



# WHEATON COLLEGE

*For Christ & His Kingdom*

Annual Security and Fire Safety Report  
Wheaton in Chicago Campus

# 2021 Wheaton College Annual Security and Fire Safety Reports—Wheaton in Chicago Campus

## Mission & Objectives

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This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Wheaton College ("College"), particularly those at the Wheaton in Chicago Campus, with information on: the College'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 College 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.

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

This report is prepared by the Public Safety Compliance Officer in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. 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 Chase Service Center, 924 E College Ave., Wheaton, IL, 60187. The College 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.

### **Wheaton in Chicago as a Campus of Wheaton College**

Wheaton in Chicago ("WIC") is a separate campus of Wheaton College, located in Chicago, IL. All students who are attending courses at the WIC campus are students of Wheaton College in Wheaton, IL. Therefore, all policies and programs that pertain to Wheaton College apply to the WIC campus as well. Many of the policies and programs included in this Annual Security Report are those of Wheaton College and are valid for any students attending classes at WIC or staff working on that campus.

### **Security Awareness and Crime Prevention Programs**

Recognizing that the most effective way to increase security and prevent crime is to educate community members on safe practices, the College regularly hosts security awareness and crime prevention programs on its main campus in Wheaton, IL. The Chief of Public Safety also meets

annually with the students at the Wheaton in Chicago campus to discuss safety tips and to answer any questions they may have. The goal of these programs is to inform the campus community about safety procedures and practices, and to encourage the campus community to be responsible for their own security and the security of others.

At the beginning of the school year during Orientation, the Chief of Public Safety delivers a video presentation to incoming students outlining the ways in which they can keep themselves and their belongings secure by following basic safety strategies. The video also addresses fire safety concerns and elements of the fire code that students are required to follow.

The Chief of Public Safety is also a member of the Campus Violence Prevention Committee and the Campus Threat Assessment Team. These two administrative committees work to develop policies which help members of the campus community identify individuals displaying high risk behaviors that may pose a threat to the safety of the community, which then enables the College to act on those reports in order to intervene and prevent violent actions before they occur. All members of the campus community are encouraged to report threatening or concerning behaviors to these committees for review.

There are also programs designed to educate employees about security awareness. Each department has a safety representative, and the representatives meet several times a year to discuss safety best practices. In addition, the Campus Violence Prevention Committee—a collaborative team of administrators from various College departments—meets regularly to discuss how different departments can work together to address security issues across campus in the interest of promoting safety and awareness. The CVPC also receives regular training on best practices related to Threat Assessment and Management from an outside expert.

Crime prevention programs specifically aimed at students include the aforementioned video presentation during Orientation, as well as a self-defense class taught by the Applied Health Sciences department which runs for half a semester.

Public Safety is available to provide additional security awareness and crime prevention programs at the request of individual departments or Student Development. These may either cover general safe practices or more specific concerns, depending on the request.

### **Investigation and Enforcement Authority, Jurisdiction**

The WIC campus does not maintain any security personnel on-site. For any incident that requires an immediate emergency response, WIC staff is responsible for calling 9-1-1 to request assistance from local Emergency Services providers. Victims of a crime are encouraged to immediately contact WIC staff or to call 9-1-1 directly to report a crime.

As there are no on-site security personnel, there is no written Memorandum of Understanding with the local police department.

## Collection of Crime Data

Wheaton College Public Safety prepares the Annual Security Report (“ASR”) to comply with the Campus Security Act of 1990, more commonly known as the Clery Act. The ASR includes several College policies related to campus safety, in addition to crime statistics for the previous three years. The full text of this report can be located on our web site at <https://www.wheaton.edu/about-wheaton/offices-and-services/public-safety/> under the heading “Clery Act Report.”

Crimes that are reported directly to Wheaton Public Safety at its primary Wheaton, IL, campus are logged and an official report is written detailing the nature of the crime and the outcome of any investigation conducted. We use these reports as the initial basis for compiling the statistics in the ASR. In addition, Public Safety also requests data from the Chicago Police Department and other Campus Security Authorities (“CSAs”) regarding crimes that may have been reported to those departments but not to Public Safety, but which still must be included in the crime statistics. Each CSA provides updated information on their educational efforts and programs to comply with the act.

The Clery Act requires that the ASR include statistics for the following crimes occurring over the past three calendar years: murder/non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, dating violence, domestic violence, and stalking. Also included in the statistics are students who were referred for disciplinary sanctions or arrest for: liquor law violations, drug violations, and illegal weapons possession. In addition, all hate crimes are included that target victim(s) based on their race, gender, religion, sexual orientation, ethnicity, disability, gender identity, or national origin. In addition to the crimes enumerated in the previous paragraph, hate crimes also include larceny-theft, simple assault, intimidation, or destruction, damage, or vandalism of property where the victim was targeted for one of the aforementioned reasons.

The Clery Act requires campuses to report designated crimes that occur in residence halls, campus grounds and buildings, public property adjacent to campus, and non-campus buildings or property owned or controlled by the College that is used by students for educational purposes. The FBI’s Uniform Crime Reporting (“UCR”) System is the source of the definitions that we use for Clery Act reporting.

The Clery Act also requires campuses to log and report any fires that occur in on-campus student housing facilities. A “fire” is here defined as “any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.” All fire statistics for the past three years can be found in the second half of this report or at the website <https://www.wheaton.edu/about-wheaton/offices-and-services/public-safety/emergency-prevention-and-response/crime-prevention-awareness-and-reporting/crime-statistics-and-clery-act/>

## **Campus Security Authorities**

The following departments and their supervisors have the responsibility to report crimes to Public Safety to be included in the ASR:

- Residence Life
- Student Development
- Athletics
- Wheaton in Chicago
- Wheaton College Science Station
- HoneyRock
- Student Health Services
- Human Resources

## **Networking**

Public Safety sends copies of its crime reports/case reports to a limited number of people, depending upon the circumstances. Those who may receive a copy include the Vice President of Student Development, Dean of Student Care and Graduate Student Life, Dean of Residence Life, Director of Risk Management, Director of Human Resources, and others as needed to keep them informed of security incidents. Students who engage in criminal activity off-campus are referred to Student Development.

## **Reporting a Crime**

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate policy 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.

Individuals can report crimes to WIC staff or by calling 9-1-1 to summon Emergency Services. For crimes that are in progress or have just occurred, students are urged to call 9-1-1 immediately. For non-urgent reports, students can also contact the WIC Director (773) 517-0279, or Wheaton Public Safety (630-752-5911), or Student Development (630-752-5022), the latter two of which are staffed at the main campus in Wheaton, IL. Students, faculty, and staff should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.

If you would like to file an anonymous report, you may do so through the Office of Equity and Title IX at the following URL: <https://www.wheaton.edu/life-at-wheaton/student-development-offices/equity-and-title-ix-at-wheaton-college/reporting-to-the-college/>  
There are no campus police or security personnel at the WIC campus. Individuals are encouraged to report all crimes to local law enforcement in an accurate and timely manner, especially if the crime requires an immediate response from law enforcement.

There are no non-campus locations of student organizations—such as fraternity houses—associated with Wheaton in Chicago campus.

### **Reporting a crime in a confidential manner**

If you are a victim of a crime and do not want to pursue action within the College's disciplinary channels or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief of Public Safety or a designee of Wheaton College can file a report on the details of the incident without revealing your identity.

Designees include all Public Safety Officers and those College employees responsible for reporting Clery violations: Dean of Student Care and Graduate Student Life, Dean of Residence Life, Director of Student Health Services, and Director of the Counseling Center. 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. With such information, the College can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

Any crimes which fall within the scope of Title IX offenses will be referred to the Title IX Coordinator for investigation in compliance with the law. The College will generally honor the wishes of the survivor of sexual misconduct in whether or not to involve law enforcement, but may in some circumstances need to take further action. More information on privacy and confidentiality in Title IX matters can be found in the College's Discrimination, Harassment, and Sexual Misconduct Policy.

Information reported to the professional counselors in the Counseling Center or to the pastoral counselors in the Chaplain's Office is privileged, by law, to the extent that these counselors are not allowed to report most crimes to anyone outside their department. However, the counselors are encouraged, at their discretion and if they believe it to be in the best interest of the student, to let students know that the students themselves may report any crimes to Public Safety. If the victim of a crime wishes to keep their identity confidential when reporting the crime to Public Safety, such a report will be treated in the same aforementioned manner as other confidential reports.

### **Student Disciplinary Proceedings Results Policy**

The College will, upon written request, disclose to the alleged victim (or next of kin, where appropriate) of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense.

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

## **Security and Access**

The WIC campus maintains no security personnel; as such, the students and staff who reside at the campus are responsible for securing buildings when they are unoccupied. Students and on-site staff live in apartments, but these do not have regular open hours. One of the facilities is also controlled by Sunshine Gospel Ministries, whose staff have keys and access to that facility.

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

WIC staff are responsible for maintaining campus facilities, and for taking security considerations into account when doing routine maintenance and other repairs. If a staff member notices a maintenance issue that leaves an area unsafe or unsecure, they will communicate with other staff and their supervisor to determine and implement an appropriate remedy, such as trimming overgrown shrubbery or replacing nonworking lights

## **Weapons and Explosives**

Illinois law prohibits the possession or discharge of fireworks. Students may not possess or store weapons or explosives on campus. Students will incur a \$75 fine for such possession. Disciplinary action will be taken by the College for unauthorized possession or use of the following:

- A. Firearms or replicas thereof: replicas will be confiscated and not returned;
- B. Explosives and/or explosive devices;
- C. Weapons or devices which injure or have the potential to injure another person or property, such as water balloon launchers and nunchucks;
- D. Pellet guns, air-soft guns, B-B guns, and paintball guns;
- E. Fireworks;
- F. Dangerous chemicals or fuels;
- G. Knives;
- H. Bows and arrows; and
- I. Swords.

## **Drug and Alcohol Policy**

### **Possession, Use, or Sale of Controlled Substances**

The Student Handbook, in affirming the standards set forth in the Community Covenant, prohibits the unlawful manufacture, distribution, dispensing, possession, use, or sale of controlled substances or any illegal drug while one is a student at Wheaton College, and the College enforces all federal and state drug laws. These behaviors are prohibited on campus or as any part of the College's activities. Students in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion and referral for prosecution. (Please refer to the Conduct Policy in the Student Handbook for details.) In addition to Wheaton College sanctions, Illinois and Federal law provide for fines and/or imprisonment for the unlawful possession, sale, manufacture or distribution of drugs or alcohol.

The College expects that students will personally uphold their commitment to the Community Covenant by refraining from the use of illegal drugs and alcohol while they are enrolled, and to create living environments that are free from alcohol and illegal drug use. Students who allow alcohol and/or illegal drugs into their living spaces will be held accountable under the student conduct process outlined in the Student Handbook.

### **Possession, Use, or Sale of Alcohol**

Wheaton College and all Wheaton College-related functions will be alcohol-free. The College prohibits the possession, use, and sale of alcoholic beverages on campus or as any part of the College's activities, and it also enforces the state's underage drinking laws. The same prohibition applies to all Wheaton College vehicles, whether on or off campus, and to all Wheaton College events or programs, wherever they may be held. While enrolled in Wheaton College, undergraduate members of the community will refrain from the consumption of alcohol in all settings. Graduate students, faculty members and staff members will use careful and loving discretion in any use of alcohol. They will avoid the serving or consumption of alcohol in any situation in which undergraduate members of the Wheaton College family are or are likely to be present.

In addition to being a violation of the College's alcohol-free policy, it is also unlawful for persons under 21 years of age to purchase or consume alcohol. Students in violation of state underage drinking laws may be subject to disciplinary action not limited to suspension or referral for prosecution. Additionally, Illinois law 235 ILCS 5/6-16(c) states, "Any person shall be guilty of a Class A misdemeanor where he or she knowingly authorizes or permits a residence which he or she occupies to be used by an invitee under 21 years of age, and the person occupying the residence knows that any such person under the age of 21 is in possession of or is consuming any alcoholic beverage."

If a student is found to be under the influence and it is not clear if the student will be safe, the College will call an ambulance to have the student properly assessed at the hospital.

Additional information concerning the College's alcohol and drug policy, including a full description of the policy and the reasoning behind it, can be found in the Student Handbook.

## **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</p>

Category	Summary (Illinois Compiled Statutes)
	sentence shall include, but shall not be limited to, a fine of not less than \$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).

### Substance Abuse Education Policies

The Student Development Office and the Counseling Center sponsor a variety of drug awareness and prevention programs to inform students of health risks. Students struggling with alcohol and/or drug use may contact the Wheaton College Counseling Center to request help and to learn about drug and alcohol treatment options. The Wheaton College Counseling Center is a free, confidential resource and is not connected to the Wheaton College conduct process. The Counseling Center is located on the first floor of North Harrison Hall and may be reached at 630.752.5321. The full text of the College's Alcohol and Drug Free Community Policy can be found here: <https://www.wheaton.edu/media/student-development-related/wheaton-college-student-handbook.pdf>

As excerpted from the College's most recent biennial review of its Drug and Alcohol Prevention Policy:

“Wheaton College fulfills the requirements of the Drug-Free Schools and Campuses Act and Regulations through the following:

1. The College maintains an Alcohol and Drug free Community Policy. The Policy can be found in the Student and Employee Handbooks.
2. The College provides annual notice to all employees and students that describes:
  - a. The College's policies prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on College property and at College functions;
  - b. A description of the safety and health risks associate with use of illicit drugs and the abuse of alcohol;
  - c. A description applicable legal sanctions under state, local, and federal law;
  - d. A description of applicable counseling and treatment options;
  - e. A statement of the disciplinary sanctions the institution can impose on students and employees.

3. The current means of distribution provides reasonable assurance that each staff and faculty member receives the materials annually.
4. The institution conducts biennial reviews of its drug prevention program to determine its effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced through the following means:
  - a. Assessment of [alcohol and drug] educational programs; and
  - b. Assessment of Residence Life student conduct processes; and
  - c. Review of Human Resources policies for employees.
5. The Dean of Residence Life conducts the biennial reviews and consults with various college offices and employees for this review, including: Human Resources, Legal Affairs & Risk Management, Student Financial Services, Residence Life, Student Health Services, Counseling Center, and Public Safety.
6. Copies of the biennial review are maintained by the Dean of Residence Life.”

For employees, the following is excerpted from the College’s Drug-Free Workplace Policy:

“If you are struggling with the use of drugs or alcohol, the following confidential resources are available:

- Counseling Center - initial assessment and referral, ext. 5321
- Employee Assistance Program\* – up to three assessment sessions and referral, 888-293-6948”

Additionally, the Chaplain’s Office, ext. 5087, is always available to provide spiritual guidance and prayer support to faculty and staff.

\*This resource is only available to full-time and reduced full-time employees (i.e. those whose full time equivalency is .75 or above). Please contact Human Resources if you have questions regarding your eligibility.

The full text of the Drug-Free Workplace Policy can be found here:

<https://www.wheaton.edu/media/human-resources/policies/Employee-Handbook-2021-v8.pdf>

Additional resources regarding drug and alcohol abuse can be found through the Counseling Center’s website: <https://www.wheaton.edu/life-at-wheaton/student-development-offices/counseling-center/>

## Missing Student Policy

The purpose of this policy is to establish procedures for the College's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008.

Wheaton College recognizes the importance of safety for each member of our community. For purposes of this policy, a student may be considered to be a "missing person" if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

### I. Procedures for designation of emergency contact information

#### A. Students age 18 and above and emancipated minors

Wheaton College will have each new student provide emergency contact information on a voluntary basis. In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially one or more individual(s) to be contacted by Wheaton College in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Wheaton College will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact or update their information can do so by notifying the Residence Life Office. A designation will remain in effect until changed or revoked by the student during his or her tenure at the College. The College will not use this information for any purpose other than missing student notifications.

#### B. Students under the age of 18

In the event that a student who is not emancipated is determined to be missing relative to the following procedures, the College is required to notify a custodial parent or guardian as well as the individual(s) identified by the student.

#### C. At the College's discretion, in addition to the specified contact person, the College reserves the right to contact a parent and/or guardian.

### II. Official notification procedures for missing persons

#### A. Any individual on campus who has information that a student may be a missing person must immediately notify the WIC Director at (773) 517-0279. In turn, WIC staff will immediately contact all appropriate offices that need to be consulted or informed, including the police.

- B. Subsequently, all essential information (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental wellbeing of the student, an up-to-date photograph, class schedule, recent ID card access points, etc.) about the student will be gathered from the reporting person and from the student's acquaintances. Appropriate campus staff will be notified to aid in the search for the student.
- C. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g. witnessed abduction), WIC staff will contact the appropriate local law enforcement agency to report the student as a missing person, and the local law enforcement agency will take charge of the investigation. WIC staff will cooperate with, aid, and assist the local law enforcement agency in all ways prescribed by law.
- D. No later than 24 hours after determining that a student is missing, Wheaton College will notify the individual to be notified in the event that the student went missing, as well as the parent/guardian (for students under the age of 18 who are not emancipated), that the student is believed to be missing.
- E. WIC will notify the local law enforcement officials within 24 hours of determining that the student is missing, unless local law enforcement was the entity that made the determination that the student was missing.

### III. Campus Communication about missing students

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communication regarding missing students will be handled by outside law enforcement authorities, who may consult with the Director of Media Relations at Wheaton College. All inquiries to the College regarding missing students or information provided to any individual at the College about a missing student, shall be referred to the Chief of Public Safety, who shall refer such inquiries and information to law enforcement authorities in consultation with the Director of Media Relations at the College.

Prior to providing the Wheaton College community with any information about a missing student, the Director of Media Relations shall consult with the Chief of Public Safety and with local law enforcement authorities to ensure that communication does not hinder the investigation.

## **Additional Policy Statements**

### **Severe Weather**

Severe weather is common in northern Illinois. Severe weather can range from severe thunderstorms, floods, and tornados in the spring, summer, and fall, to blizzards in the winter. It is important to stay informed of what the weather forecasts are and what to do in case of severe weather. Whether you are in your apartment or in class on campus, it is critical to know where to go if a crisis should occur.

### **Safety Programs**

Wheaton College Public Safety is committed to the safety and security of the campus community. We are available to speak to campus groups, dorm floors, athletic teams, or individuals about a variety of safety issues including personal protection, fire safety, parking enforcement, or any topic related to security.

### **Personal Property Identification**

Public Safety strongly advises that all individuals on campus log serial numbers of their property in case these items are stolen. Every year we have lap tops, bikes, book bags, etc., stolen from campus. Having identifying numbers and descriptions helps to get these items back.

### **Skateboard, Roller Skate, In-Line Skate Policy**

No person may skateboard, roller skate, in-line skate, or use any other similar wheeled device in or on campus buildings, or on any porch, steps, or other raised paved surface, nor on disability ramps or specially constructed ramps. Use of the devices is not permitted on any structure located on or adjacent to a sidewalk

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

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

- Nondiscrimination Policy: <https://www.wheaton.edu/life-at-wheaton/student-development-offices/equity-and-title-ix-at-wheaton-college/nondiscrimination-policies/nondiscrimination-policy/>
- Interim Title IX Sexual Harassment Policy: <https://www.wheaton.edu/life-at-wheaton/student-development-offices/equity-and-title-ix-at-wheaton-college/nondiscrimination-policies/interim-title-ix-sexual-harassment-policy/>
- Information Packet for Survivors of Sexual Assault/Violence, Domestic Violence, Dating Violence, and Stalking: <https://www.wheaton.edu/life-at-wheaton/student-development-offices/equity-and-title-ix-at-wheaton-college/nondiscrimination-policies/information-packet/>
- Equity Policy and Procedures: <https://www.wheaton.edu/life-at-wheaton/student-development-offices/equity-and-title-ix-at-wheaton-college/nondiscrimination-policies/-equity-policy-and-procedures/>

The following sections of this report discuss the College's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provide 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 advise 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 College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College 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

<b>Crime Type (Illinois Compiled Statutes)</b>	<b>Definitions</b>
	<p>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).</p> <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</li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>follows another person or places the person under surveillance or any combination thereof and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or (2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.</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> </ul> </li> </ul>

<b>Crime Type (Illinois Compiled Statutes)</b>	<b>Definitions</b>
	<ul style="list-style-type: none"> <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 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.</li> <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</li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense: (1) the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon; (2) the person causes bodily harm to the victim, except as provided in paragraph (10); (3) the person acts in a manner that threatens or endangers the life of the victim or any other person; (4) the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony; (5) the victim is 60 years of age or older; (6) the victim is a person with a physical disability; (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes; (8) the person is armed with a firearm; (9) the person personally discharges a firearm during the commission of the offense; or (10) the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.</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>• Predatory Criminal Sexual Assault of a Child (720 Ill. Comp. Stat. § 5/11-1.40): 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)</li> </ul>

<b>Crime Type (Illinois Compiled Statutes)</b>	<b>Definitions</b>
	<p>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.</p>
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. The institution has determined, based on good-faith research, that Illinois law does not define these terms.</p>
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</li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>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.</p> <p>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.</p> <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</li> </ul>

<b>Crime Type (Illinois Compiled Statutes)</b>	<b>Definitions</b>
	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.
Consent (as it relates to sexual activity) (720 Ill. Comp. Stat. §5/11-1.70)	<p>"Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.</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>

### College Definition of Consent

The College uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

Consent is voluntary, informed, and mutual agreement to engage in sexual activity, and may be withdrawn at any time. Refusal to consent does not have to be verbal; it can be expressed with gestures, body language, or attitude. However, a lack of verbal or physical resistance or submission resulting from the use or threat of force, coercion, manipulation, or intimidation does not constitute consent. Likewise, a person's manner of dress, consent to prior sexual activity, consent to sexual activity with a different person, or relationship status with the person does not constitute consent. It is the responsibility of the initiator of any sexual activity to ensure that he or she has the other person's consent before engaging in sexual activity.

A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent. Sexual contact with anyone who is under the legal age of consent, is asleep or unconscious, or who the person knows or reasonably should know is incapacitated due to consumption of alcohol, drugs, medication, or a mental or physical impairment is a violation of this Policy. People who are unconscious or physically unable to communicate are assumed to be incapable of giving consent for purposes of this Policy.

### Risk Reduction

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

- **Be clear and assertive.** Communicate your expectations and desires clearly and assertively.
- **Inform your friends.** Use your friends as accountability as you begin and continue to date.
- **Trust your gut.** If you feel uncomfortable, leave.
- **Pay attention to what you hear.** A person may have a bad reputation for a reason.
- **Be aware of your surroundings, and take precautions.** For example, if you'd like to jog at night, go with friends.
- **Educate yourself.** Learn about gender inequality and sexual violence and work to be proactive to speak against it.
- **Don't objectify people.** Refuse to purchase any magazines, videos, or music that portray women or men in a degrading or violent manner.
- **Make sure your cell phone is with you and charged.**

### Alcohol and Parties

- **Avoid alcohol and/or partying.** The College does not permit undergraduate students to drink alcohol and expects graduate students to abstain or drink alcohol in moderation.
- **Avoid being alone.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- **Step in and help.** If you see someone in trouble step in and offer assistance. NOTE: Before stepping in, make sure to evaluate the risk. If it means putting yourself in danger, call 9-1-1 instead.
- **Do not drive with someone who has been drinking.** Make sure you always have a safe ride home or a plan to walk home with a friend or roommate.
- **If you happen to be in a setting where people are drinking,** do not accept a beverage that you did not get yourself or leave a drink unattended. Date-rape drugs can leave you unable to protect yourself, or even know what is happening to you.

### 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 College 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:**

#### **Primary Prevention and Awareness Programs**

The College provides annual primary prevention and awareness programs for all students and employees that include the following:

- A statement that the College prohibits sexual misconduct and a description of the College's policies;
- The definition of consent, in reference to sexual activity, as defined under Illinois law and this Policy;
- The definition of sexual misconduct under Illinois law and this Policy;
- A description of safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual misconduct against a person other than such individual;
- Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- The procedures that individuals should follow if sexual misconduct has occurred;
- The possible sanctions or protective measures that the College may impose following a final determination of a violation of the Policy;
- The Complaint Resolution Procedures used for disciplinary action in cases of misconduct described in this Policy, including the standard of proof that is used;
- Information about how the College will protect the confidentiality of complainants, including how publicly available recordkeeping will be accomplished without the

inclusion of identifying information about the Complainant, to the extent permissible by law,

- Information about how the College will maintain as confidential any accommodation or protective measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures;
- Written and verbal notification about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for complainants both on-campus and in the community; and
- Written and verbal notification about options for, and available assistance in, changing academic, living, transportation, and working situations, if so, requested by the Complainant and if such accommodations are reasonably available, regardless of whether the Complainant chooses to report the crime to campus police or local law enforcement;
- Written and verbal explanation of rights and options available to an individual reporting sexual misconduct, regardless of whether the offense occurred on or off campus; and
- Written and verbal explanation of rights and options available to complainants and respondents in the formal investigation process.

Wheaton College has implemented an annual educational campaign consisting of an online training that is required for all students and employees. The training link with an explanation of the program is sent to all new students, all returning students, and all faculty and staff, including those at the WIC campus.

The College offered the following **primary prevention and awareness trainings** for all new students and new employees and for returning students and all employees at its main campus in Wheaton, IL:

<b>Department</b>	<b>Attendance</b>	<b>Date</b>	<b>Nature of Training</b>
TIX Employees and external TIX Coordinators	30-40	1/10/2020	TIX Consortium Training-Trauma Informed Response
TIX Employees	5	4/8/2020	Transitioning Your Title IX and Conduct Process to an Online Environment: Recent OCR Guidance Amid COVID-19
Title IX Coordinators and TIX Inv/Adjudicators	25	4/17/2020	YWCA Trauma Informed Practices Title IX Presented by Colleen Zavodny and Erin Richards- YWCA discussing ways to utilize trauma informed care responses when someone is in a domestic/dating violence or sexual assault situation---from

			intake to investigation. We will also be talking about threat assessments.
TIX Employees	12	4/22/2020	Decoding Digital Abuse: Prevention Strategies for 2020 and Beyond + Insights on Pending Title IX Regulations
TIX Employees	17	5/13/2020	The New Title IX Regulations on Sexual Harassment -Hosted by Debbie L. Osgood
TIX Employees	2	5/19/2020	<i>Restorative Justice: Micro mini online educational session-Transforming Communities-Nehemiah Trinity Rising</i>
TIX Coordinator	1	5/20 & 6/10	<i>CCCU Title IX Training – Part One &amp; 2</i>
TIX Employees	1	5/29/2020	The Impact of Title IX Regulations on Faculty and Employees
TIX Employees	2	5/27/2020	Restorative Justice: Micro mini online educationional session-Transforming Communities Nehemiah Trinity Rising
TIX Employees	2	5/25/2020	The Impact of Title IX Regulations on Faculty and Employees
TIX Employees	2	7/28/2020	Title IX/VAWA Investigator Training
TIX Employees	1	7/13-17/2020	40- Hour Sexual Assault Crisis Intervention Training Opportunity
Employees	14	7/27-31/2020	Restorative Justice Training- Restorative Justice Training-35 hours
Employees	4	8/6 & 7/2020	Title IX Solutions-Title IX & Beyond - A Two-Day Virtual Training Program Confirmation
TIX Coordinator	1	8/13/2020	NADOHE: Title IX Hearings Under the New Regulations:

			Essential Elements, Pitfalls, and Best Practice
Senior Administrative Cabinet	19	8/24/2020	Title IX Training
TIX Employees	2	9/16-18/2020	University of Evansville with Cozen O'Connor: Title IX Inv/Adj/Coord Training
<b>Undergraduate students-New, Transfers and returning</b>	<b>500+</b>	<b>Aug, Sept 2020</b>	<b>Violence and Discrimination Training-Online, provided by Carrie Williams</b>
SALT-Senior Academic Leadership Team	16	9/30/2020	Title IX Training
TIX Employees	1	11/24/2020	Advisor Training: Husch Blackwell 4 hrs.
<b>All Staff and Faculty - Existing and New</b>	<b>700+</b>	<b>11/9-12/7</b>	<b>SafeColleges – Online Title IX and Sexual Harassment Prevention for Employees</b>
<b>All Staff and Faculty -Existing and New</b>	<b>700+</b>	<b>11/9-12/7</b>	<b>SafeColleges – Online Discrimination Awareness in the Workplace</b>
Faculty	40	11/9/2020	Faculty Chairs Title IX training
Public Safety	40+	11/12/2020	Title IX and Equity updates
Fall Administrative Session	50	11/12/2020	Title IX training
Title IX Coordinators and TIX Inv/Adjudicators	17	11/13/2020	Title IX Training-Dr. Cho presenting: Faith, Race, and U.S. Orientalism.

Under the 2013 Reauthorization of the Violence Against Women Act, institutions must implement “primary prevention and awareness programs for all incoming students and new employees” and “ongoing prevention and awareness campaigns for students and employees.”

The College offered the following additional **ongoing awareness and prevention programs** for students and employees at its main campus in Wheaton, IL:

<b>Department</b>	<b>Attendance</b>	<b>Date</b>	<b>Nature of training</b>
Campus wide	500+	Jan – Dec 2020	Title IX Related Awareness Month programs (ie) Sexual Assault Awareness Month (April) - Wear Teal and send picture to Title IX to

			post on Website; Posted SAAM posters online and links to SAAM resources)
Counseling Center	2	Oct 2020	Annual training on Wheaton policies and procedures for Confidential Advisors
Politics & International Relations Department	25	April 2020	Student internship training
Campus Wide	500+		Campus Sexual Assault Posters posted in all public areas on Campus with Title IX Coordinators name and contact information
Student Body and Campus Wide	500+		Posted video of TIX Coordinator on Equity and Title IX webpages “How to Report a Title IX Incident and Busting Title IX Myths”
Student Body	500+		Student Government posts – including video of TIX Coordinator on Equity and Title IX webpages “How to Report a Title IX Incident and Busting Title IX Myths”

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

#### **Reporting Sexual Misconduct**

Victims/survivors of sexual misconduct are strongly encouraged to report the misconduct by

- **Contacting the Title IX Coordinator(s)**
  - **Interim Director of Equity and Title IX Coordinator**  
Beth Maas  
Student Services Building #211  
[beth.maas@wheaton.edu](mailto:beth.maas@wheaton.edu)  
(630) 752-7515
  - **Deputy Title IX Coordinator and Equity Officer for Students**  
Carrie Williams  
Student Services Building #214  
[carrie.williams@wheaton.edu](mailto:carrie.williams@wheaton.edu)  
(630) 752-5797

- **Deputy Title IX Coordinator and Equity Officer for Employees**  
Karen Tucker  
Blanchard #154  
[karen.tucker@wheaton.edu](mailto:karen.tucker@wheaton.edu)  
(630) 752-5060
- **Contacting Public Safety**  
Department of Public Safety  
Phone: (630) 752-5911  
Email: [public.safety@wheaton.edu](mailto:public.safety@wheaton.edu)  
In Person: Chase Service Center
- **Report online, or file an anonymous and confidential electronic report at:**  
<https://www.wheaton.edu/life-at-wheaton/student-development-offices/equity-and-title-ix-at-wheaton-college/>
- **Amnesty for Good Faith Reports of Sexual Misconduct**  
Wheaton promotes a biblical sexual ethic that reserves consenting intimate sexual expression within a marriage between a man and a woman. As we live and work in community, we recognize that we may at times fall short of these biblical standards. The College encourages victims/survivors to report sexual misconduct and seeks remove any barriers to making a report. Therefore, the College provides amnesty for good faith reports of sexual misconduct even if the student engaged in conduct outside of the Student Handbook (e.g. drinking alcohol or using drugs).

### **Response to a Report**

With or without a Formal Complaint, upon receipt of a report of sexual harassment, the Title IX Coordinator(s) will promptly contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint.

### **Information Packet**

Upon a receipt of a report of sexual assault, dating violence, domestic violence, or stalking, the College shall provide an information packet listing, in plain, concise language the survivor's rights, options, and resources and the procedures to follow, including information in writing about—

1. The importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;
2. How and to whom the alleged offense should be reported;
3. Options regarding law enforcement and campus authorities, including notification of the option to:
  - notify proper law enforcement authorities, including Public Safety and local police;
  - be assisted by campus authorities in voluntarily notifying law enforcement authorities; and
  - decline to notify such authorities;

4. Where applicable, their rights and the College's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court;
5. Information about appropriate and available services both at the College and in the community; and
6. Options for accommodations and supportive measures and how to request them.

The College's information packet for survivors of sexual assault, dating violence, domestic violence and stalking is located [here](#) or available from the Title IX Coordinator.

### **Implementation of Supportive Measures**

The College shall treat parties equitably by offering Supportive Measures to the Complainant, and by following a grievance process that complies with this Policy before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against the Respondent. The College will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the College's ability to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. The Title IX Coordinator should record and retain records regarding requests and provision of Supportive Measure in accordance with the requirements set forth below.

### **Emergency Removal**

The College reserves the right to remove a Respondent from its educational programs or activities on an emergency basis, provided that the College undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

### **Administrative Leave**

The College reserves the right to place an employee on administrative leave during the pendency of a grievance process.

### **Reporting to Law Enforcement**

Victims/survivors of sexual misconduct are encouraged to contact proper law enforcement authorities (e.g., by calling 911), including local police, about possibly filing a criminal complaint. Complaints may be made to the Chicago Police by calling (312) 747-8201. The Title IX Coordinator(s), Confidential Advisors, and Wheaton College Public Safety officials are available to assist.

### Preservation of Evidence & Forensic Examinations

Survivors 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

- **Provident Hospital of Cook County**  
500 E. 51<sup>st</sup> St.  
Chicago, IL 60615  
(312) 572-2000
- **Chicago Hospital**  
5758 S. Maryland Ave.  
Chicago, IL 60637  
(773) 702-1000

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.

Survivors 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

- Wheaton College (Wheaton, IL campus) Public Safety may be contacted 24/7 at 630-752-5911,
- Chicago Police may be contacted 24/7 by dialing 9-1-1, or during regular business hours by dialing their non-emergency number at (312) 747-8201. The Chicago Police Department in Woodlawn is located at 7040 S Cottage Grove Ave., Chicago, IL, 60637.
- 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 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 survivors: 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 survivors a restraining order against a person with whom the

survivor 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 survivor of nonconsensual sexual conduct. A Stalking No Contact Order provides protection for any survivor of a course of conduct that causes the survivor 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 survivor 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, survivors may go to their local circuit court clerk's office and get papers to seek an order of protection. A survivor 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. When filing the petition in Chicago, Illinois, you should file it at the Office of the Circuit Court of Cook County, Branch 35 & 38, located at: 727 E 111<sup>th</sup> St, Chicago, IL, 60628. More information is available at [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org)

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 survivor. 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.

Survivors may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order. When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The College will also 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 Title IX Coordinator and Dean of Student Care and Services and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the College will take all reasonable and legal action to implement the order.

The College does not issue legal orders of protection or restraining orders. However, as a matter of institutional policy, the College may impose a no-contact order between individuals in appropriate circumstances. If information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community the College may also

remove that individual from campus, whether that individual is a part of the campus community or not. A person found to be in violation of a no-contact order may be referred to the local law enforcement agency and recommended for arrest or criminal charges.

### Available Victim Services

Victims/survivors 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 College and in the surrounding community. Those services include:

#### **Campus Resources:**

Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College’s financial aid website can be found at: <https://www.wheaton.edu/admissions-and-aid/cost-and-financial-aid/student-financial-services/financial-aid/>

#### **Confidential Advisors for Survivors of Sexual Misconduct**

Victims/survivors of sexual misconduct may speak with the College’s designated Confidential Advisor who provide emergency and ongoing support to individuals who experienced sexual misconduct. Our Confidential Advisor’s name is Raven Fisher, MA, LCPC., of Nave Wellness Center, PLLC.. She may be reached at 877-929-6283. **Additional Confidential Resources**

The College has designated the Counseling Center, Student Health Services, and the Chaplain’s Office as additional confidential resources on campus. Students may contact these resources as follows:

[Wheaton College Counseling Center](#): (630) 752-5321

[Wheaton College Student Health Services](#): (630) 752-5072

[Wheaton College Chaplain’s Office](#): (630) 752-5087

#### **Community Resources:**

The following off-campus agencies are available to discuss incidents of misconduct in confidence.

#### **Hospitals/Medical centers:**

- *Mitchell Hospital*: 773-702-1000; 5841 S Maryland Ave, Chicago, IL, 60637: General hospital

- *Provident Hospital of Cook County*: 312-572-2000; 500 E 51<sup>st</sup> St., Chicago, IL, 60615: General hospital

### **Sexual misconduct resources**

- *YWCA Patterson and McDaniel Family Center Hotline*: 630-971-3927; Business (630) 790-6600; 2055 W. Army Trail Rd. Suite 140, Addison, IL 60101: Confidential sexual violence and support services for DuPage County
- *Northwest Center Against Sexual Assault Hotline*: 888-802-8890 (24/7) Address: 415 W. Golf Rd., Suite 47, Arlington Heights, IL Medical and legal advocacy and counseling services

### **Legal assistance resources:**

- Illinois Legal Aid: how to get an order of protection ([video](#))
- Illinois Attorney General: [resources for crime victims](#), including programs that assist with medical and other expenses

### **Visa and immigration assistance:**

- U.S. Citizenship and Immigration Services (USCIS): provides resources to [Find Help in your Community](#) and [Find Legal Services](#).
- Board of Immigration Appeals (BIA): provides a [state-by-state listing of attorneys](#) who provide free and reduced cost immigration services.
- American Immigration Lawyers Association (AILA): [immigration lawyer referral service](#)

### **Additional resource for students**

- Student Care Services is available to offer equitable follow-up care and relevant resources to all students who find themselves going through an investigation process, including Respondents. We are here to provide you with assistance to ensure your overall wellness as well as your academics are attended to. Please contact our office at 630-752-5797 to schedule an appointment to learn of ways in which we come alongside you as you work through a Title IX investigation.

### **Additional resource for full-time employees:**

- [Employee Assistance Program](#) (“EAP”): (888) 293-6948

### *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/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

### **Accommodations and Protective Measures:**

The College 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 College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator and Director of Equity Investigations at 630-752-7885, the Deputy Title IX Coordinator/Discrimination Complaint Officer for Students at 630-752-5797, or the Deputy Title IX Coordinator/Discrimination Complaint Officer for Employees at 630-752-5060. The Title IX Coordinator and Director of Equity Investigations is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College 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 College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College'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 measures. Such decisions will be made by the College 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 College 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**

The following procedures apply in connection with allegations of dating violence, domestic violence, sexual assault, and stalking that fall within the scope of the College's Interim Title IX

Sexual Harassment Policy. The procedures are invoked once the prohibited conduct is reported to the Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College.

As required by law and regulations, the Interim Title IX Sexual Harassment Policy & Procedures (“Title IX Policy”) is the exclusive method for resolving conduct prohibited by Title IX. However, because of our commitment to equity, the College chooses to prohibit sexual harassment, dating violence, domestic violence, stalking, or other sexual misconduct not explicitly covered by Title IX. In those situations, the College will use the Equity Policy and Procedures (found on page 51 of this document) to address reports of sexual misconduct.

### **A. Informal Resolution**

At any time prior to reaching a determination regarding responsibility, the College may facilitate a voluntary informal resolution process (e.g. coaching, mediation, Restorative Justice Circles, etc.) that does not involve a full investigation and adjudication. In such cases, the College will:

#### **1. Provide the parties with a written notice disclosing:**

- a. The allegations,
- b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint, and
- c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtain the parties’ voluntary, written consent to the informal resolution process.

3. Complete the informal resolution process within 60 days of receiving the Formal Complaint, unless unusual or complex circumstances exist. The College will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

The College does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of sexual harassment under this Policy. The College will not require the parties to participate in an informal resolution process and will not offer an informal resolution process unless a Formal Complaint is filed.

## **B. Formal Complaint and the Grievance Process**

### **1. Filing a Formal Complaint.**

A Formal Complaint may be filed with the Title IX Coordinator(s) in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator(s) above. A “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party. A Formal Complaint shall trigger an investigation except as specified below.

### **2. Dismissal of a Formal Complaint.**

The College shall investigate the allegations in a Formal Complaint, except as follows:

- a. The College shall dismiss the Formal Complaint if the conduct alleged in the Formal Complaint:
  - i. would not constitute sexual harassment as defined by this Policy, even if proved,
  - ii. did not occur in a College educational program or activity,
  - iii. or did not occur against a person in the United States.

This dismissal will not preclude the College from taking further action under any other policy or procedure.
- b. The College may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:
  - i. Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
  - ii. Respondent is no longer enrolled at or employed by the College; or
  - iii. Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.
- c. Upon a dismissal required or permitted under this section, the College will promptly send written notice of the dismissal and reason(s) simultaneously to the parties.

### **3. Consolidation of Formal Complaints.**

The College may consolidate Formal Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

#### **4. Initial Notice of Charges**

Upon receipt of a Formal Complaint, prior to commencing the investigation, the College shall provide the following written notice to the parties who are known. This notice shall include:

- a. This Policy (as a link or attachment).
- b. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this Policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under this Policy, and the date and location of the alleged incident, if known.
- c. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- d. Notification to the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney.
- e. Notification to the parties that they may inspect and review evidence, as set forth in this Policy.
- f. Any provision in the College's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- g. Describes the standard of evidence that will be used.
- h. Lists all possible sanctions the College may impose.

#### **5. Amended Notice of Charges.**

If, during an investigation, the College decides to investigate additional Title IX allegations about the Complainant or Respondent that are not included in the initial notice of charge, the College must provide notice of the additional allegations to the parties whose identities are known.

#### **6. Principles for the Grievance Process**

**Under this grievance process, the College shall:**

- a. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not on the parties, provided that the College cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to

the party, unless the College obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the College must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3).

b. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

c. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

d. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the Complainant or Respondent in any meeting or grievance proceeding, subject to the restriction described elsewhere in this process.

e. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

f. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.

g. Require that any individual designated as a Title IX Coordinator, Investigator, Adjudicator, Appellate Officer, or any person to facilitate an informal resolution process, not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. The College may use internal personnel or external parties in the informal resolution process or the grievance process, provided that they meet this requirement.

h. Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

i. The standard of evidence used to determine whether the Policy has been violated is whether or not there is sufficient evidence to establish that it is more likely than not that the Respondent violated the Policy. This is often referred to as a "preponderance of the evidence" standard.

j. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

## **7. Participation of Advisors**

The Complainant and Respondent are entitled to bring an advisor of their choice, at their expense, to any meeting, interview, or proceeding in connection with a report of a violation of

the Policy. In matters involving employees, a party's supervisor, subordinates, and peers in the same department may not act as an advisor due to the potential conflict(s) of interest in serving in this role. Parties will be provided with timely written notification of meetings, interviews, or opportunities for review of documents or reports. Therefore, the College reserves the right to proceed with any meeting, interview, or document or report review period regardless of an advisor's availability.

Except as provided below regarding conducting cross-examination at a live hearing, a party's advisor may not speak on behalf of the individual during, or participate directly in, meetings or other proceedings. Advisors are likewise expected to maintain the privacy of any records shared during the complaint resolution process. Such records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may restrict the role of an advisor who fails to observe the College's limits on participation in the proceedings or the College's privacy expectations.

### **8. Extensions of the Grievance Process**

The Title IX Coordinator may grant or deny requests from either party to temporarily delay the grievance process or may issue the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

### **9. Investigation of Formal Complaints**

The parties will be informed of the assigned Investigator(s) at the outset of a formal investigation. If a complaint is filed against a Title IX Coordinator(s), a College Vice President, or the College President, or involves circumstances deemed by the College in its discretion to be extraordinary or particularly sensitive, the College may appoint external investigator(s) to ensure the investigation and adjudication process is both impartial and thorough. When investigating a Formal Complaint, the College shall conduct the following steps within a reasonably prompt time frame unless unusual or complex circumstances exist:

- a. Engage in fact-gathering of all relevant facts. Credibility determinations and fact-finding shall be conducted in the live hearing phase of the grievance process.
- b. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- c. Prior to completion of the investigative report, send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the

parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

d. Make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross examination; and

e. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing or other time of determination regarding responsibility, provide each party and the party's advisor, if any, access to a copy of the investigative report for their review and written response.

## **Live Hearings Under the Grievance Process**

### **A. Requirement of a Live Hearing for Fact-Finding and Determining Responsibility.**

1. Following the investigation, the College shall conduct a live hearing for the purposes of determining responsibility for allegations of sexual harassment in the Formal Complaint within a reasonably prompt timeframe unless unusual or complex circumstances exist

2. The parties will be informed of the assigned Adjudicator(s) prior to the live hearing. The Adjudicator(s) will not be the same person(s) as the Title IX Coordinator or the investigator(s).

3. If a party does not have an advisor present at the live hearing, the College will provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney, to conduct cross examination on behalf of that party. The College is obligated to ensure each Party has an advisor, either of the Party's or the College's choice, regardless of whether or not the Party is present at the hearing.

4. Live hearings may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

5. At the request of either party, the College shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Adjudicator(s) and parties to simultaneously see and hear the party or the witness answering questions.

6. The College shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

### **B. Questioning at the Live Hearing**

1. At the live hearing, the Adjudicator(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

2. The party's advisor conducting cross-examination may not be a family member or fellow student.
3. Only relevant cross-examination and other questions may be asked of a party or witness.
4. Cross-examination at the live hearing must be conducted directly, orally, and in real-time by the party's advisor of choice and never by a party personally, notwithstanding the College's ability to otherwise restrict the extent to which advisors may participate in the proceedings.
5. Before the Complainant, Respondent, or witness answers a cross-examination or other question, the Adjudicator(s) must first determine whether the question is relevant. The Adjudicator(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.
6. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

### **C. Use of Witness Statements**

1. If a party or witness does not submit to cross examination at the live hearing, the Adjudicator(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility.
2. The Adjudicator(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

### **D. Written Determination of the Adjudicator(s)**

1. The Adjudicator(s) shall issue a Letter of Decision regarding responsibility. To reach this determination, the Adjudicator(s) must apply the preponderance of the evidence standard. The Letter of Decision will include:
  - a. Identification of the allegations potentially constituting sexual harassment as defined by this Policy;
  - b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  - c. Findings of fact supporting the determination;

- d. Conclusions regarding the application of the College’s Policy to the facts;
  - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the College’s education programs or activities will be provided to the Complainant; and
  - f. The procedures and permissible bases for the Complainant and Respondent to appeal.
2. The Letter of Decision shall be issued simultaneously to both parties within seven (7) days of the Adjudicators reaching their decision.
  3. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## Appeals

Within five (5) business days of receiving the written determination, either party may appeal from a determination regarding responsibility, and from the College’s dismissal of a Formal Complaint or any allegations therein, on the following grounds:

- Ground 1: Procedural irregularity that affected the outcome of the matter;
- Ground 2: New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- Ground 3: The Title IX Coordinator, Investigator(s), or Adjudicator(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter. The burden of proof to demonstrate the grounds for appeal lies with the party requesting the appeal.

Any information included in the appeal that does not apply to the above three reasons for filing an appeal will not be considered in the appeal process. Upon receipt of an appeal, the Title IX Coordinator will share the appeal and any supporting documentation submitted to the non-appealing party. The non-appealing party will be provided the opportunity to submit a written response and supporting documentation within five (5) days of receiving the appeal, which shall thereafter be transmitted to the Appellate Officer.

Appeals will be heard by a member of the College’s Senior Administrative Cabinet or his/her designee, or, in cases involving tenured faculty members, the Provost or his/her designee (the “Appellate Officer”). The Appellate Officer shall not be the same person as the Adjudicator(s) that reached the determination regarding responsibility or dismissal, the Investigator(s), or the Title IX Coordinator. After considering all relevant documentation, and if deemed necessary by the Appellate Officer, meeting with the parties or others, the Appellate Officer may:

- Deny the appeal because the reason for appeal does not fall within the stated grounds for appeal;
- Uphold the original finding and/or sanction;
- Remand the case to the Investigator(s) for consideration of new evidence and issuance of a new report;
- Appoint a new Investigator(s) to conduct new or additional investigation where significant procedural error occurred during the course of the original investigation;
- Refer the case back to the Adjudicator(s) for reconsideration of the sanction; or
- Modify the finding and/or sanction as deemed appropriate by the Appellate Officer.

The Appellate Officer(s) shall issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both parties within a reasonably prompt timeframe unless unusual or complex circumstances exist. The decision will be issued no later than seven (7) days after reaching a final decision.

## **Further Procedures for Tenured Faculty Members**

If a decision to impose the sanction of termination of the employment of a tenured faculty member is rendered and either not appealed or upheld on appeal, the Provost or his/her designee will follow the procedures for termination for cause set forth in the Faculty Handbook.

Termination of tenure proceedings will be conducted in accordance with the procedures set forth in the Faculty Handbook, provided, however, that if a decision is made under the Faculty Handbook not to discharge such tenured faculty member, the matter will be referred back to the President for determination of an alternative sanction.

### **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.
  - o Such training addresses topics such as the definition of sexual harassment; the scope of the College's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); 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.
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.

## **Title IX Training Material Used by Wheaton College**

New Federal Regulation 34 C.F.R. § 106.45(b)(10)(i)(D) requires an institution to make materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process publicly available on its website. We have included a list of the 2020-21 training materials below. To access the training materials themselves, please visit the following website for hyperlinks to the training materials:

<https://www.wheaton.edu/life-at-wheaton/student-development-offices/equity-and-title-ix-at-wheaton-college/title-ix-training-material-used-by-wheaton-college/>

### **Title IX Training: An Integrated and Coordinated Approach**

- [\*\*Title IX Training: An Integrated and Coordinated Approach \(PDF\)\*\*](#)

The following link will take you to training presented by: **September 16 - 18, 2020**

Maureen Holland, Member

Devon Riley, Member

Peter C. Lim, Counsel

The Institutional Response Group | Cozen O'Connor

Gina Maisto Smith, Chair

Leslie M. Gomez, Vice Chair

### **Title IX/VAWA Investigator Training**

- [Title IX/VAWA Investigator Training \(website\)](#)

### **Title IX Federal Regulations by the Office for Civil Rights**

The following is a video from the Office of Civil Rights that consolidates the new Title IX Federal Regulations.

- [OCR Webinar: Title IX Regulations Addressing Sexual Harassment \(video\)](#)

### **YWCA Trauma Informed Practices**

The following are the presentation and the supplemental videos from YWCA Trauma Informed Practices Title IX presentation by Colleen Zavodny and Erin Richards discussing ways to utilize trauma informed care responses and threat assessments, from intake to investigation.

- [YWCA Trauma Informed Practices Title IX \(PDF\)](#)

### **Decoding Digital Abuse**

The following is the presentation Decoding Digital Abuse: Prevention Strategies for 2020 and Beyond + Insights on Pending Title IX Regulations

- [Decoding Digital Abuse \(webinar\)](#)

### **New Title IX Regulations on Sexual Harassment**

The following is the presentation: The New Title IX Regulations on Sexual Harassment - Hosted by HMBR's Debbie L. Osgood

- [The New Title IX Regulations on Sexual Harassment \(PDF\)](#)

### **Nehemiah Trinity Rising Training**

The materials below contain the Restorative Justice four day Training Reading list and Description-Hosted by Nehemiah Trinity Rising

- [NTR Training Description \(PDF\)](#)

- [NTR Resource List](#) (PDF)

### **Council for Christian Colleges and Universities - Title IX Training**

A total of five hours of virtual training to discuss what you need to know about the new Title IX regulations.

*Please note that the materials may not be viewable while using Internet Explorer. We recommend viewing with a different browser.*

- [CCCU Title IX Training – Part One](#) (website)
- [CCCU Title IX Training – Part Two](#) (website)

### **Title IX & Beyond Program Materials-August 2020**

A two day virtual training program for new Title IX regulations.

- [Title IX Solutions-Title IX & Beyond- A two day virtual training program confirmation](#) (pdf)

### **ATIXA (Association of Title IX Administrator) Training Materials 2020-21**

- [ATIXA Title IX Available Training and Webinars](#) (website)

### **To Members of the Public Accessing This Site**

34 CFR Part 106.45(b)(10) requires all ATIXA training materials to be posted publicly. This site facilitates the centralization of hundreds of materials developed by and owned by ATIXA, which can be linked to by individual colleges and schools.

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## **Additional 2020-21 Training**

Completed and available upon request and listed below. Please contact Betsy Pringle, Title IX Office Assistant: [betsy.pringle@wheaton.edu](mailto:betsy.pringle@wheaton.edu) 630.752.7515 for provider shared materials.

- 40-Hour Sexual Assault Crisis Intervention Training Opportunity

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

The Adjudicator(s) will determine whether a violation of the Policy has occurred and propose any sanctions or remedies that are consistent with the Policy. Sanctions that may be imposed in the event of violation of this Policy include:

- Written or verbal apology;
- Mandatory training, educational programming, or counseling;
- Verbal or written warning;
- Community service;
- Probation;
- Removal from housing or other campus programs, activities, or leadership positions;
- Temporary or permanent restrictions regarding entering certain buildings, areas of campus, or access to campus more generally (e.g., a “No Trespass Order,” which prohibits individuals from being present on any College property);
- Issuing a “no contact” order or other contact restrictions or boundaries between the parties or others, including potential alteration of classes or class schedules, or work schedules;
- Performance improvement/management process (employees only);
- Suspension from school or employment (for employees, with or without pay);
- Demotion (employees only);
- Termination of contract with the College;
- Revocation of an honorary degree, award, or associated honorific naming;
- In circumstances indicating particularly egregious behavior during enrollment, revocation of an academic degree;
- Dismissal, expulsion, or other separation from the College. The Adjudicator(s) may impose sanctions from the above list that they believe is/are fair and proportionate to the Policy violation. In making this determination, the Adjudicator(s) will consider
  1. ongoing safety of campus;
  2. the seriousness of the incident;
  3. the nature of the Respondent’s response;
  4. the Respondent’s conduct record; and
  5. the impact on the community of the conduct. The Adjudicator(s) will consult with Student Development (for students) and/or Human Resources (for employees) to gather information on the Respondent’s conduct record and ensure the sanctions imposed are consistent with other policies of the College.

If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

The Adjudicator(s) may also impose remedies designed to restore or preserve equal access to the College's education programs or activities will be provided to the Complainant. Remedies must be designed to restore or preserve equal access to the College's education program or activity. The Title IX Coordinator is responsible for effective implementation of remedies and sanctions.

In addition, the College can make available to the victim a range of protective measures. They include: forbidding the accused from entering the victim's residence hall and 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 College 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 College to the extent permitted by law.

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

When a student or employee reports to the College 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 College 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 College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Chief of Public Safety Bob Norris at 630-752-5557. State registry of sex offender information may be accessed at the following link:

[https://www.chicago.gov/city/en/dataset/registered\\_sex\\_offenders.html](https://www.chicago.gov/city/en/dataset/registered_sex_offenders.html)

## Equity Policy and Procedures

As described in the Nondiscrimination Policy as well as the Christ-Centered Diversity Commitment, Wheaton College is a Christian liberal arts institution committed to treating all individuals as equal image-bearers of Jesus. The College affirms diversity as part of God’s original and eternal design for humanity and see its importance for knowing and worshiping God and serving His purpose. Furthermore, we are committed to a learning, living, and work environment where we love our neighbor as we love ourselves and treat everyone with respect and dignity. Therefore, as described in our Nondiscrimination Policy, Wheaton College expects that all relationships will be free of unlawful discrimination and harassment.

### I. Scope of this Policy

This Equity Policy & Procedures (“Policy”) applies to all members of the College community, including students, faculty, and staff (hereinafter “employees”), volunteers, visitors, and other guests of the College community, and to contractors, consultants, and vendors doing business or providing services to the College. The Policy applies to on-campus and off-campus conduct by or against a College community member, including online or electronic conduct, when the off-campus conduct (i) occurs during a College-sponsored educational activity or program; (ii) adversely impacts the education or employment of a member of the College community; or (iii) otherwise threatens the health or safety of a member of the College community. While the College is committed to the principles of free inquiry and expression, the discrimination, or harassment prohibited by this Policy are neither legally protected expression nor the proper exercise of academic freedom.

As required by law and regulations, the Interim Title IX Sexual Harassment Policy & Procedures (“Title IX Policy”) is the exclusive method for resolving conduct prohibited by Title IX. However, because of our commitment to equity, the College chooses to prohibit sexual harassment, dating violence, domestic violence, stalking, or other sexual misconduct not explicitly covered by Title IX. In those situations, the College will use this Policy to address reports of sexual misconduct.

### II. Accessibility

Wheaton College is committed to making the processes described in this Policy accessible to all members of the Wheaton College community, including providing reasonable accommodations to persons with disabilities. To learn more about the policies and procedures specific to requesting reasonable accommodations, please visit the “Accessibility Resources” section of the Learning & Accessibility Services webpage (students) or the Employee Handbook (Faculty and staff).

Further inquiries may be directed as follows:

**ADA/Section 504 Coordinator for Students:**

Melissa Norton, Student Services Building #209, (630) 752-5674, melissa.norton@wheaton.edu

**ADA/Section 504 Coordinator for Employees:**

Gina Cristman, Human Resource Generalist, Blanchard #154, (630) 752-5060,  
gina.cristman@wheaton.edu

**III. Prohibited Conduct**

In determining whether alleged conduct violates this Policy, the College will consider the facts and circumstances of the incident, including the nature of the alleged misconduct and the context in which it occurred.

**A. Discrimination**

Discrimination is unequal, adverse treatment of an individual because of the individual's legally protected class status as described in the Nondiscrimination Policy. Examples of discrimination can include:

- Refusing to hire or promote someone because of the individual's membership in a protected class;
- Denying someone a raise, opportunities for advancement, or educational opportunities because of the individual's membership in a protected class;
- Reducing someone's job responsibilities because of the individual's membership in a protected class;
- Avoiding professional development or mentorship opportunities due to protected class status or assumptions related to protected class status, e.g., preferring to only mentor students of your same sex, assuming a person is unavailable to attend or participate in professional opportunities due to childcare issues, marital status, age, or any other protected class;
- Denying someone access to a facility based on the individual's membership in a protected class;
- Denying someone access to an educational program based on the individual's membership in a protected class.

**B. Harassment**

Harassment is unwelcome verbal, non-verbal, or physical conduct directed toward an individual because of the individual's legally protected status as described in the Nondiscrimination Policy when:

- submission to that conduct is made, either explicitly or implicitly, a term or condition of an individual's educational experience or employment, or the individual's submission or rejection of such conduct is used as the basis for an employment, academic, or other educational decision; or
- such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's employment or education, or of creating an intimidating, hostile, or offensive employment or educational environment ("hostile environment" harassment).

“Hostile environment” harassment exists when the unwelcome conduct is sufficiently severe, pervasive/persistent, and clearly/objectively offensive that it alters the conditions of education or employment. The criteria for determining whether an environment is “hostile” include:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the person subject to the conduct;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the educational or work performance of the person subject to the conduct;
- Whether the statement could be interpreted as discourteous, rude, or insensitive
- Whether the speech or conduct deserves the protections of academic freedom.

Examples of conduct that may constitute harassment include (but are not limited to) the following:

- Jokes, derogatory language, or epithets about a person's protected status;
- The use of slurs and stereotypes related to a protected class;
- Teasing, name-calling, or practical jokes directed at a person based on a protected status;
- The display or circulation of written materials or pictures that degrade a person or group based upon a protected characteristic;
- Verbal abuse or insults about, directed at, or made in the presence of an individual or group of individuals in a protected group;
- Intimidation or mockery based on a protected class.

Bullying or uncivil behavior that is not based on a protected class does not fall within the purview of this policy. However, such behavior may violate the Community Covenant, Statement of Faith, and College policies. If you have questions or concerns regarding bullying or uncivil behavior, contact Human Resources (for employees) or Residence Life (for students) for assistance.

One type of harassment is sexual harassment, which includes sexual misconduct such as sexual assault, dating violence, domestic violence, and stalking. Depending on the nature, geographical location, and severity of the sexual harassment or sexual misconduct, the behavior may be covered by the College’s Interim Title IX Sexual Harassment Policy and Procedures or this Policy. Please refer to the Interim Title IX Sexual Harassment Policy and Procedures or contact an Equity Officer and Title IX Coordinator(s) for more information regarding the specific misconduct covered by that policy. Sexual harassment not covered by the Interim Title IX Sexual Harassment Policy and Procedures is governed by the Equity Policy and Procedures.

## **IV. Reporting Alleged or Suspected Violations of this Policy**

The College requires all employees and strongly encourages students, including third-party bystanders, to report incidents of discrimination and harassment to the Equity Officers and Title

IX Coordinator(s). The College maintains multiple methods for reporting conduct that potentially violates this Policy such as reporting by email, online, in-person, video conference, or by telephone. Although there is no specific time limit for reporting a suspected violation of this Policy, an individual who believes that he or she has been subjected to conduct that violates this Policy is encouraged to contact one of the resources as soon as possible after the alleged policy violation to discuss the available options for proceeding.

## **A. Reporting Potential Policy Violations to the College**

### **1. Equity Officers and Title IX Coordinator(s) (“Equity Officers”)**

#### **Beth Maas**

Interim Director of Equity & Title IX Coordinator, Student Services Building #211,  
bethmaas@wheaton.edu, (630) 752-7515

#### **Carrie Williams**

Director of Student Care Services & Deputy Equity and Title IX Coordinator for students, Student Services Building #214, carrie.williams@wheaton.edu, (630) 752-7472

#### **Karen Tucker**

Director of Human Resources & Deputy Equity and Title IX Coordinator for employees, Blanchard #154, karen.tucker@wheaton.edu, (630) 752-5060

### **2. Public Safety**

Individuals may also report incidents under this Policy to Wheaton College’s Department of Public Safety. Public Safety can assist in securing resources and/or making a report to the local police, regardless of the location where the incident occurred. Reports made to Public Safety are not confidential and must be shared with the Equity Officers. Please note: Public Safety employs student workers. If you wish to speak with a non-student, you may ask to speak with an officer.

Phone: (630) 752-5911

Email: [public.safety@wheaton.edu](mailto:public.safety@wheaton.edu)

In Person: Chase Service Center

### **3. Online**

To file an online report please click here or go to [www.wheaton.edu/titleixandequity](http://www.wheaton.edu/titleixandequity).

### **4. Anonymous and Confidential Reporting**

The College recognizes that in some instances, individuals may wish to initiate an anonymous report to protect their identity. Individuals wishing to make an anonymous confidential report may visit the College’s anonymous reporting link or go to

[www.wheaton.edu/titleixandequity](http://www.wheaton.edu/titleixandequity). Anonymous reports will be handled to the greatest extent possible. However, the College's ability to act may be limited in the case of anonymous reports.

## **B. Privacy and Confidentiality of Reports to the College**

The College strives to protect the privacy interests of all parties involved in a report of prohibited conduct. Allegations of prohibited conduct are considered private and generally will only be shared with other College employees on a need-to-know basis. However, because of the need to inquire into facts, to respond to reports of alleged prohibited conduct, and to promote a nondiscriminatory and safe environment, the College cannot guarantee strict confidentiality in most cases. Individuals with concerns regarding confidentiality may speak with an Equity Officer.

## **C. Amnesty for Good Faith Reports by Students**

The College encourages the reporting of violations of this Policy and seeks to remove any barriers to an individual making a report. The College recognizes that students may be hesitant to report in some circumstances, such as when they or others may be accused of violating other College policies, such as drinking or using drugs at the time of the incident. Given this concern and the College's desire to provide for the safety of all community members, no student conduct proceedings or conduct record for students will result from an individual's good faith report believed to violate this Policy.

## **D. Obligation to Act in Good Faith**

Reports made under this Policy should be made only in good faith. All parties and witnesses have an obligation to be truthful. Reports that are not made in good faith, such as reports that are later found to be intentionally false or made maliciously without regard for truth, as well as, false or misleading testimony provided by a third-party witness, may be a form of retaliation under this Policy and/or may violate this Policy and other College policies. This provision does not apply to reports made in good faith, even if the outcome did not support a violation of the Policy.

## **V. Retaliation Prohibited**

Retaliation against an individual who makes a report alleging a violation of this Policy or who participates in the information-gathering or resolution of such a report is prohibited. Retaliation exists when materially adverse action, including reputational harm, is taken against an individual because of that individual's participation in the protected activity under this Policy. Protected activity includes, but is not limited to, making a good-faith report of conduct in violation of this Policy, cooperating in good faith in information gathering related to a report under this Policy, and/or testifying as a witness to any report of conduct in violation of this Policy.

Retaliation should be promptly reported to the Director of Title IX. Equity Officers have the discretion to address retaliation concerns promptly. Any acts of retaliation shall be grounds for

disciplinary action up to and including termination of employment or expulsion, independent of the sanction or supportive measures imposed in response to the underlying report.

## **VI. Resolution Process**

The Director of Title IX will coordinate the College's response to a discrimination or harassment report. The Director of Title IX may also assign their duties under this Policy to a designee.

### **A. Definitions**

Reasonable cause is when the facts and circumstances alleged or reported, if taken as true, would lead a reasonable person to believe conduct in violation of the Policy may have occurred.

### **B. College Response When a Report is Received: Initial Review and Assessment**

When an Equity Officer receives a report, he or she will contact the person who may have experienced discrimination or harassment to provide information about resources, options, and extend an invitation to meet. The individual may decide whether to meet with the Equity Officer. If they meet, the Equity Officer will review resources, options, and supportive measures.

Upon receipt of a report of a violation of the Policy, the Equity Officer(s) will conduct an initial review and assessment. If at that time it is determined that the alleged conduct, even if true, would not constitute a violation of the Policy, the matter may be referred to the appropriate campus office for resolution or closed with no further action taken. Where there is reasonable cause to believe a violation of the Policy may have occurred, the College will proceed, in consultation with the individual as described below.

The Equity Officers may exercise discretion to determine appropriate responsive action based on the facts and circumstances. At an Equity Officer's discretion, options for responsive action may include informal discussions, resolutions facilitated by an Equity Officer, information gathering, and responsive action by the Director of Title IX or designee. The Director of Title IX will document the report received, the responsive action used, and the outcome.

### **C. Supportive Measures**

Where there is reasonable cause to believe conduct in violation of the Policy may have occurred, the Director of Title IX or a designee will provide prompt, appropriate, and reasonably available measures to support and protect the parties and prevent any further acts of alleged misconduct, harassment, or retaliation. Supportive measures may be imposed regardless of whether information-gathering is sought by the reporting individual. Supportive measures are also available to the responding individual as needed.

Such supportive measures can include but are not limited to: referral to counseling and health services; referral to the Employee Assistance Program (for employees); modifying course schedules, work arrangements, dining accommodations, or campus housing; offering campus

escorts, and issuing a mutual “no contact” directive between the parties. In cases where there is reasonable cause to believe the alleged responding individual is a threat to persons or property, the College may suspend an individual (for employees, with or without pay) or implement any other measures the College deems appropriate pending the outcome of the information gathering such as removing a student, employee, or other individuals from campus. Supportive measures will be kept confidential to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

Violation of a directive and/or other action issued as a part of a supportive measure may result in disciplinary action.

#### **D. Support Persons**

The reporting and responding individuals may bring a non-attorney support person to any meeting or interview in connection with the resolution of a report of a violation of the Policy. In matters involving employees, an individual’s supervisor, subordinates, and peers in the same department may not act as a support person due to the potential conflict(s) of interest in serving in this role. In matters involving students, parents may not serve as a support person. The College reserves the right to proceed with any meeting, interview, or document, or report review period regardless of a support person’s availability.

A support person may not speak on behalf of an individual during or participate directly in, meetings or other proceedings. Support persons are likewise expected to maintain the privacy of any records shared during the resolution process. Such records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may restrict the role of any support person who fails to observe the College’s limits on participation in the proceedings or the College’s privacy expectations.

#### **E. Informal Resolution Options**

The College offers informal resolutions to address unwelcomed behavior. Informal resolutions are primarily designed to address unwelcomed behavior or harm and to attempt restoration of the relationship between the parties. Examples of Informal Resolution options may include a facilitated conversation between the parties, mediation, supportive measures, a Restorative Justice conversation or circle, targeted and/or broad-based training, educational programming for relevant individuals or groups, communication with the responding individual, or any other reasonable remedy that will achieve the goals of the Policy. In some instances, notifying an individual that certain actions or language are offensive and requesting that the actions or language stop will heighten awareness and accomplish the objectives of the Policy. In other instances, Restorative Justice conversations or coaching conversations may also be an appropriate method for addressing the unwelcomed behavior.

After assessing the unwelcomed behavior, the Equity Officers may recommend that informal resolution may be the most effective option at stopping the harmful conduct, addressing its effects, and preventing reoccurrence. An informal resolution may be initiated if the reporting individual requests an informal resolution, and the Equity Officers concur that informal

resolution is appropriate. The College will not compel a reporting or responding individual to engage in informal resolutions. Participation is voluntary and the parties can request to end their participation at any time. However, even if the Informal Resolution option ends, the Director of Title IX may determine that additional remedies-based steps (e.g., community remedies involving targeted training, coaching, corrective action, etc.) are appropriate without the participation of the parties.

## **F. Information-Gathering and Communication of Outcomes**

The Equity Officers may determine that the appropriate responsive action will be to gather information. In making this determination, the Equity Officers will consider the nature of the alleged conduct, the severity of the alleged conduct, the wishes of the person alleged to be the subject of the conduct, and any other relevant factors. The College will gather information regarding the potential policy violation as it deems appropriate. All information gathering will be conducted impartially, and promptly. No outcome will be determined until the College has gathered all relevant facts. The Director of Title IX will notify the responding individual of the alleged misconduct and the responding individual will be given the opportunity to respond. The Director of Title IX or a designated individual(s) will gather information about the allegations.

The Equity Officers or designee(s) will determine the outcome after reviewing the information gathered. An Equity Officer will communicate the outcome and sanctions, if applicable, to the individuals.

## **G. Corrective Action**

Responding parties who are found to have engaged in behavior prohibited by this Policy will be subject to corrective action. In imposing any corrective actions and remedies for a policy violation, the College reserves the right to take measures deemed necessary to protect the rights and personal safety of the reporting individual and the College community. Not all forms of discrimination or harassment are equally serious offenses. Therefore, different remedies or corrective actions may be imposed depending on the severity of the offense and any previous conduct violations. In making this determination, the Equity Officers will consider (1) ongoing safety of campus; (2) the seriousness of the incident; (3) the nature of the responding individual's response; (4) the responding individual's conduct record; and (5) the impact on the community of the conduct. The Equity Officers will consult with Student Development (for students) and/or Human Resources (for employees) to gather information on the responding individual's conduct record and ensure the sanctions imposed are consistent with other policies and actions of the College.

Corrective action for employees may include, but is not limited to: education, training, coaching, warnings, reprimands, transfer, demotion, loss of compensation, privilege and/or access restrictions, no contact and/or no trespass directives, restitution, behavioral agreements, termination of employment, and/or ineligibility for rehire. Any corrective imposed on a faculty member shall comply with any applicable terms of a faculty member's contract with the College and the College's Faculty Handbook.

Corrective action for students may include, but is not limited to: education, training, Dean of Student Wellness assessment, coaching, warnings, reprimands, privilege and/or access restrictions, no contact and/or no trespass directives, restitution, behavioral agreements, delay of a diploma or degree, denial of a diploma or degree, probation, suspension, expulsion, and/or ineligibility for re-admission.

When an information-gathering reveals that a campus organization (such as a student club, athletic team, campus academic department, or staff/faculty committee) has committed or promoted behavior that violates this Policy, the organization and its members may be disciplined. Corrective action to the organization may include, but is not limited to, loss of College privileges (including, but not limited to, prohibition on the organization's participation in certain activities and the use of College facilities), educational requirements for organization members, required additional oversight of organization activities, and temporary or permanent loss of funding and/or loss of recognition by the College, in addition to individual members of the organization who are determined responsible for a Policy violation being subject to the sanctions listed above. All campus organizations/departments are responsible for the actions of its members when they are operating on behalf of the organization/department.

The Equity Officers have the sole right to determine whether conduct violates this Policy or is otherwise inappropriate. The Equity Officers reserves the right to impose consequences, up to and including immediate termination of an individual's relationship with the College, for any conduct targeting a person's legally protected characteristic that the Equity Officers determined to be inappropriate even if the conduct does not meet the definitions of "discrimination" and/or "harassment" set out, above, in this Policy.

## **H. Specific Procedures for Tenured Faculty Members**

For cases involving Tenured Faculty Members, the Provost or his/her designee will render the decision whether the Policy has been violated and what sanctions, if any to impose. If the Provost or his/her designee imposes the sanction of termination of the employment, the Provost or his/her designee will follow the procedures for termination for cause set forth in the Faculty Handbook following the expiration of the relevant period for appeals.

Termination of tenure proceedings will be conducted in accordance with the procedures set forth in the Faculty Handbook, provided, however, that if a decision is made under the Faculty Handbook not to discharge such tenured faculty member, the matter will be referred to the Provost for determination of an alternative sanction.

## **I. Appeal**

A responding individual may appeal an outcome involving termination of employment, expulsion, or suspension. An appeal must be submitted in writing to the Director of Title IX within two business days of the individual being notified of the outcome and must set forth the grounds upon which the request for further review is based. If a responding individual does not appeal the outcome within the timeline set forth above, the outcome will be considered final.

## **1. Grounds for Appeal**

A request for an appeal must be based on one or more of the following reasons:

1. A substantive error occurred that significantly impacted the outcome of the adjudication (e.g., bias or material information not gathered or properly considered).
2. To consider new evidence unavailable during the original adjudication or information-gathering that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
3. The sanctions imposed are grossly disproportionate (i.e., excessively harsh or excessively lenient) given the offense or the cumulative conduct record of the responding student or employee. This ground for appeal will not apply to matters where termination of tenure is sought, as that proposed sanction will be reviewed through the procedures set forth in the Faculty Handbook.

Any information included in the appeal that does not apply to the above three reasons for filing an appeal will not be considered in the appeal process.

## **2. Appellate Procedures**

Upon receipt of an appeal request, the Director of Title IX will notify the reporting individual and s/he will be provided the opportunity to submit a written response and supporting documentation.

A member of the Senior Administrative Cabinet or his/her designee will serve as the Appellate Officer. After considering all relevant documentation and, if deemed necessary by the Appellate Officer, meeting with the parties or others, the Appellate Officer will make a final decision. The Appellate Officer's decision will be provided to both parties contemporaneously/simultaneously within seven (7) days after the conclusion of the Appellate Officer's review.

## **J. Procedural Discretion**

The procedures set forth in this Policy reflect the College's desire to respond to reports of harassment, discrimination and/or retaliation in good faith and in a manner that promotes fairness to all involved individuals. The College recognizes that each case is unique and that circumstances may arise which require the exercise of discretion and flexibility in responding to a particular matter. Accordingly, the College reserves the right to modify the procedures in this Policy or take other action as it finds to be appropriate under the circumstances.

In circumstances where a report is made of a violation of this Policy by an individual who is not a student or an employee of the College, the College reserves discretion to use responsive actions or procedures other than those discussed in this Policy, as appropriate under the circumstances.

If a report includes multiple allegations that could invoke more than one College policy or procedure, the Director of Title IX shall determine in his or her discretion what process will be used to resolve the report(s) and will notify all parties of its determination.

### **K. Complaints Relating to Retaliation, Violations of Supportive Measures, and Other Procedural Violations**

Any complaint relating to retaliation in violation of this Policy, violations of supportive measures, violation of the obligation to act in good faith, violation of the obligation to be truthful, or violations of sanctions should be reported promptly to the Director of Title IX. The College will take appropriate action against any individual who retaliates against another person in violation of this Policy or who violates supportive measures, the obligation to act in good faith, the obligation to be truthful, or sanctions.

When the College receives a complaint of retaliation or of violations of supportive measures, the obligation to act in good faith, or sanctions, the Director of Title IX may exercise discretion to determine an appropriate responsive process based on the facts and circumstances. In instances where the outcome of the process results in a suspension longer than one year, expulsion, or termination of employment, the impacted individual may appeal the outcome in accordance with the appeal rights as set forth in this Policy. The College will notify the parties of the outcome of the complaint.

### **L. Conflicts of Interest**

The College requires any College official participating in the information-gathering, adjudication, or appeals process to disclose any potential or actual conflict of interest. A College employee shall be considered to have a conflict of interest if he or she has existing or potential interests which compete with or might reasonably appear to compete with his or her independent and unbiased judgment in the matter. If an individual believes an assigned College official has a conflict of interest or bias, the individual should immediately notify the Director of Title IX and request that the individual with a conflict be replaced. If the Director of Title IX is the individual believed to have a conflict of interest, the individual may submit the conflict request to the Vice President for Student Development.

In all cases, requests to replace an individual due to a conflict of interest must be submitted within two (2) days of the individual receiving notice of the individual's participation. The written request must include a description of the conflict. If the relevant College official determines that a conflict of interest exists, the College will take steps to address the conflict as appropriate in order to maintain an impartial process. The final determination regarding the existence of a conflict of interest will be made by the Director of Title IX or, in the case of a conflict request involving the Director of Title IX, the Vice President for Student Development.

# Emergency Response and Evacuation Procedures

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Wheaton College places a high value on the individuals who visit, study, teach, and work on its campus and extension site locations. Therefore, the Administration has authorized the following policy for the protection of those individuals and the property of Wheaton College and those it serves.

## WHEATON COLLEGE COMMITMENT TO NOTIFICATION OF THOSE AFFECTED

Once a decision is made an emergency involves and immediate threat to the health or safety of students or employees, Wheaton College will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the issue of a notification will, in the professional judgment of those responsible, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The following procedures will be used to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

## WHOM TO CONTACT IN CASE OF AN EMERGENCY

1. **The primary responders for an emergency at the WIC campus are the local emergency services personnel.** All employees and students are urged to contact them immediately in any emergency situation by dialing 911. After they have notified emergency services personnel, they should then contact the WIC Director at (773) 517-0279 to initiate the College's emergency response procedures.
2. A mass emergency notification system is provided for all students, faculty, and staff on campus through a blast text message. All students and on-site staff are added to the list of recipients of blast text messages at the beginning of each semester to ensure that the entire campus community will receive an alert in the event of an emergency.

## PROCESS FOR NOTIFYING THE CAMPUS COMMUNITY IN CASE OF AN EMERGENCY

1. Any staff, student, or faculty member who observes an emergency or potentially dangerous situation, once out of harm's way, should immediately contact the emergency responder identified above. For situations that occur **at the WIC campus**, they should connect directly to local emergency responders by **dialing 911**. Once the local emergency services personnel have been notified, they should contact the WIC Director at (773) 517-0279 to begin the College's emergency notification process.
2. The WIC Director or their designee (known as the on-site administrator), in consultation with local emergency responders, will determine if the threat warrants notification of others. WIC staff use the following criteria to confirm that there is a significant emergency or dangerous situation that warrants the notification of others:

- a. For a natural disaster, any information received from an official emergency response source—for example, the National Weather Service or the Chicago Office of Emergency Management and Communications (OEMC)—that indicates an imminent threat to campus safety will be sufficient confirmation to issue an emergency notification.
  - b. For a crime in progress or a chemical hazard that directly threatens the safety of people on campus, the on-site administrator will immediately issue an emergency notification upon receiving word of the incident. The on-site administrator will request assistance from police and emergency responders, if they are not already en route, and will immediately issue an emergency notification to the community without waiting for further confirmation.
3. If the decision is made issue an emergency notification, then the on-site administrator will determine the appropriate segment or segments of the campus community to receive the notification. Because of the relatively small population—both students and staff—at the WIC Campus, any emergency notification will be sent to the entire campus community.
  4. The content of the notification messages will be determined by the on-site administrator with the twin goals of both describing the emergency situation and also providing instructions on how community members can best protect themselves from danger. Depending on the emergency, the administrator may instruct the community to shelter in place, or to evacuate and locate emergency services personnel for further instructions. If students are instructed to shelter in place, they should secure all the access points to their current location, stay away from windows, and remain silent. If the students are instructed to evacuate, they should immediately proceed to the nearest exit in an orderly manner and head towards the nearest emergency services personnel to await further instructions.
  5. All on-site staff have been trained in how to initiate the notification system. Upon confirmation that an emergency exists that warrants a mass notification pursuant to section 2 above, the on-site administrator will send out a mass notification through any of the following means: sending a blast text message, or personally going to each student’s residence or classroom and verbally notifying them.
  6. After the initial notification, WIC staff will also provide adequate follow-up information at the direction of emergency services personnel, including an “All Clear” when the emergency has been resolved.
  7. WIC staff are responsible for contacting the appropriate College Administrators either before or after the notification is sent out based on their best judgment in order to coordinate follow-up care in the aftermath of an emergency.

#### **PERSONNEL RESPONSIBLE FOR CARRYING OUT NOTIFICATIONS PROCEDURES**

The following are the titles of WIC staff who are responsible for carrying out the emergency actions listed above:

1. All on-site staff of WIC are in charge of following the above procedures to send out a mass notification in case of an on-campus emergency. These include the WIC Faculty Director, the WIC Assistant Director, and the WIC Graduate Assistant.
2. Other administrators will be involved in coordinating the full scope of the College’s emergency response. These administrators include:

- a. The Director of Wheaton in Chicago
- b. The Dean on-call at the time of the emergency
- c. The Director of Student Care
- d. The Director of the Center for Urban Engagement
- e. The Vice President of Student Development
- f. The Provost, and
- g. The Dean of Social Sciences.

#### **EMERGENCY NOTIFICATIONS OUTSIDE THE CAMPUS COMMUNITY**

Wheaton in Chicago has no direct means of issuing emergency notifications to people outside the campus community. If an incident occurs at the WIC campus that affects the safety of the surrounding community, the College is reliant upon the professional first responders of the Chicago Police Department and Chicago Fire Department to relay that information to necessary emergency responders outside the College. If the Vice President of Student Development and the Provost determine that parents of students or other concerned parties should be notified of an emergency, they will contact those individuals directly.

In the aftermath of an emergency, if people outside the community wish to receive information and updates, the Department of Media Relations is in charge of making that information available, primarily through the College's website [www.wheaton.edu/emergency](http://www.wheaton.edu/emergency)

#### **WHEATON COLLEGE COMMITMENT TO A RELIABLE EMERGENCY RESPONSE AND EVACUATION PLAN**

1. Wheaton in Chicago tests its Emergency Response and Evacuation Plan at least once every calendar year. WIC staff, in conjunction with Public Safety, conduct an annual lockdown drill and test the emergency text notification system as part of that drill.
2. Wheaton College will keep a record of each test, including the date and time and whether the test was announced prior to implementation or if it was unannounced. These documents can be produced upon request by contacting the Public Safety Prevention Coordinator.
3. Wheaton College publicizes its Emergency Response and Evacuation Plan annually through the Annual Security Report by publishing it on the Wheaton College website, highlighting it at New Student Orientation, and sending an annual email communication to all employees in conjunction with at least one test per calendar year.

## Timely Warning

A timely warning is different from a campus emergency notification. If a crime is considered a serious or continuing threat to members of the campus community, WIC staff—in conjunction with Public Safety—will issue a warning to students and employees in a timely manner. Whereas campus-wide emergency notifications are intended to inform the community of an imminent threat to safety, like a natural disaster, the goal of a timely warning is to inform students and employees of a crime that has occurred and could reoccur so that they can take appropriate precautions to avoid becoming victims themselves. This timely warning will be issued through the WIC blast text messaging system or through in-person meetings.

All incidents are considered on a case-by-case basis to determine if a timely warning would address an ongoing threat and would not interfere with a police investigation. Three factors will be weighed when determining whether a timely warning is appropriate for a particular incident:

1. Nature of the crime
2. Potential for continuing danger to the campus community
3. Possible risk of compromising law enforcement efforts

For example, if students' bicycles were repeatedly being stolen from a specific location, the on-site WIC administrator or their designee would hold an in-person meeting or issue a mass text alert warning all students and employees about the past thefts and encouraging them to take precautions to avoid becoming victims of bike thefts themselves at that location. This would, of course, be in addition to other measures WIC staff and the police would undertake to stop the thefts and determine who's responsible.

Circumstances that would trigger the issuance of a timely warning must meet the following four criteria:

1. The crime that triggers the timely warning must be one of the Clery Act crimes
2. The crime must have been reported to WIC staff or the Chicago Police Department
3. The crime must have occurred within Wheaton in Chicago's Clery geography, meaning:
  - a. Anywhere on campus
  - b. Public property adjacent to campus, like public streets or sidewalks
  - c. Non-campus property
4. The crime must be considered to represent a threat to students and employees

Timely warnings, when they are issued, will conform to the following guidelines. WIC staff will release whatever information they have as soon as pertinent information is available, and will provide updates whenever new information is available. They will include as much information as they can to promote safety. Details of the specific crime that triggered the need for a timely warning will be stated, including the time, location, and type of crime that occurred. The on-site administrator or their designee will determine when it is necessary to issue a timely warning in the interest of protecting members of the community from similar crimes, while not interfering with any police investigations.

Anyone with information warranting a timely warning should immediately report the circumstances to Public Safety at 630-752-5911. Crimes that are reported to a professional

counselor in the Counseling Center will not cause a timely warning to be issued, to the extent that those communications are privileged by law.

## Crime Statistics, Chicago Campus

The following are all relevant statistics related to crimes whose disclosure is required for compliance with the Clery Act. Statistics are listed for 2020, 2019, and 2018. Crimes are dated according to the year when they were first reported, not necessarily the year when they occurred.

<b>Criminal Offenses</b>						
<b>Offense</b>	<b>Year</b>	<b>On-Campus Property</b>	<b>Non-Campus Property</b>	<b>Public Property</b>	<b>Total</b>	<b>Resident Facilities</b>
<b>Arson</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Assault (Aggravated)</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Burglary</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Motor Vehicle Theft</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Murder/Non-negligent Manslaughter</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Manslaughter by Negligence</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Robbery</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Rape</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Fondling</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Incest</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Statutory Rape</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0

<b>Hate Crime Statistics</b>		
<b>Hate Crime Totals</b>	2020	No hate crimes reported.
	2019	No hate crimes reported.
	2018	No hate crimes reported.

<b>Drug, Liquor, and Weapons Violations</b>						
<b>Offense</b>	<b>Year</b>	<b>On-Campus Property</b>	<b>Non-Campus Property</b>	<b>Public Property</b>	<b>Total</b>	<b>Resident Facilities</b>
<b>Drug Law violations—arrest</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
Referrals for disciplinary actions (drugs)—no arrest	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Liquor Law violations—arrest</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
Referrals for disciplinary actions (liquor)—no arrest	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Weapons violations—arrest</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	1	<b>1</b>	0
	2018	0	0	0	<b>0</b>	0
Referrals for disciplinary actions (weapons)—no arrest	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0

<b>VAWA Offenses</b>						
<b>Offense</b>	<b>Year</b>	<b>On-Campus Property</b>	<b>Non-Campus Property</b>	<b>Public Property</b>	<b>Total</b>	<b>Resident Facilities</b>
<b>Domestic Violence</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Dating Violence</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0
<b>Stalking</b>	2020	0	0	0	<b>0</b>	0
	2019	0	0	0	<b>0</b>	0
	2018	0	0	0	<b>0</b>	0

**Unfounded Crimes:** Wheaton College may withhold, or subsequently remove, a reported crime from the crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting in these statistics. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

No incidents in the past three years have been determined “unfounded,” and therefore none have been withheld from the above crime statistics.

**Crime/Fire Logs:** Wheaton College Public Safety maintains a file of all crimes and fires occurring on its Clery geography in the current calendar year, which is available to the public and updated weekly. To obtain the Annual Fire Statistics and Daily Crime Log, please visit the Chase Service Center at Wheaton College’s main campus, located at 924 College Ave. in Wheaton, IL, during regular business hours and speak with the dispatcher on duty.

### **Geographic Definitions:**

**On Campus:** Any building or property owned or controlled by Wheaton College within the same reasonably contiguous geographic area and used by the College in direct support of, or in a manner related to, the College’s educational purposes. This includes our residence facilities.

**Residence Facilities:** Any residential facilities that are owned or controlled by Wheaton College and are within the same reasonably contiguous geographic area. This category is a special case in that statistics must be reported separately, in addition to being reported in the “On Campus” category.

**Public Property:** All public property that is within the campus, or immediately adjacent to and accessible from the campus. This includes the streets and sidewalks that abut our campus.

**Non-Campus Property:** Any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the College.

# 2021 Wheaton in Chicago Annual Fire Safety Report

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Wheaton in Chicago has fire safety and prevention policies in accordance with federal law that apply to all on-campus student housing facilities.

Fire Safety equipment including fire extinguishers and smoke detectors are located in all residential facilities for safety and should be used only in emergency situations. Tampering with fire equipment, disconnecting smoke alarms, or intentionally activating a fire alarm constitutes a *class 4 state felony* and may lead to incarceration. The College will also take disciplinary action. Finally, legal action and a fine up to \$1000 may be pursued by the Chicago Police.

Malfunctioning smoke alarms should be reported at once to the on-site administrator. Students who do not cooperate in evacuating a building when a fire alarm is sounded will be subject to disciplinary action and a \$50 minimum fine. Intentionally seeking to burn items near College property will result in a fine of \$50 and possible disciplinary action.

Students should also assist in the promotion of basic fire safety principles. Fire exits should not be blocked and fire doors should not be propped open, and belongings should not be placed in hallways or stairwells. Students are encouraged to use power strips with circuit breakers in their rooms. All extension cords must have a ground wire (three prongs). Some portable electrical appliances, including halogen lamps and hot plates, are prohibited in campus housing. Smoking and open flames are also strictly prohibited in all campus facilities, including student housing facilities. Playing sports indoors is prohibited. Sports equipment striking fire safety equipment will result in a \$50 fine. Fire hazards should be reported to Public Safety.

Each and every on-campus student housing facility is equipped with residential grade smoke detectors, residential-grade carbon monoxide detectors, and fire extinguishers. Once a fire alarm is activated, residents should call 9-1-1 to ensure that emergency services personnel are notified.

• ***Flammable Materials.*** Combustible materials, including flammable liquids, are not permitted in student rooms, storage areas, or other College buildings. Additionally, the smoking of any substance on College property is prohibited. Burning candles or incense is prohibited due to insurance restrictions and also to ensure fire prevention. Plug-in type deodorizers, paper streamers, excessive paper items, and organic decorative materials such as live Christmas trees, straw, and corn shucks which are flammable are not permitted in College buildings. Materials which have been fireproofed are available and should be used. *Due to the high temperature of their bulbs, halogen lamps are prohibited in College housing.*

***Fire Drills.*** Because Wheaton College does not own or control the entirety of any of the buildings at the Wheaton in Chicago campus, they do not conduct regular fire drills in residential facilities. In the past year, no fire drills were conducted.

***Evacuations.*** In the event of a fire, the College expects that all campus community members will evacuate by the nearest exit, closing doors as they leave. Once safely outside a building, it is

appropriate to contact 911 and WIC staff. Students and/or staff are informed where to relocate to by emergency responders if circumstances warrant at the time of the alarm. In the event fire alarms sound, College policy is that all occupants must evacuate from the building.

***Fire Safety Education and Training Programs.*** At the beginning of each school year, all incoming freshmen are required to attend a meeting with a Residence Life staff member to discuss several topics, one of which is fire safety and prevention. Students are instructed about what items are permissible and impermissible in their rooms, and they are reminded not to block fire exits, store items in hallways, or falsely activate the fire alarm system. This meeting takes place at the College's primary campus in Wheaton, IL. In addition, the College's Risk Management department hires an outside consultant every fall to demonstrate to employees how and when to operate a fire extinguisher. Attendance at fire extinguisher training is voluntary.

Upon arrival at the Wheaton in Chicago campus, campus administrators conduct an orientation meeting in which fire safety practices are discussed. Included in this discussion are the locations of the fire exits, though no fire drills are conducted.

In the event of a fire in an on-campus student housing facility, all students and employees should evacuate the building in the manner described above under the heading "Evacuations."

***Reporting a fire.*** Per federal law, Wheaton College is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below is the **non-emergency** number to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the Public Safety office may already be aware. Public Safety must be notified that a fire occurred, even if it was quickly contained and did not activate the emergency alarm system. If you find evidence of such a fire or if you hear about such a fire, please contact Public Safety at (630) 752-5911. When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

***Plans for future improvements.*** Wheaton College has plans to improve its fire safety systems at the Wheaton in Chicago campus. Two improvements that the College is working towards are installing larger fire extinguishers and upgrading the smoke and carbon monoxide detectors to commercial-grade from residential-grade.

### **Fire Safety Systems in Residential Facilities**

<b>Residential Facilities</b>	<b>Smoke Detectors</b>	<b>Carbon Monoxide Detectors</b>	<b>Fire Extinguishers</b>	<b>Number of Fire Drills Each Year</b>
500 E. 61 <sup>st</sup> St.	X	X	X	0
6010 E. Eberhart	X	X	X	0

## Fire Statistics

The following are the fire statistics for Wheaton College during calendar years 2020, 2019, and 2018. The data disclose all required information about fires which occurred in all on-campus student housing facilities.

<b>2020 Annual Fire Safety Report</b>						
<b>Residential Facilities</b>	<b>Total fires in each building</b>	<b>Fire number</b>	<b>Cause of fire</b>	<b>Number of injuries that required treatment at a medical facility</b>	<b>Number of deaths related to the fire</b>	<b>Value of property damage caused by fire</b>
500 E. 61 <sup>st</sup> St.	0	0	N/A	N/A	N/A	N/A
6010 E. Eberhart	0	0	N/A	N/A	N/A	N/A
<b>Total Actual Fires</b>	<b>0</b>					

<b>2019 Annual Fire Safety Report</b>						
<b>Residential Facilities</b>	<b>Total fires in each building</b>	<b>Fire number</b>	<b>Cause of fire</b>	<b>Number of injuries that required treatment at a medical facility</b>	<b>Number of deaths related to the fire</b>	<b>Value of property damage caused by fire</b>
500 E. 61 <sup>st</sup> St.	0	0	N/A	N/A	N/A	N/A
6010 E. Eberhart	0	0	N/A	N/A	N/A	N/A
<b>Total Actual Fires</b>	<b>0</b>					

<b>2018 Annual Fire Safety Report</b>						
<b>Residential Facilities</b>	<b>Total fires in each building</b>	<b>Fire number</b>	<b>Cause of fire</b>	<b>Number of injuries that required treatment at a medical facility</b>	<b>Number of deaths related to the fire</b>	<b>Value of property damage caused by fire</b>
500 E. 61 <sup>st</sup> St.	0	0	N/A	N/A	N/A	N/A
6010 E. Eberhart	0	0	N/A	N/A	N/A	N/A
<b>Total Actual Fires</b>	<b>0</b>					

**Contact Us**

Wheaton College Public Safety  
501 College Avenue  
Wheaton, Illinois 60187  
(630) 752-5911