office suggests that victims contact a local domestic violence program to ask for assistance in completing the forms necessary to obtain an order of protection.

- Local domestic violence programs may provide assistance:

Family Shelter Service of Metropolitan Family Services DuPage provides domestic violence services and is located at 605 E. Roosevelt Rd, Wheaton, IL 60187. The phone number is (630) 221-8290, and more information may be found at:

<https://www.metrofamily.org/fssofmfsd/get-help/>

- Courts may issue three types of orders of protection: emergency, interim, and plenary orders. Emergency orders may last for 14 to 21 days, and interim orders up to 30. While these orders are temporary, plenary orders may be for longer lengths of time (up to 2 years). The judge can grant a variety of remedies and protections, which range from prohibiting further contact, protecting property and pets, ordering the offender to transfer to another school, or other injunctive relief that is necessary to protect the victim. Violating a Domestic Violence Order of Protection, a Sexual Assault Civil No Contact Order, or a Stalking No Contact Order is a Class A misdemeanor. A second violation can be a felony.
- The University will enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the University's Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the Campus Safety and can be enforced on campus, if necessary. Upon learning of any orders, the University will take all reasonable and legal action to implement the order.
  - The University does not issue legal orders of protection. However, as a matter of institutional policy, the University may impose a no-contact order between individuals in appropriate circumstances. The University may also issue a "no trespass warning" if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

## Available Victim Services:

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

- Elmhurst Hospital 331.221.1000
- University's Counseling and Wellness Services: 630.537.9853
- Family Shelter Service of Metropolitan Family Services DuPage: (630) 221-8290
- Presence Behavioral Health Services: 877.737.INFO (4636) or 708.681.HELP (4357)
- Pillars: 708.485.5254 (24 hour domestic violence hotline) or 708.482.9600 (24 hour sexual assault hotline)
- Rape Victims Advocate: 888.293.2080 (24-hour Hotline) or 312.443.9603
- Community Crisis Center: 847.697.2380 (24-hour Crisis Line) or 847.697.9740 (En Español)
- Mujeres Latinas en Accion: 312.738.5358
- Center on Halsted: 773.871.CARE (2273) (Violence Resource Line)
- Northwest Center Against Sexual Assault: 888.802.8890 (24-hour Hotline)
- Sometimes victims of serious crimes feel the need to take a leave of absence from school. If this is being considered, be aware that financial aid may be affected. If you have questions about financial aid implications in such circumstances, contact the University Financial Aid Officer, 630.537.9779. The Title IX Coordinator can help facilitate this conversation as well.
- Illinois Coalition Against Sexual Assault: 217.753.4117; <http://www.icasa.org/>
- Illinois Coalition Against Domestic Violence: 877.863.6338; <http://www.ilcadv.org/>
- Chicago Children's Advocacy Center: 312.492.3700; <http://www.chicagocac.org/>
- National Domestic Violence Hotline: 1.800.799.7233
- National Sexual Assault Hotline: 1.800.656.4673
- Free or low cost legal aid
  - Illinois Legal Aid: <http://www.illinoislegalaid.org/>
  - Chicago Volunteer Legal Services: <http://www.cvls.org/>
  - Legal Assistance Foundation: <https://www.lafchicago.org/>
  - Lifespan: <https://www.life-span.org/>
- Visa and immigration assistance
  - Immigration Advocates Network:
    - <http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=IL>
  - 
  - U.S. Citizenship and Immigration Services:
    - <https://www.uscis.gov/about-us/find-uscis-office/field-offices/illinois-chicago-field-office>

## **Accommodations and Protective Measures:**

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests of this nature should be made to the Assistant Vice President – Technology, Security and Facilities at 630.537.9787. The Assistant Vice President – Technology, Security and Facilities is responsible for deciding what, if any, accommodations or protective measures 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 or protective measures 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 or protective measure. 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 or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, 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.

## **Procedures for Disciplinary Action:**

Oak Point University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal and civil law and the Student Code of Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or arrest and prosecution.

Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the Director of Student Development. Determinations made or sanctions imposed under this Student Code of Conduct shall not be assumed subject to change because criminal charges arising out of the same set of facts were dismissed, reduced, or resolved in favor of or against the criminal or civil defendant. The Student Code of Conduct can be found within the University Catalog at: <https://mk0resuniversitvsm1w.kinstacdn.com/wp-content/uploads/2020/12/2020-2021-university-catalog-11.17.2020-1.pdf>

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the University's Sexual Harassment Policy and the related complaint resolution procedures. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

The complaint resolution procedures are invoked once a report is made to:

**Title IX Coordinator**

Eric Hernandez

Director of Student Life

630.537.9855

2122 York Road, Oak Brook, IL 60523

Eric.Hernandez@oakpoint.edu

Once a complaint is made, the Title IX Coordinator will commence the investigatory process promptly. The Title IX Coordinator and/or designee will analyze the complaint and notify the respondent that a complaint has been filed within (5) days.

During a formal investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint.

Prior to the conclusion of the investigation, both parties will be provided an opportunity to review the evidence gathered during the investigation that is directly related to the allegations raised in the formal complaint. The University strives to complete each investigation within thirty (30) to forty-five (45) days.

Upon completion of the investigation, both parties will be given a copy of an investigation report and a live hearing will be conducted to make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. During the hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions including those bearing on credibility. The decision maker(s) will issue a written determination of responsibility, a statement of any disciplinary sanctions and whether any remedies will be provided to the complainant, and a description of the procedures and permissible grounds for appeal. Although the length of each adjudication by hearing will vary, the University strives to issue the hearing officer's written determination within seven (7) days of the conclusion of the hearing.

In lieu of the hearing process, the parties may consent to have a formal complaint resolved by administrative adjudication. The Title IX Coordinator will appoint an administrative officer and provide the officer with the investigation report. The parties will have the opportunity to submit written responses to the investigation report to the administrative officer, and the administrative officer will meet with the parties separately. Using a preponderance of the evidence standard, the administrative will reach a determination regarding whether a policy



violation has occurred and will issue a written decision within twenty-one (21) days of the initiation of the process.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the appeal officer within seven (7) days of being notified of the determination or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. Written opposition to an appeal must be filed within seven (7) days. After the time for filing an opposition, the appeal officer will resolve the appeal within seven (7) days and may take any and all actions that he/she determines to be in the interest of a fair and just decision. No further review beyond the appeal is permitted.

At any time after the parties are provided written notice of the formal complaint and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage informal resolution. If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the University. This process will be completed within twenty-one (21) days and is not permitted if the respondent is a non-student employee accused of committing sexual harassment against a student.

### **Rights of the Parties in an Institutional Proceeding:**

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
    - Conducted in a manner that:
      - Is consistent with the institution's policies and transparent to the accuser and the accused.
      - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
      - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
    - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
  - This training addresses topics such as 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. University officials take part in introductory and advanced level Title IX investigator training as well as specialized training focusing on drug and alcohol facilitated sexual assault and legislative requirements of the Office of Illinois Attorney General.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using the preponderance of the evidence standard.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the institution’s disciplinary proceeding that domestic violence, dating violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions for students include:

- **Formal Reprimand:** A formal notice that the student has violated Oak Point University policy and that future violations may be dealt with more severely.
- **Disciplinary Probation:** A designated period of time during which the student is not in good standing with Oak Point University. The terms of probation may involve restrictions of student privileges and/or set specific behavioral expectations.
- **Restitution:** Reasonable and limited compensation for loss, damage, or injury to the appropriate party in the form of money or material replacement.
- **Restriction from Employment at Oak Point University:** Prohibition or limitation on University employment.
- **Class/ Workshop/Training/Program Attendance:** Enrollment and completion of a class, workshop, training, or program focusing on Sexual Misconduct, its effects, and its prevention that could help the University community or student.
- **Educational Project:** Completion of a project specifically designed to help the student understand why certain behavior was inappropriate and to prevent its recurrence.

- Professional Assessment: Completion of a professional assessment that could help the student or the University ascertain the student's ongoing supervision or support needs to successfully participate in the University community.
- Removal from Specific Courses, Clinical/Residency Placements, or Activities: Suspension or transfer from courses or activities at Oak Point University or Clinical/Residency sites for a specified period of time.
- No Contact: Restriction from entering specific University areas and/or from all forms of contact with certain persons.
- Suspension: Separation from the University for a specified period of time or until certain conditions are met. Suspensions are typically for one term or one academic year. Requirements for reinstatement are determined on a case-by-case basis and may include such things as completing a counseling session or mandatory training.
- Expulsion: Permanent separation from the University

Following a final determination in the institution's investigation into harassment and sexual misconduct reportedly committed by faculty, staff, or administration, including student-employees in the context of their employment, the institution may impose corrective actions. The possible sanctions for employees include:

- Formal warnings
- Disciplinary suspension
- Demotion, and/or disciplinary action, up to and including immediate termination or expulsion, as appropriate

In addition, the University can make available to the victim a range of protective measures. They can include such things as: forbidding the accused from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

### **Publicly Available Recordkeeping:**

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such

information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Assistant Vice President – Technology, Security and Facilities at 630.537.9787. State registry of sex offender information may be accessed at the following link:<http://www.isp.state.il.us/sor/>

## **Timely Warnings and Emergency Response**

### *Timely Warnings*

In the event of criminal activity occurring either on campus or off campus that in the judgment of the President, Executive Vice President, Assistant Vice President of Technology, Security and Facilities, or Chair of Campus Safety Committee. constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Contact the Assistant Vice President – Technology, Security and Facilities by calling 630.537.9787

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

### *Emergency Response*

The University has an emergency management 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 or 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, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response. The University has procedures to notify the campus or an appropriate segment of it upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees.

Students, staff and visitors are encouraged to notify the President or the President's designee at 630.537.9600 of any emergency or potentially dangerous situation.

Information indicating a potential emergency and need for evacuation should be forwarded to members of the President’s Cabinet or the Chair of the Campus Safety Committee. Upon receiving such information, this group, or a delegated member of the group, investigates and gathers information to confirm the existence of emergency or need for evacuation.

If such a situation is confirmed, the President, Executive Vice President, Assistant Vice President of Technology, Security and Facilities or Chair of Campus Safety Committee will collaborate to determine the content of the notification and the segment of the community to whom the notification will be sent.

The President or a designee will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a 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. The University has various systems in place for communicating information quickly, including a mass notification system.

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 Executive Vice President will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

In order to alert the larger community around the University, the Assistant Vice President – Technology, Security and Facilities will contact local law enforcement and the University President or the President’s designee will contact local media outlets.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the University issues a timely warning or emergency notification to the campus community.

Method	Sign Up Instructions
Mass Notification System (mobile phone, personal email, and/or landline phone)	<a href="https://resu.omnilert.net/subscriber.php">https://resu.omnilert.net/subscriber.php</a>
College e-mail system	N/A
University Website	<a href="https://oakpoint.edu/">https://oakpoint.edu/</a>
Social Media	<a href="#">Facebook</a>   <a href="#">LinkedIn</a>   <a href="#">Twitter</a>   <a href="#">YouTube</a>   <a href="#">Instagram</a>

Testing & Documentation

The University conducts periodic tests and exercises of its emergency response and evacuation procedures, at least once a year. These may be announced or unannounced. Also, at various times, the Emergency Management Team will meet to train and test and evaluate that University’s emergency response plan.

The Executive Vice President 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, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures.

### **Crime Statistics**

This location is a newly opened campus which was not in operation for the 2020 reporting period. Statistics are therefore not included.