DePaul University Preventing Sexual Violence in Higher Education Act Annual Report November 1, 2020

I. Introduction and Background

DePaul University is an urban, Catholic and Vincentian institution of higher education. DePaul has two main campuses in Chicago: the Loop campus and the Lincoln Park campus. DePaul also operates a nursing program out of the Rosalind Franklin University of Medicine and Science in North Chicago.

DePaul is committed to providing an environment that is free from all forms of discrimination and harassment, including sexual and relationship violence. Every member of the DePaul university community has the right to safety from the threat of sexual and relationship violence. Grounded in our commitment to valuing the dignity of all people, DePaul fosters a culture of respect and safety by implementing best practices in education, prevention, and holistic support and care. DePaul does not tolerate sexual and relationship violence and addresses incidents swiftly and equitably.

This Annual Report was prepared in accordance with the 110 ILCS 205/9.21(b). Any terms not otherwise defined herein are defined according to 110 ILCS 155/5. Because this Annual Report was prepared for a specific purpose, according to specific requirements, and using specific definitions, it is possible that certain information in this Annual Report may not appear to be consistent with information reported in other contexts, for other purposes. For example, the definition of "Sexual Violence" in ILCS 155/5 is different than the definition of "Sexual Offense" for purposes of DePaul's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").

This Annual Report includes information for all of DePaul University's campuses. All of DePaul University's policies and procedures are equally applicable to each of its campuses. Except with respect to crimes and incidents reported in DePaul University's Annual Security Report for purposes of the Clery Act, DePaul University does not systematically track reports to the Title IX Coordinator, responsible employees or confidential and anonymous resources according to Clery geography.

Sections II-III of this Annual Report identify policies and documents that are current as of the date of submission of this Annual Report.

Section V of this Annual Report contains data from 2019 that is current as of the date of submission of this Annual Report. Incidents that span multiple years are included only in the applicable reporting categories. For example, if a report was received in 2018, but resolved through the Student Conduct Process in 2019, it is only included in the 2019 report under "Student Conduct Process matters"; it would not also be counted in the reporting sections.

It is suggested that readers carefully read the Annual Report in its entirety in order to understand the full context of the report. Readers are asked to pay special attention to the "Additional Information" provided in Section V(8).

This Annual Report was prepared by: Kathryn Statz Director of the Office of Gender Equity 312.362.8970 titleixcoordinator@depaul.edu This Annual Report has been submitted via email to the Illinois Attorney General's Office and to the Illinois Department of Human Rights.

II. <u>Comprehensive Policy</u>

110 ILCS 205/9.21(b)(1)

DePaul University's "comprehensive policy" in accordance with 110 ILCS 155/10 includes:

- (1) Sexual and Relationship Violence Prevention and Response policy
 - (2) Anti-Discrimination and Anti-Harassment policy
 - (3) Student Conduct Process

All three documents are attached to this Annual Report as Exhibits A-C.

DePaul has additional policies and procedures for addressing sexual and relationship violence through other complaint resolution procedures where the referred individual is not a student or is a student and the conduct occurred in the student's role as a student employee. These policies and procedures are not included within this Annual Report.

III. Written Notification

110 ILCS 205/9.21(b)(2)

DePaul provides a written information sheet of rights and options to all individuals involved in an allegation of sexual or relationship violence, including both complainants and referred individuals. This "Sexual and Relationship Violence Information Sheet," which functions as the "concise, written notification of...rights and options" for students in accordance with 110 ILCS 155/15(a), is attached to this Annual Report as Exhibit D.

IV. Primary Prevention and Awareness Programming

110 ILCS 205/9.21(b)(3)

Guided by DePaul University's Catholic, Vincentian mission, multiple departments across the University, including the Office of Health Promotion & Wellness, Residential Education, and the Office of Institutional Diversity and Equity, offer a wide range of preventative and awareness programming on issues such as sexual violence, dating violence, domestic violence, stalking, consent, healthy relationships and bystander intervention to students and other members of the DePaul community. This work is made possible through close collaborations between campus departments, student organizations, student leaders, individual students, community agencies and local law enforcement.

A summary of DePaul's primary prevention and awareness programming for students, or groups that would include students, in accordance with 110 ILCS 155/30(b), including information about participation, where applicable, is attached as Exhibit E. As noted in Exhibit E, for programming aimed at multiple audiences, the data on participants includes all participants, not solely students.

V. Other Data

110 ILCS 205/9.21(b)(4-10)

1. Reports made by or about DePaul Students

In 2019, DePaul's Title IX Coordinator received the following reports made by or about DePaul students:

<u>88</u> reports of sexual violence

<u>30</u> reports of domestic violence
<u>4</u> reports of dating violence
<u>35</u> reports of stalking

These reports either were made directly to the Title IX Coordinator or to the Title IX Coordinator through a responsible employee. The data in this section does not intentionally include reports made to confidential reporting resources (see below). The data in this section only includes reports made by DePaul students (i.e., reports in which a DePaul student is the complaining individual) or about DePaul students (i.e., reports in which a DePaul student is the referred individual). Additionally, the data in this section may reflect multiple reports by the same individual, as every unique report of a particular kind of violence is documented, regardless of whether they derived from the same incident and/or source. For example, if a complainant files a report that involves dating violence and stalking, it is counted above as one report of dating violence and one report of stalking, even though it was reported by the same individual and may be managed as one case or investigation by the Title IX Coordinator.

2. Confidential and anonymous reports

110 ILCS 205/9.21(b)(5)

In 2019, confidential reporting resources reported aggregate information about confidential or anonymous reports to the Title IX Coordinator as follows:

 $\frac{25}{12}$ confidential or anonymous reports of sexual violence $\frac{12}{12}$ confidential or anonymous reports of dating violence $\frac{0}{12}$ confidential or anonymous reports of domestic violence $\frac{12}{12}$ confidential or anonymous reports of stalking

DePaul collects aggregate information about confidential and anonymous reports from designated confidential reporting resources on a periodic basis. Separately, confidential reporting resources with a professional privilege report information to the extent possible consistent with that privilege. This includes, in some cases, intake data. Because these reports were collected through various confidential reporting resources, DePaul does not have information regarding the status of individuals involved (student, employee, non-DePaul community member), when the incident occurred, or where the incident occurred. Moreover, given the nature of confidential and anonymous reporting, DePaul cannot be certain whether any of these reports are also included in the reports otherwise received by the Title IX Coordinator, and therefore are counted more than once for purposes of the data in this Annual Report.

3. Requests not to proceed

110 ILCS 205/9.21(6)

In 2019, individuals involved in matters reported to the Title IX Coordinator by or about DePaul students requested not to proceed with a Student Conduct Process or other complaint resolution procedure as follows:

 $\underline{10}$ individuals requested not to proceed with a complaint resolution procedure in a matter involving sexual violence

 $\underline{2}$ individuals requested not to proceed with a complaint resolution procedure in a matter involving domestic violence

 $\underline{\mathbf{0}}$ individuals requested not to proceed with a complaint resolution procedure in a matter involving dating violence

1 individual requested not to proceed with a complaint resolution procedure in a matter involving stalking

The data in this section only includes situations in which an individual affirmatively requested not to proceed with a complaint resolution procedure and did not change that request. The data in this section does not

include situations in which an individual did not respond to outreach from the Title IX Coordinator. In some instances, the University may decide that it must proceed with further investigation or a complaint resolution procedure even though an individual requests not to proceed. As such, the data in this section should not be interpreted to mean that a matter did or did not proceed with an investigation or complaint resolution procedure despite the request made by an individual.

Furthermore, individuals may request not to proceed with a complaint resolution procedure at any point in the process (e.g., before an investigation, during an investigation, etc.). As such, the data in this section should also not be interpreted to necessarily mean that a matter was not investigated prior to a request not to proceed, or that a complaint resolution procedure was not considered prior to a request not to proceed.

4. Investigations

110 ILCS 205/9.21(b)(7)

DePaul investigates all matters reported to the Title IX Coordinator to the extent possible, taking into account a variety of considerations. These include, for example:

- Lack of response to outreach by potential complainants;
- Affirmative requests by complainants not to proceed with an investigation; and
- Reports about individuals who are not members of the DePaul community (regarding current or historical conduct).

Subject to these considerations, in 2019, DePaul investigated matters reported to the Title IX Coordinator by DePaul students or about DePaul students as follows:

9 investigations involving sexual violence

- $\overline{\mathbf{0}}$ investigations involving dating violence
- $\overline{\mathbf{0}}$ investigation involving domestic violence

 $\overline{2}$ investigations involving stalking

A more detailed explanation as to why a report made by or about a DePaul student is not included in this data is detailed below.

5. Referrals to law enforcement

110 ILCS 205/9.21(b)(8)

In 2019, DePaul was aware of the following reports made by or about DePaul students that resulted in a report also being made to local or State law enforcement:

<u>0</u> report involving sexual violence

- **<u>0</u>** report involving domestic violence or dating violence
- **<u>0</u>** report involving stalking

In many instances, DePaul may not be aware as to whether an individual makes, or previously has made, a report to local or State law enforcement. The data in this section does not include referrals for orders of protection. The data in this section does not include referrals that may be made with the assistance of confidential reporting resources.

6. Student Conduct Process matters 110 ILCS 205/9.21(b)(9)

In 2019, DePaul reviewed potential policy violations for matters related to sexual violence, domestic violence, dating violence, and stalking through the Student Conduct Process as follows:

<u>8</u> Student Conduct Process matters involving sexual violence

<u>0</u> Student Conduct Process matter involving domestic violence

<u>2</u> Student Conduct Process matters involving dating violence

<u>3</u> Student Conduct Process matters involving stalking

An explanation as to why a report made by or about a DePaul student, or an investigation conducted regarding a report made by or about a DePaul student, would not be reviewed through the Student Conduct Process is detailed below.

7. Sanctions

110 ILCS 205/9.21(b)(10)

In 2019, students received sanctions through DePaul's Student Conduct Process for matters related to sexual violence, domestic violence, dating violence, and stalking as follows:

<u>**1**</u>student was suspended through the Student Conduct Process for matters involving sexual violence <u>**0**</u> students were suspended through the Student Conduct Process for matters involving domestic violence <u>**0**</u> students were suspended through the Student Conduct Process for matters involving dating violence

1 student was suspended through the Student Conduct Process for matters involving stalking

1 student was dismissed through the Student Conduct Process for a matter involving sexual violence

<u>0</u> students were dismissed through the Student Conduct Process for a matter involving domestic violence

<u>0</u> students were dismissed through the Student Conduct Process for a matter involving dating violence

1 student was dismissed through the Student Conduct Process for a matter involving stalking

 $\underline{1}$ of the above suspended students received other discipline through the Student Conduct Process for a matter involving sexual violence

 $\underline{0}$ of the above suspended students received other discipline through the Student Conduct Process for a matter involving domestic violence

 $\underline{\mathbf{0}}$ of the above suspended students received other discipline through the Student Conduct Process for a matter involving dating violence

 $\underline{1}$ of the above suspended students received other discipline through the Student Conduct Process for a matter involving stalking

 $\underline{2}$ students were put on University probation through the Student Conduct Process for a matter involving sexual violence

 $\underline{\mathbf{0}}$ students were put on University probation through the Student Conduct Process for a matter involving domestic violence

 $\underline{1}$ student was put on University probation through the Student Conduct Process for a matter involving dating violence

 $\underline{0}$ students were put on University probation through the Student Conduct Process for a matter involving stalking

The remaining $\underline{6}$ students who participated in the Student Conduct Process for matters involving sexual violence, domestic violence, dating violence, or stalking were found "not in violation." This means that based on the information available at the time, it was determined through a hearing that it was more likely than not that the student was not in violation of the policy at issue.

8. Additional information

As noted above, some reports of sexual violence, domestic violence, dating violence, and stalking made by or about DePaul students to the Title IX Coordinator did not proceed to investigation or were not reviewed through the Student Conduct Process.

As noted above, some of these incidents did not proceed because an individual affirmatively requested not to proceed with an investigation or, after an investigation, affirmatively requested not to proceed with a Student Conduct Process, and there were no other circumstances requiring such further action.

Additionally, as noted above, timing may also impact the data in this report (i.e.—an incident was reported in 2018 but investigated or reviewed through the Student Conduct Process in 2019 and thus included only in the section for Student Conduct Process matters; or an incident was reported in 2019 but not investigated or reviewed through the Student Conduct Process until 2020 and thus would not be included in this report as to an outcome). However, as mentioned above, there are also numerous other reasons as to why reports were not fully investigated or did not proceed through the Student Conduct Process. These may include, for example:

- An individual did not respond to initial or follow-up outreach from the Title IX Coordinator, so no further information was available.
- An individual was reporting an incident that was not about a DePaul student and thus, whether or not there was an investigation, the incident was not appropriate for review through the Student Conduct Process. This could include reports about DePaul employees (including, in most instances, students acting in their capacity as student employees), which would be reviewed through other complaint resolution procedures at DePaul, as well as reports about individuals who are not members of the DePaul community. These reports could involve current conduct or conduct that occurred at any time in the past.
- After investigation, there was insufficient information to indicate that the facts presented would implicate or result in a violation of a DePaul policy.

In all instances, however, if requested, DePaul worked with students to provide various appropriate interim measures, permanent remedies, and other assistance. These included, for example:

- Access to medical or counseling services;
- Imposition of an institutional no-contact directive and related assistance to support that directive;
- Access to legal resources, including assistance in obtaining a civil protection order;
- Access to emergency funds and supplies (such as food);
- Rescheduling exams or assignments;
- Changes in class schedule;
- Changes in a student's on-campus residence;
- Withdrawal assistance and assisting with voluntary leaves of absence;
- Providing an escort between classes, work or other activities;
- Coordination with reporting at other institutions; and
- An interim suspension or other restriction pending the outcome of a conduct proceeding.

EXHIBIT A

Sexual and Relationship Violence Prevention and Response Policy

DePaul University Policies & Procedures Manual

Back

Title		Category
Sexual & Relationship Violence Prevention and Response		Presidential
Responsible Department	Responsible Officer	Effective Date
Student Affairs	Vice President for Student Affairs	9/13/2018

I. General Scope

This policy affects the following groups of the University:

• Entire University Community

II. Scope Detail

This policy affects all members of the DePaul community as well as those who interact with the DePaul community and its members. This could include students, employees, vendors, and guests.

This policy prohibits sexual and relationship violence, as defined below, by or against all members of the DePaul community.

III. Policy Summary

- I. General Scope
- II. Scope Detail
- III. Policy Summary
- IV. Policy History
- V. Policy Approvals
- VI. Policy
 - A. Related Policies
 - B. Information Regarding Title IX
 - C. Prohibited Conduct
 - D. Consent
 - E. Reporting
 - F. Sexual and Relationship Violence Information Sheet
 - G. Retaliation
 - H. Prevention and Education Programs
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- **VII.** Procedures
- VIII. Divisional Collaborations
- IX. Contact Information
- X. Appendices

DePaul University is committed to providing an environment that is free from all forms of discrimination and harassment, including sexual and relationship violence. Every member of the DePaul university community has the right to safety from the threat of sexual and relationship violence. Grounded in our commitment to valuing the dignity of all people, DePaul fosters a culture of respect and safety by implementing best practices in education, prevention, and holistic support and care. DePaul does not tolerate sexual and relationship violence and addresses incidents swiftly and equitably.

This policy details the ways in which DePaul promptly and effectively responds to reports of sexual and relationship violence. The policy also outlines DePaul's commitment to prevention programming and training regarding sexual and relationship violence.

Concise information for individuals seeking to report sexual and relationship violence can be found in the Sexual and Relationship Violence Information Sheet.

IV. Policy History

May 28, 2019:

This policy underwent minor revisions to update links and contact information.

September 19, 2018: This policy underwent minor revisions to update links and contact information.

August 23, 2017:

This policy underwent minor revisions to update links, contact information, and to clarify the role of Survivor Support Advocates and the OIDE at various places within the policy and related procedures.

August 23, 2017:

This policy underwent minor revisions to update links, contact information, and to clarify the role of Survivor Support Advocates and the Office of Institutional Diversity and Equity at various places within the policy and related procedures.

August 23, 2017:

This policy underwent minor revisions to update links, contact information, and to clarify the role of Survivor Support Advocates and the OIDE at various places within the policy and related procedures.

May 04, 2016:

This policy was recently revised to enable members in the DePaul community to more easily navigate DePaul?s policy, clarify its processes, encourage reporting, and provide more comprehensive information regarding available resources.

September 11, 2015:

This policy was changed to update information regarding DePaul University's Title IX coordinator.

June 16, 2015:

his policy was revised to update the section "Definition of Sexual & Relationship Violence."

March 31, 2015:

his policy was revised to clarify "responsible employee" reporting requirements under Title IX.

July 01, 2014:

reated from existing policy in the Code of Student Responsibility and significantly revised and expanded.

V. Policy Approvals

Minor Changes/No Changes	09/13/2018	
Minor Changes/No Changes	06/18/2018	
Minor Changes/No Changes	06/15/2018	
Minor Changes/No Changes	02/21/2018	
Minor Changes/No Changes	08/23/2017	
Presidential Approval	05/04/2016	
Joint Council	05/04/2016	
Policy Review Group	04/21/2016	
Minor Changes/No Changes	09/11/2015	
policies.depaul.edu/policy/policy.aspx?print=Y&pid=320		

Minor Changes/No Changes	06/16/2015
Presidential Approval	03/31/2015
Presidential Approval	06/27/2014
Staff Council	06/04/2014
Policy Review Group	04/09/2014

VI. Policy

Every member of the DePaul University community has the right to safety from the threat of sexual and relationship violence. Grounded in our commitment to valuing the dignity of all people, DePaul fosters a culture of respect and safety by implementing best practices in education, prevention, and holistic support and care. DePaul does not tolerate sexual and relationship violence and addresses incidents swiftly and equitably.

A. Related Policies

This policy intersects with a number of other DePaul policies. These include:

- Anti-Discrimination and Anti-Harassment
- Blue Demon Duty
- Code of Student Responsibility
- Crime Reporting and Clery Act Compliance
- **FERPA** Compliance
- Faculty Handbook
- Non-Retaliation
- **Progressive Discipline** ٠
- Protection of Minor Children
- Reporting Misconduct

B. Information Regarding Title IX

1. Notice of Non-Discrimination

Title IX of the Education Amendment of 1972 (commonly known as "Title IX") is a federal law that prohibits sex discrimination on the basis of sex in federally funded education programs and activities. Sex discrimination includes sexual harassment, and sexual and relationship violence.

DePaul does not discriminate on the basis of sex in its educational, extra- and co-curricular, athletic, or other programs or activity, including admissions, or in the context of employment.

DePaul provides institutional processes, remedies and outcomes. Conduct that violates this policy may also constitute criminal conduct under local, state or federal laws. Individuals always have the option to report prohibited conduct to the appropriate law enforcement agencies, or to choose not to make such a report. Reporting to a law enforcement agency will require speaking with law enforcement personnel to describe the circumstances of an alleged crime. As detailed in the Crime Reporting and Clery Act Compliance policy, DePaul will assist an individual with reporting to local law enforcement if requested to do so.

Inquiries or complaints concerning the application of this policy or Title IX generally at DePaul should be referred to the Title IX Coordinator, whose contact information is below. Individuals also have the right to contact the United States Department of Education's Office for Civil Rights.

2. Title IX Coordinator

The Title IX Coordinator can be contacted by telephone, email, or in person during regular business hours (9 a.m. to 5 p.m., Monday - Friday). Contact information for DePaul's Title IX Coordinator is:

312-362-8970 titleixcoordinator@depaul.edu

The Title IX Coordinator oversees the university's centralized review, investigation, and resolution of reports of sex discrimination and sexual harassment, including sexual and relationship violence. The Title IX Coordinator also coordinates the university's compliance with Title IX. Among other things, the Title IX Coordinator is:

- a. Responsible for oversight of the investigation of all reports of sex discrimination and sexual harassment, including sexual and relationship violence.
- b. Knowledgeable and trained in relevant state and federal laws and university policy and procedure.
- c. Available to advise any individual, including a complaining or referred party, about the courses of actions available at the university.
- d. Available to provide information regarding resources.
- e. Available to provide assistance to any university member regarding how to respond appropriately to reports of sex discrimination and sexual harassment, including sexual and relationship violence.
- f. Responsible for monitoring full compliance with all requirements and timelines specified in the relevant policies.
- g. Responsible for coordinating the compilation of annual reports. The Title IX Coordinator will prepare a report each year regarding DePaul's experience with preventing and responding to sexual and relationship violence. The Title IX Coordinator will consult with other areas as needed in order to prepare this report. At a minimum, the annual report will include (i) a copy of this policy; (ii) a copy of the Sexual and Relationship Violence Information Sheet; (iii) information about prevention and; (iv) information about reports received (including confidential reports), allegations investigated, referrals to local law enforcement, and policy violations. The Title IX Coordinator is responsible for submitting this report to governmental entities as required by law.

3. Deputy Title IX Coordinators

The Title IX Coordinator is supported by Deputy Title IX Coordinators. Deputy Title IX Coordinators are available to offer assistance with respect to prevention and response. Deputy Title IX Coordinators are appropriately trained regarding sexual and relationship violence. Contact information for the Deputy Title IX Coordinators is:

Deputy Title IX Coordinator for Students Dean of Students (Ellen Herion Fingado) 773-325-7290 deanofstudents@depaul.edu

eherion@depaul.edu

Deputy Title IX Coordinator for Staff Assistant Director, Employee Relations (Gianna Bellavia-Johnson) 312-362-8506 gbellavi@depaul.edu

Deputy Title IX Coordinator for Faculty Associate Provost for Student Success and Accreditation, Academic Affairs (Caryn Chaden) 312-362-8885 cchaden@depaul.edu

Deputy Title IX Coordinator for Athletics Senior Associate Athletic Director, Athletics (Jill Hollembeak) 773-325-4034 jhollemb@depaul.edu

Deputy Title IX Coordinator for Enrollment Management Compliance Director, Financial Aid (Agnes Roche) 312-362-5024 aroche2@depaul.edu

Deputy Title IX Coordinator for Compliance Director, Compliance (Emily Opalski) 312-362-5310 eopalski@depaul.edu

4. Sexual Violence Prevention and Response Working Group

DePaul has established a Sexual Violence Prevention and Response Working Group. The purpose of the Working Group is to encourage collaboration and information-sharing across the university regarding

DePaul's policies, procedures, programming, training, and messaging. The Working Group will continually review best practices in prevention, awareness, education and response and will contribute to the implementation of such best practices at DePaul.

The Working Group is chaired by the Title IX Coordinator. The Working Group supports the work of the Title IX Coordinator. The Working Group consists of representatives from Faculty Council, Staff Council and Student Government Association, as well as representatives of numerous departments and offices that have a role in addressing prevention and response to sexual and relationship violence.

The Working Group meets at least two times each academic year.

Training regarding sexual and relationship violence is made available to members of the Working Group.

C. Prohibited Conduct

DePaul University strictly prohibits sexual and relationship violence and threats of sexual and relationship violence. Sexual and relationship violence means the specific behaviors detailed below.

Sexual and relationship violence can occur in many different ways, including through physical force, intimidation, manipulation, and coercion. This may include the voluntary or involuntary use of drugs and/or alcohol that renders an individual unable to give consent. Sexual and relationship violence can occur within personal relationships, including those that are intimate, professional, familial, or friendly. In fact, sexual violence involving strangers constitutes only a small percentage of cases. Individuals of any sex, sexual orientation, or gender identity may experience sexual or relationship violence.

An individual who is uncertain about whether their experience meets one of the definitions below is encouraged to consult with the Title IX Coordinator or another reporting resource. In all instances, DePaul encourages reporting of unwelcome conduct whether or not it appears to meet one of the definitions stated below. With this report, DePaul can assist the individual in identifying resources and available courses of action based on the conduct at issue.

Sex Offense (including Sexual Assault). Sex Offense means any sexual act directed against another person without consent, including instances where the individual is incapable of giving consent as defined below.

Sexual Offenses include, but are not limited to, rape, forcible sodomy, sexual assault with an object, fondling or kissing without consent, incest, statutory rape, the threat of sexual assault, sexual abuse, or any unwanted physical contact of a sexual nature, that occurs without consent by all the individuals involved. Many sex offenses are also sometimes collectively referred to as sexual assault.

Sexual Misconduct. Sexual Misconduct means taking sexual advantage of another person for the benefit of oneself or a third party when consent is not present. This includes, but is not limited to,

- sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person;
- indecent or lewd exposure;
- recording any person engaged in sexual or intimate activity in a private space;
- · distributing sexual or intimate information, images or recordings about another person; or
- inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.

Domestic Violence. Domestic Violence means violence committed by a family or household member. A family or household member includes parents, children, current or former spouses, a person with whom the reporting/affected individual shares a child in common, a person who is cohabitating with or has cohabitated with the reporting/affected individual, and others as defined by Illinois law. Domestic violence can be a single event or a pattern of behavior.

Dating Violence. Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the reporting/affected individual (i.e., a relationship which is characterized by the expectation of affection or sexual involvement between the parties); and where the existence of such a relationship shall be determined based on a consideration of factors such as the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence can be a single event or a pattern of behavior.

Domestic and dating violence can encompass a broad range of behavior, including but not limited to:

- · Physical violence or assault;
- Sexual violence;
- Emotional violence;
- Economic abuse;
- Threats;
- Property damage; and
- Violence or threat of violence to one's self, one's sexual or romantic partner, and/or to the family
 members or friends of the sexual or romantic partner.

Stalking. Stalking means a course of conduct (i.e. two or more acts) directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or to suffer substantial emotional distress.

Individuals who would like to obtain more information about how these terms are defined under Illinois law and about laws related to sexual and relationship violence in the State of Illinois can find that information in the Illinois Definitions of Sexual Assault, Stalking, Domestic Violence, and Dating Violence Chart (Appendix A).

D. Consent

At DePaul, consent is defined as unambiguous and freely given agreement to move forward with a specific sexual request, act, or experience. Consent cannot be obtained from individuals who are unable to understand the nature of the activity or give consent due to being asleep, unconscious, underage, or due to having a temporary or permanent mental or physical incapacity, including as a result of drug or alcohol use. Consent is an affirmative act, not a lack of action. Lack of verbal or physical resistance or submission as the result of force, coercion, duress, or threat thereof does not constitute consent. The absence of "no" or "stop" should never be interpreted as implicit consent, if consent is otherwise unclear. An individual's manner of dress does not constitute consent. Consent to past sexual activity with one individual does not constitute consent to engage in sexual activity with another individual. Resistance is not required to demonstrate lack of consent. Consent can be withdrawn at any time.

E. Reporting

Individuals who have experienced sexual and relationship violence - whether on-campus or off-campus and whether by a member of the DePaul community or not - are strongly encouraged to report the incident. A report serves as a means of documenting the incident and allows for immediate response by the university. DePaul is committed to offering a secure and supportive environment for individuals who report incidents of sexual and relationship violence to receive resources and consider all available options.

An individual's options for reporting, including for making confidential reports, are detailed below. Reports from third-parties who have not themselves been involved in an instance of sexual and relationship violence are accepted. Reports from third-parties who are not affiliated with DePaul are accepted. More information about the ways in which DePaul address issues of privacy issues and confidentiality requests with respect to reports made to individuals other than confidential reporting resources is detailed further below. In most circumstances, and except as otherwise detailed below, a report to a confidential reporting resource will not be reported to Public Safety or the Title IX Coordinator and will not begin any further response to the report from DePaul.

1. On-Campus Resources for Emergency Reporting

Public Safety

Lincoln Park: 773-325-7777 Loop: 312-362-8400

Public Safety is available 24 hours a day, seven days a week and should be used for emergency response, crime reporting, and crime victim assistance.

2. Local Law Enforcement

Loop and Lincoln Park Campuses:

Chicago Police Department

911-Emergencies 311-Non-emergencies Rosalind Franklin Campus:

North Chicago Police Department

911- Emergencies 847-596-8774 for Non-emergencies

3. On-Campus Resources for Non-Emergency Reports

Title IX Coordinator Loop: 312-362-8970 titleixcoordinator@depaul.edu

The Title IX Coordinator is available during regular business hours (9 a.m. to 5 p.m., Monday - Friday).

The Title IX Coordinator is supported by a network of Deputy Title IX Coordinators to whom reports may also be made.

Individuals wishing to report non-emergency information electronically, and who would like an immediate response may report here:

Non-Emergency Immediate Response Reporting: https://cm.maxient.com/reportingform.php?DePaulUniv

4. On-Campus Confidential Reporting Resources

Office of Health Promotion and Wellness

Survivor Support Advocates (Confidential Advisors) 773-325-7129 hpw@depaul.edu

Survivor Support Advocates provide support to individuals. This includes students and employees, and includes complainants, potential referred individuals, and others. This support may include informing individuals of their options and available resources and, if requested by the individual, assisting the individual with navigating DePaul or external processes.

Survivor Support Advocates are available for confidential reporting to the extent permissible by law. When providing support to student complainants, Survivor Support Advocates are also acting in the role of a "confidential advisor" pursuant to the Illinois Preventing Sexual Violence in Higher Education Act. In these instances, information reported to Survivor Support Advocates will remain confidential unless (a) the individual consents to the disclosure of the communication in writing; (b) failure to disclose the communication would violate state or federal law; or (c) failure to disclose would result in a clear, imminent risk of serious physical injury to or death of the individual or another person.

On a monthly basis, Survivor Support Advocates will report the number and type of incidents reported exclusively to them to the Title IX Coordinator. In making these reports, care will be taken to avoid reporting personally identifiable information.

All Survivor Support Advocates receive at least 40 hours of training on sexual violence and participate in at least six hours of additional training annually. Survivor Support Advocates also participate in periodic training on University processes related to sexual and relationship violence.

University Counseling Services

Lincoln Park: 773-325-7779 Loop: 312-362-6923

Professional counselors and psychiatrists are available to students for confidential reporting as defined by the counselor or psychiatrist's professional confidentiality obligations.

Division of Mission and Ministry

773-325-7902

Ordained individuals or otherwise recognized religious leaders engaging in pastoral care are available for confidential reporting as defined by the religious leader's professional confidentiality obligations.

University Ombudsperson

312-362-8707

The University Ombudsperson is available to employees for confidential reporting to the extent permissible by law.

Misconduct Reporting Hotline

877-236-8390 www.depaul.ethicspoint.com

The misconduct reporting hotline is available for anonymous, electronic reporting. Please see the Reporting Misconduct policy for more information

As further detailed below, all confidential reporting resources will provide the reporting individual with a Sexual and Relationship Violence Information Sheet.

5. Employee Reporting Responsibilities

Unless otherwise designated as a confidential reporting resource above, all DePaul faculty, staff, and student employees are required to promptly report to the Title IX Coordinator all incidents of sex discrimination and sexual harassment, including sexual and relationship violence that are reported to them.

The information that must be disclosed to the Title IX Coordinator includes:

- the name of the person who reported the information to the employee;
- the name of the alleged affected individual, if different than the individual reporting;
- the name of the alleged perpetrator (if known),
- the names of others involved; and
- any relevant facts that have been provided, such as date, time, and location.

The employee will also provide the reporting individual with a Sexual and Relationship Violence Information Sheet.

Employees should also:

- Familiarize themselves with these confidential reporting resources.
- Inform the individual disclosing an issue related to sexual or relationship violence of their obligation to report any information shared to the Title IX Coordinator.
- Connect the individual with a confidential resource if the individual wishes to speak to someone confidentially.

Employees may also have other reporting obligations pursuant to other DePaul policies including:

- Crime Reporting and Clery Act Compliance
- Anti-Discrimination and Anti-Harassment
- Reporting Misconduct
- Protection of Minor Children

More information about reporting responsibilities regarding sexual and relationship violence for all DePaul employees and confidential reporting options can be found here.

F. Sexual and Relationship Violence Information Sheet

At the time an individual makes a report of sexual or relationship violence-whether to Public Safety, the Title IX Coordinator, a confidential reporting resource or any other DePaul employee-the individual will be provided with the following information, in writing:

- 1. A summary of the information in this policy.
- Information about options for-and, if necessary, how DePaul will provide assistance with-further confidential reporting, reporting to the Title IX Coordinator, reporting to Public Safety, and reporting to local law enforcement (e.g. the Chicago Police Department), if the individual chooses to do so.
- 3. Information about the possibility of moving forward with internal discipline, including a summary of how the various applicable policies and procedures would apply in different situations.
- 4. Information about the possible sanctions or remedies that could result from internal discipline.
- 5. Information about the importance of preserving evidence for example, avoiding showering, bathing, changing clothes, washing hands, going to the toilet, or brushing teeth; saving clothing in individual paper bags; and not disturbing anything in the area where the incident occurred. Preservation of evidence such as text messages and social media posts is also

important. Preserving evidence is important because it may assist in making a determination or may be helpful regarding obtaining orders of protection.

- 6. Information about rights of reporting individuals and institutional responsibilities regarding institutional "no contact directives" as well as orders of protection (sometimes called "restraining orders"), no contact orders, or similar lawful orders issued by criminal, civil, or tribal courts; and how the university will assist with enforcing any such order as appropriate.
- 7. Information about options for-and, if necessary, how DePaul will provide assistance with navigatinggetting medical treatment, including the availability of medical forensic examinations at no charge, and other on-campus and community resources, including counseling, health services, mental health services, advocacy, financial aid, visa and immigration, law enforcement and legal assistance. This information is also included in the Resource Appendix (Appendix B) to this policy.
- 8. Information about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if reasonably available, on an interim or permanent basis, regardless of whether the individual chooses to further report the incident, or otherwise pursue internal discipline.

For reports received electronically here, this information will be provided within 12 hours.

G. Retaliation

DePaul prohibits retaliation and the threat of retaliation against any person, including complainants, respondents and witnesses, exercising their rights and/or responsibilities in good faith pursuant to this policy, or otherwise participating in any process related to a potential violation of this policy. Claims of retaliation will be investigated and, if substantiated, may constitute a separate policy violation subject to additional discipline or sanctions. More information about DePaul's prohibition against retaliation in the context of discrimination and harassment can be found in the Anti-Discrimination and Anti-Harassment Policy and Procedures. More information about DePaul's prohibition against retaliation generally can be found in the Non-Retaliation policy.

DePaul University takes good faith complaints of sexual and relationship violence seriously. Individuals who knowingly make false allegations under this policy may be subject to disciplinary action.

H. Prevention and Education Programs

DePaul University provides a variety of educational programming, including prevention and awareness programming, regarding this policy and sexual and relationship violence generally. At a minimum, this programming includes (a) primary prevention programming for all incoming students and new employees, (b) an annual email to the campus community, (c) annual training for all employees, and (d) ongoing awareness campaigns for students and employees.

Together, these primary programs and ongoing awareness campaigns, at a minimum, include the following elements:

- 1. Information about the definitions of the various aspects of sexual and relationship violence, including consent, under this policy and Illinois law;
- 2. Information about the requirements of this policy, including DePaul's prohibition on sexual and relationship violence and prohibition of retaliation, and DePaul's obligation to provide a coordinated, prompt, and equitable response to reports of sexual and relationship violence;
- 3. Information about reporting options, including confidential reporting resources;
- 4. Information about the effects of trauma;
- 5. Information about 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 or relationship violence against another person such as recruiting the help of friends to diffuse a situation; or causing a distraction.
- 6. Information about risk reduction to recognize warning signs of abusive behavior and how to avoid potential risks such as staying together at parties, checking in, getting your friend to a safe place if they seem too drunk or are acting abnormally

Programming could occur at employee orientations, at student orientations, as part of General Compliance Training, through electronic communications, and through various other formal and informal avenues. Programming will be coordinated by the Title IX Coordinator in collaboration with other departments and offices as appropriate (e.g., the Office of Health Promotion and Wellness, Compliance & Risk Management, Human Resources, etc.)

I. Additional Resources and Support

Below is an expanded list of reporting resources and other on-campus and community resources. A summary list of reporting resources and on-campus supports is above.

On-Campus Resources

Emergency Reporting

<u>Public Safety</u> Lincoln Park: 773-325-7777 Loop: 312-362-8400

Public Safety is available 24 hours a day, seven days a week and should be used for emergency response, crime reporting, and crime victim assistance.

Non-Emergency Reports

Title IX Coordinator 312-362-8970 titleixcoordinator@depaul.edu

The Title IX Coordinator is available during regular business hours (9 a.m. to 5 p.m.) and should be used for non-emergency reporting. The Title IX Coordinator is supported by six Deputy Title IX Coordinators.

Individuals wishing to report non-emergency information electronically, and who would like an immediate response may report here:

Non-Emergency Immediate Response Reporting: offices.depaul.edu/diversity/about/forms/Pages/allegation-form.aspx

Confidential Reporting Resources

Office of Health Promotion and Wellness

Survivor Support Advocates (Confidential Advisors) 773-325-7129 hpw@depaul.edu

Survivor Support Advocates are available to provide support to individuals, including those who may be accused of sexual and relationship violence. This support may include informing individuals of their options and available resources and, if requested by the individual, assisting the individual with navigating DePaul or external processes.

University Counseling Services

Lincoln Park: 773-325-7779 Loop: 312-362-6923

Professional counselors and psychiatrists are available to students for confidential reporting as defined by the counselor or psychiatrist's professional confidentiality obligations.

Division of Mission and Ministry

773-325-7902

Ordained individuals or otherwise recognized religious leaders engaging in pastoral care are available for confidential reporting as defined by the religious leader's professional confidentiality obligations.

University Ombudsperson

312-362-8707

The University Ombudsperson is available to employees for confidential reporting to the extent permissible by law.

Misconduct Reporting Hotline

877-236-8390 www.depaul.ethicspoint.com

The misconduct reporting hotline is available for anonymous, electronic reporting. Please see the Reporting Misconduct policy for more information.

Other On-Campus Resources

Visa and Immigration Information Office of International Students and Scholar Services 1 E. Jackson Blvd. DePaul Center, Ste. 9300 312-362-8376 Email: iss@depaul.edu

Financial Aid Information 312-362-8610 finaid1@depaul.edu Chat live 9 am - 5 pm

Employee Assistance Program

ComPsych Guidance Resources 1-800-621-4124 FREE

Employees may contact DePaul's employee assistance program at any time to speak with a counselor for referrals. Find more information about the DePaul employee assistance program online on their website.

Off-Campus and Community Resources

Local Law Enforcement

Loop and Lincoln Park Campuses:

Chicago Police Department

911-Emergencies 311-Non-emergencies

Rosalind Franklin Campus:

North Chicago Police Department

911- Emergencies 847-596-8774 for Non-emergencies

Sexual Assault Community-Based Resources

Chicago Rape Crisis Hotline

888-293-2080 FREE

Operating 24 hours a day, 7 days a week.

Rape Victim Advocates - Loop (RVA)

180 N. Michigan Ave. Suite 600 Chicago, IL 60601 312-443-9603 www.rapevictimadvocates.org

RVA partners with local hospitals and organizations across Chicago to provide services 24/7 for sexual assault survivors and their significant others. These services include crisis intervention, medical and legal advocacy, and counseling services.

www.rapevictimadvocates.org

YWCA Metropolitan Chicago

1 N. LaSalle Street Suite 1150 Chicago IL 60602 312-733-2102 ext 2146 (Chicago) 630-790-6600 (West Suburbs) 708-754-0486 (South Suburbs)

http://www.ywcachicago.org

YWCA offers a Sexual Violence and Support Services program that specializes in counseling for ages three and older, as well as medical and legal advocacy. Services are available at multiple locations across Chicago for survivors of sexual violence and their non-offending significant others.

Zacharias Sexual Abuse Center (Zcenter) - Lake County

4275 Old Grand Ave. Gurnee, IL 60031 and 4232 Dempster St. Skokie, IL 60076 847-244-1187 (office) 24 Hour Helpline: 847-872-7799 http://zcenter.org/

The Zcenter provides individual and group counseling, medical advocacy, court advocacy, and a 24/7 support line for survivors of sexual assault and their significant others in Lake County, Illinois. Their Skokie location provides counseling services only.

Domestic/Relationship Violence Community-Based Resources

Chicago Domestic Violence Helpline

877-863-6338 FREE 877-863-6339 FREE (TTY)

National Domestic Violence Hotline

800-799-7233 FREE 800-787-3224 FREE (TTY)

Pillars

Domestic Violence Hotline: 708-485-5254 https://pillarscommunity.org/

Pillars offers a shelter, legal advocacy, and counseling for survivors, including disabled adults and children. Their shelter, Constance Morris House, offers onsite exams for injuries sustained during domestic violence, prenatal care, and bilingual services for literate and non-literate survivors. Pillars offers services in the Chicago Metropolitan area with locations in Berwyn, Hickory Hills, Western Springs, Summit, and Hodgkins, Illinois.

Illinois Department of Human Services Domestic Violence Helpline: 1-877-TO END DV or 877-863-6338 (Voice) 1-877-863-6339 (TTY) Chicago Domestic Violence Information Website Chicago Department of Family and Support Services https://www.cityofchicago.org/content/dam/city/depts/fss/supp_info/DepartmentGuide/residentguide.pdf

Medical Forensic Examinations

The following is a list of locations where a medical forensic examination can be completed, often at no cost. Each hospital has a social worker, women's health advocate, and/or domestic violence liaison that can assist those who have experienced sexual or relationship violence.

For survivors of sexual assault, it is recommended that you specify the reason you are requesting an examination, as you should be provided a private room. Many hospitals have Sexual Assault Nurse Examiners (SANE) on staff. SANE nurses have completed special forensic training with sensitivity and knowledge in treating sexual assault survivors while preserving evidence related to an alleged sex crime. Many locations, as specified below, can also provide you with a medical advocate for sexual assault survivors within one hour. These sexual assault advocates are from a local agency, separate from the hospital and police.

Additionally, under the Illinois Crime Victim's Compensation Act, some individuals who have experienced sexual or relationship violence may be eligible for support services and medical reimbursement if the crime is reported within seven (7) days or, in some cases, even longer. Individuals should check with their insurance providers to explore the applicability of this program.

Lincoln Park Campus:

Illinois Masonic Hospital 836 W Wellington Ave

Chicago, IL 60657 (773) 975-1600

Presence St. Joseph Hospital Emergency Services 2900 N. Lake Shore Dr. Chicago, IL 60657 (773) 665-3086 Sexual assault medical advocate available from RVA

Swedish Covenant Hospital 5145 N. California Ave Chicago, IL 60625 Women's Health Advocate, Kate Lawler 773-878-8200 ext 6772 or <u>klawler@swedishcovenant.org</u>

Thorek Memorial Hospital 850 W. Irving Park Rd. Chicago, IL 60613 773-975-6770 Sexual assault medical advocate available from RVA

Loop Campus:

Northwestern Memorial Hospital 250 E. Erie St. Chicago IL 60611 312-926-2000 Sexual assault medical advocate available from RVA

John H. Stroger, Jr. Hospital 1901 W. Ogden Ave. Chicago, IL 60612 Adult Emergency Department 312-864-1300 Trauma Emergency Department 312-864-1000

Sexual assault medical advocate available from RVA with hospital satellite office at

1901 W. Harrison, Ste. 419 Chicago, IL 60612

Rosalind Franklin Campus:

Advocate Condell Medical Center 801 S. Milwaukee Ave. Libertyville, IL 60048 847-990-5300 SANE nurse available 24/7 Sexual assault medical advocate available from Zcenter

Vista Medical Center East 1324 N. Sheridan Rd. Waukegan, IL 60085 847-360-3000 SANE nurse available and sexual assault medical advocate available from Zcenter

Vista Medical Center West 2615 Washington St. Waukegan, IL 60085 847-249-3900 SANE nurse available and sexual assault medical advocate available from Zcenter

Vista Lindenhurst Campus 1050 Red Oak Ln. Lindenhurst, IL 60046

847-356-4700 SANE nurse available and sexual assault medical advocate available from Zcenter

VII. Procedures

DePaul will respond to all reports of sexual and relationship violence in a prompt, fair, and impartial manner. Every report is based on its own facts and circumstances, which can impact the course of response.

The Title IX Coordinator is primarily charged with coordinating responses to sexual and relationship violence. As further detailed below, Title IX Coordinator will work with other offices to implement responses as appropriate. These responses could include initial assessment; working with law enforcement, if an individual chooses to report to such law enforcement; providing support and resources; investigation; providing interim measures and permanent remedies; and, if applicable, determining policy violations and potential disciplinary response.

A. Initial Assessment

DePaul will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. Appropriate steps may include implementing reasonably available interim measures to provide for the safety of the individual and the campus community.

B. Options for Response; Confidentiality Requests; Privacy

Some individuals may wish to make a report in order to seek support resources. In all situations, individuals will be offered support, resources and, to the extent reasonable and appropriate, interim measures and permanent remedies.

Some individuals may wish to make a report in order to pursue a disciplinary response.

DePaul will consider a variety of factors when determining an appropriate response to a report. This could include, for example, the impact of conduct on the DePaul community and its members and, to the extent possible, the preferences of the reporting individual, including requests for confidentiality. For example, Public Safety allows for Jane and/or John Doe reports, which enables an individual to remain anonymous on any Public Safety reports and in other publicly available reporting. However, confidentiality cannot be guaranteed in all circumstances. For example, DePaul has an obligation to provide a safe and nondiscriminatory environment for all members of its community and might have to share information about a report to protect the campus community. Likewise, if an individual chooses to pursue a disciplinary response, DePaul has an obligation to afford the responding individual certain procedural protections including notice and an opportunity to respond.

Where DePaul determines that the action taken is inconsistent with a request, DePaul will inform the affected individual about the chosen course of action.

DePaul is committed to protecting the privacy of all individuals involved in a report of sexual or relationship violence. In responding to any report, including implementing interim measures or permanent remedies, investigation, or disciplinary response, DePaul will take steps to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the allegation and to the extent required or permitted by law.

C. Interim Measures and Permanent Remedies

Regardless of whether a situation involving sexual or relationship violence may result in a policy violation or disciplinary response, and regardless of whether an individual chooses to otherwise report an incident, the Title IX Coordinator will coordinate providing any reasonable and appropriate interim measures and permanent remedies that are requested. Interim measures may be taken prior to the outcome of any investigation.

Interim measures and permanent remedies may include changing academic, living, transportation, and working situations, if requested and if reasonably available, on an interim or permanent basis. Specific examples could include:

- · Access to medical or counseling services;
- Imposition of an institutional no-contact directive and related assistance to support that directive;
- Assistance in obtaining a civil protection order;

- Rescheduling exams or assignments;
- A change in class schedule;
- A change in work schedule or job assignment;
- A change in a student's on-campus residence;
- A change of office or work space;
- A voluntary leave of absence;
- Providing an escort between classes, work or other activities; or
- An interim suspension or other restriction pending the outcome of a conduct proceeding.

The Title IX Coordinator will maintain the privacy of any interim measures and permanent remedies to the extent maintaining such privacy does not impair DePaul's ability to provide the interim measure or permanent remedy.

All individuals are encouraged to report concerns about the failure of another individual to abide by any restrictions imposed by an interim measure or permanent remedy so that DePaul can consider taking responsive actions as appropriate.

D. Determining Policy Violations and Potential Disciplinary Response

In instances where a report of sexual or relationship violence indicates that a member of the DePaul community may have violated this policy, all determinations as to policy violations and potential disciplinary response will be made through the existing applicable university policies and processes.

Because a violation of this policy will most often also be a violation of the Anti-Discrimination and Anti-Harassment Policy and Procedures, investigation and, except as otherwise detailed below, determinations as to policy violations, will be primarily managed by the Title IX Coordinator using the procedures detailed in the Anti-Discrimination and Anti-Harassment Policy and Procedures. Determinations as to sanctions and disciplinary consequences are dependent on whether the referred individual is a staff member, student employee, faculty member or student.

Report that a **staff member or student employee** may have violated this policy: A determination as to discipline will be made through the procedures outlined in the Progressive Discipline policy, which includes a list of potential disciplinary sanctions. For student employees, the Student Conduct Process may also apply, as detailed below.

Report that a <u>faculty member</u> may have violated this policy: A determination as to discipline will be made through the procedures outlined in the Faculty Handbook, including Chapter Four of the Faculty Handbook, which includes a list of potential disciplinary sanctions.

Report that a <u>student</u> may have violated this policy: A determination as to a policy violation and a determination as to sanctions will be addressed through the procedures outlined in the <u>Student Conduct</u> Process. As noted in the Student Conduct Process, the Student Conduct Process may also include a preliminary investigation by another office. As noted above, investigations of allegations of sexual or relationship violence will often by conducted by the Title IX Coordinator using the procedures detailed in the <u>Anti-Harassment Policy and Procedures</u>. The range of potential sanctions for students who are found responsible for violating this policy is detailed in the <u>Student Conduct Process</u>. Students should also familiarize themselves with all of the <u>Student Rights in the Student Conduct Process</u> and other provisions of the <u>Student Conduct Process</u>. This includes, for example, the <u>Amnesty/Good Samaritan policy</u>.

To the extent that a potential policy violation of this policy would not violate the Anti-Discrimination and Anti-Harassment Policy and Procedures, the Title IX Coordinator will work with the appropriate offices, including Academic Affairs, and other offices in Student Affairs, and Human Resources, to investigate, determine policy violations, and determine sanctions or disciplinary consequences in a prompt, fair, and impartial manner through applicable policies and procedures.

To the extent not already addressed in the above policies and procedures, the process for determining whether a violation of this policy has occurred and for imposing internal discipline involving instances of sexual and relationship violence pursuant to this policy will be prompt, fair and impartial and includes the following procedural aspects:

- 1. DePaul will take measures to complete any process resulting in a determination as to a policy violation within a reasonable amount of time from the date when a report is received. DePaul will simultaneously inform the complainant and respondent of the progress of any investigation.
- 2. All determinations as to whether an individual is or is not in violation of a policy will be based on the standard of "whether it is more likely than not," based on the information available at the time, that

the individual is or is not in violation of the policy at issue.

- 3. Both the reporting individual and the referred student or employee have the opportunity to have an advisor of their choice (including legal counsel) accompany them to any meeting (including hearings) related to making a determination as to whether a policy violation has occurred, or to imposing discipline related to that policy violation. Any individual intending to have an advisor accompany them to a meeting must notify the individual managing the process no later than two business days prior to the meeting (unless a shorter timeframe is deemed feasible by the individual managing the process). The role of the advisor is to act as a support for the student or employee. The advisor does not have a speaking or otherwise active role to play in the process. The university reserves the right to require that any individual select a different advisor if the individual's choice of advisor raises fundamental fairness issues (e.g. there is a conflict of interest with the individual's selected advisor, etc.).
- 4. The reporting individual and the referred student or employee are simultaneously informed in writing of the outcomes that result from the process, including interim results.
- 5. The reporting individual and the referred student or employee are simultaneously informed in writing of the possibilities for appealing the decision, if any.
- 6. The reporting individual and the referred student or employee are simultaneously informed in writing as to any changes in the outcomes from the process.
- 7. The reporting individual and the referred student or employee are simultaneously informed in writing when the outcomes from the process are final.

Individuals who are charged with implementing investigative and disciplinary processes related to sexual and relationship violence receive annual training on issues related to sexual and relationship violence, and on how to conduct a process that protects safety and promotes accountability.

Other Resources

Although the University encourages individuals to utilize the University's internal complaint process to resolve any complaints, use of this process does not prohibit the filing of a complaint with external agencies at any time. Individuals may choose to file a complaint with various external agencies including, but not limited to, the government agencies listed below.

The U.S. Equal Employment Opportunity Commission

http://www.eeoc.gov/field/chicago/

Illinois Department of Human Rights

http://www.illinois.gov/dhr/Pages/default.aspx

The U.S. Department of Education, Office for Civil Rights http://www2.ed.gov/about/offices/list/ocr/addresses.html

VIII. Divisional Collaborations

Academic Affairs Facility Operations (Public Safety) Human Resources Office of the General Counsel Enrollment Management & Marketing (Student Employment) Office of Institutional Compliance

IX. Contact Information

Title IX Coordinator Loop: 312-362-8970 titleixcoordinator@depaul.edu policies.depaul.edu/policy/policy.aspx?print=Y&pid=320

Appendix A: Illinois Definitions of Sexual Assault, Stalking, Domestic Violence, and Dating Violence

Appendix B: Resource List

EXHIBIT B

Anti-Discrimination and Anti-Harassment policy

DePaul University Policies & Procedures Manual

Back

Title Anti-Discrimination and Anti-Harassment Policy and Procedures		Category Academic Affairs - Operational
Responsible Department Human Resources	Responsible Officer Vice President of Human Resources; Vice President for Student Affairs	Effective Date 10/29/2018

I. General Scope

This policy affects the following groups of the University:

• Entire University Community

II. Scope Detail

This policy affects all members of the DePaul community as well as those who interact with the DePaul community and its members. This could include students, employees, vendors, and guests.

III. Policy Summary

- I. General Scope
- II. Scope Details
- III. Policy Summary
- IV. Policy History
- V. Policy
 - A. Related Policies
 - B. Prohibited Conduct
 - C. Academic Freedom
 - D. Reporting
- VI. Procedures
- VII. Divisional Collaborations
- VIII. Contact Information
- IX. Appendices

DePaul University has a long standing commitment to the diversity of its faculty, staff and student body. As a university with a strong Catholic, Vincentian and urban heritage, this commitment is particularly integral to our mission. DePaul University is committed to preserving an environment that respects the personal rights and dignity of each member of its community and providing an environment that is free from all forms of discrimination and harassment.

The Anti-Discrimination and Anti-Harassment Policy provides the overall philosophy and specific approaches for addressing discrimination, harassment, and/or related retaliation issues. It serves to augment other university-wide policies and is in accordance with federal, state, and local laws and regulations. The Anti-Discrimination and Anti-Harassment Policy combines and replaces the predecessor Sexual Harassment Policy and the Anti-Discriminatory Harassment Policy.

IV. Policy History

May 28, 2019: This policy underwent minor revisions to update links and contact information.

October 29, 2018:

This policy underwent minor revisions to update links and to clarify elements of the procedures section.

August 23, 2017:

This policy underwent minor revisions to update links and to clarify elements of the procedures section.

February 06, 2017: Minor updates to Section 504 Grievance Procedure.

May 04, 2016:

This policy was revised to comply with the requirements of the Preventing Sexual Assault in Higher Education Act (110 ILCS 155). Additionally, changes were made to clarify the overall policy and procedures for the community.

September 11, 2015:

This policy was revised to include information regarding DePaul University's Title IX coordinator.

August 04, 2015:

This policy was revised to include gender identity and genetic information in the list of protected statuses. **March 31. 2015:**

This policy was revised to include updated reporting requirements under Title IX.

May 02, 2012:

This policy was created from two former University policies: Anti-Discriminatory Harassment Policy and Procedures and Sexual Harassment Policy and Procedures

The revised, combined policy reflects current practice. It is intended to reduce confusion by eliminating redundancies and reflecting current procedures, as they have developed over time. The combined policy replaces two substantially similar policies and procedures that were explained in slightly different ways, and instead provides the university community with one single, self-contained document that provides a comprehensive explanation of all of the anti-discrimination and anti-harassment policies and procedures.

The policies were combined by Elizabeth Ortiz, Vice President for Institutional Diversity and Equity, Barbara Schaffer, AVP of Institutional Diversity and Equity, and Kathryn Stieber, Deputy General Counsel.

V. Policy Approvals

Minor Changes/No Changes	10/29/2018
Minor Changes/No Changes	08/23/2017
Minor Changes/No Changes	02/06/2017
Presidential Approval	05/04/2016
Joint Council	05/04/2016
Policy Review Group	04/21/2016
Minor Changes/No Changes	09/11/2015
Minor Changes/No Changes	08/04/2015
Presidential Approval	03/31/2015
Presidential Approval	05/02/2012
Joint Council	05/02/2012
Faculty Council	04/04/2012
Staff Council	04/18/2012
Policy Review Group	03/13/2012

VI. Policy

It is the policy of DePaul University that no person shall be the object of discrimination or harassment on the basis of race, color, ethnicity, religion, sex, gender, gender identity, sexual orientation, national origin, age, marital status, pregnancy, parental status, family relationship status, physical or mental disability, military status, genetic information or other status protected by local, state, or federal law in its employment or its educational settings. DePaul University reserves the right to take actions that are consistent with its policies and procedures to deal with individuals found to have engaged in harassment, discrimination and/or retaliation in violation of this policy.

A. Related Policies

- DePaul's Guiding Principles on Speech and Expression
- Code of Student Responsibility
- Sexual and Relationship Violence Prevention and Response Policy
- FERPA Compliance
- Faculty Handbook
- Progressive Discipline
- Reporting Misconduct & Non-Retaliation Policy
- Crime Reporting and Clery Act Compliance

B. Prohibited Conduct

Prohibited Discrimination

Examples of discrimination in violation of this policy include treating an employee, student or other member of the University community differently in the terms and conditions of his or her employment or education or making decisions about a person's employment, compensation, or education based upon a person's race, color, ethnicity, religion, sex, gender, gender identity, sexual orientation, national origin, age, marital status, pregnancy, parental status, family relationship status, physical or mental disability, military status, genetic information or other protected status.

Prohibited Harassment

Harassment based on a protected category, as outlined above, is a form of discrimination. Harassment is unwelcome conduct that is based on any of the above described protected categories. Such harassment is prohibited where: 1) enduring the offensive conduct becomes a term or condition of one's academic, working, or living environment, or 2) the conduct is severe or pervasive enough to create an academic, working, or living environment that a reasonable person would consider intimidating, hostile, or abusive.

Minor and isolated incidents (unless extremely serious) generally will not rise to the level of prohibited conduct. To be prohibited, the conduct must create an academic, working, or living environment that would be intimidating, hostile, or abusive to reasonable people.

Depending on the specific circumstances and impact on the workplace or academic environment, examples of harassment in violation of this policy include, but are not limited to, verbal abuse, offensive innuendo, derogatory comments, or the open display of offensive objects or pictures concerning a person's race, color, ethnicity, religion, sex, gender, gender identity, sexual orientation, national origin, age, marital status, pregnancy, parental status, family relationship status, physical or mental disability, military status, genetic information or other protected status.

In addition to the examples of prohibited harassment above, sexual harassment warrants further explanation. Sexual harassment also includes, but is not limited to, any unwelcome sexual advances, direct or indirect, requests for sexual favors and other verbal or physical conduct of a sexual nature when submission to such conduct is made or is threatened to be made, either explicitly or implicitly, a term or condition of instruction, employment or participation in other University activity; or

- submission to such conduct is made or is threatened to be made, either explicitly or implicitly, a term or condition of instruction, employment or participation in other University activity; or
- submission to or rejection of such conduct by an individual is used or is threatened to be used as a basis for evaluation in making academic or employment decisions affecting that individual.

Prohibited Sexual and Relationship Violence

Sex discrimination and sex harassment can include instances of sexual or relationship violence. For more information on DePaul's policy prohibiting sexual and relationship violence, refer to the Sexual and Relationship Violence Prevention and Response Policy.

Prohibited Retaliation

DePaul prohibits retaliation and the threat of retaliation against any person, including complainants, respondents and witnesses, exercising his or her rights and/or responsibilities in good faith under the Anti-

Discrimination and Anti-Harassment policy or federal law, state law, or county law prohibiting discrimination, harassment or retaliation.

For the purposes of this policy, retaliation includes any conduct directed against an individual, or someone affiliated with the individual, on the basis of or in reaction to the exercise of rights accorded and/or defined by this policy, or federal, state, county, or local law that is likely to dissuade the individual from exercising his or her rights in the future.

Claims of retaliation will be investigated and, if substantiated, constitute a separate violation of this policy. Any acts of retaliation will be subject to appropriate disciplinary action, including but not limited to reprimand, change in work assignment, loss of privileges, mandatory training, suspension, and/or termination. In conjunction with this policy, the University also enforces a Non-Retaliation Policy.

DePaul University takes good faith complaints of discrimination, harassment, and/or retaliation seriously. Individuals who knowingly make false allegations under this policy may be subject to disciplinary action, including but not limited to reprimand, suspension, and/or termination.

C. Academic Freedom

DePaul University values the free and open exchange of ideas within an academic community. Often ideas and viewpoints can challenge our assumptions, beliefs or perspectives that are intrinsic to learning and may sometimes prove disturbing or offensive. DePaul University is committed to the principles of academic freedom and inquiry; however, discrimination and harassment as identified in this policy are neither legally protected expression nor the proper exercise of academic freedom.

D. Reporting

Complaint Reporting Options

The University strongly encourages individuals who have been the subject of, or have witnessed, or are aware of, discrimination, harassment or retaliation, to make a complaint as soon as possible. The ability to investigate a complaint may be impacted if it is not made within a reasonable time period after the alleged occurrence(s).

An individual's options for reporting conduct that may be a violation of this policy are detailed below. Reports from third parties who have not themselves been involved in an instance of discrimination, harassment or retaliation are accepted.

For purposes of reporting, the terms employee, student, and third- party mean the following:

- Employee: Faculty, staff, student employee.
- Student: Student, as defined in the Code of Student Responsibility.

Third-party: An individual who interacts with the DePaul community and its members. This could include, but is not limited to, vendors, off-site supervisors, guests, community partners, etc.

1. <u>Reporting Conduct to Human Resources, Employee Engagement & Equal Employment</u> <u>Opportunity) (EE&EEO)</u>

Human Resources, Employee Engagement & Equal Employment Opportunity) ("EE&EEO") is responsible for receiving, processing, and investigating a complaint that an <u>employee or third</u> <u>party</u> has engaged in discrimination, harassment, or retaliation on the basis of:

- Race
- Color
- Ethnicity
- Religion
- National origin
- Age
- Disability
- Military status

- · Genetic information
- · Other status protected by local, state, or federal law

Individuals seeking to make such a complaint should contact EE&EEO.

Contact information for EE&EEO is as follows: 14 East Jackson Boulevard, Suite 1300 (312) 362-8500 EEO_Investigations@depaul.edu

Complaints can also be submitted electronically on the Human Resources website by completing the Complaint Form for Discrimination, Harassment and Retaliation

2. <u>Reporting Conduct to the Title IX Coordinator</u>

The Title IX Coordinator is responsible for receiving, processing, and investigating a complaint that an <u>employee, student, or third party</u> has engaged in discrimination, harassment, or retaliation on the basis of:

- Sex
- Gender
- Gender identity
- Sexual orientation
- Marital status
- Pregnancy/parental status
- Family relationship status

Individuals seeking to make such a complaint should contact the Title IX Coordinator.

Contact information for the Title IX Coordinator is as follows:

Title IX Coordinator Lincoln Park Campus Student Center, Suite 307 (312) 362-8970 titleixcoordinator@depaul.edu

Complaints can also be submitted electronically on the Sexual & Relationship Violence Prevention website.

3. Reporting Conduct to the Dean of Students Office

The Dean of Students Office is responsible for receiving, processing, and investigating a complaint that a **<u>student</u>** has engaged in discrimination, harassment, or retaliation on the basis of:

- Race
- Color
- Ethnicity
- Religion
- National origin
- Age
- Disability
- Military status
- Genetic information
- Other status protected by local, state, or federal law

Individuals seeking to make such a complaint should contact the Dean of Students Office.

Contact information for the Dean of Students Office is as follows:

Lincoln Park Campus Student Center, Suite 307 (773) 325-7290 deanofstudents@depaul.edu

Complaints can also be submitted electronically on the Dean of Students website.

4. Reporting Conduct to the Misconduct Reporting Hotline

One may anonymously report a complaint of discrimination, harassment, or retaliation to the Misconduct Reporting Hotline. The University's Reporting Misconduct Policy also describes the responsibility to report certain information that applies to this Policy.

(877) 236-8390 www.depaul.ethicspoint.com

General Reporting Obligations

1. Reporting obligations of managers and supervisors

All members of the University who serve in a supervisory capacity are responsible for relaying all complaints of discrimination, harassment, or retaliation that comes to their attention as supervisors and that may be in violation of this policy to the appropriate office.

Reporting obligations of all employees

Title IX prohibits sex discrimination on the basis of sex in federally funded education programs and activities. Sex discrimination includes sexual harassment, and sexual and relationship violence. Title IX requires that when an individual who is a "responsible employee" learns of sex discrimination, the responsible employee is required to promptly report specific information about the sex discrimination to DePaul's Title IX Coordinator or other appropriate designees.

At DePaul, unless otherwise designated as a confidential reporting resource, all DePaul faculty, staff, and student employees are required to promptly report incidents of sex discrimination and sexual harassment, including sexual and relationship violence that comes to their attention to the Title IX Coordinator.

As appropriate, the Title IX Coordinator works with other offices to address Title IX complaints and other Title IX compliance issues. These offices include, for example, other offices in Student Affairs, Academic Affairs, Human Resources, Athletics, Compliance and Risk Management and Enrollment Management & Marketing.

Information to be disclosed: The information that must be disclosed to the Title IX coordinator includes:

- the name of the person who reported the information to the employee;
- the name of the alleged affected individual, if different than the individual reporting;
- the name of the alleged perpetrator (if known);
- · the names of others involved; and
- · any relevant facts that have been provided, such as date, time, and location.

<u>Information to be provided:</u> For instances involving sexual and relationship violence, the employee will also provide the reporting individual with a Sexual and Relationship Violence Information Sheet.

Other important information: Employees should also:

- Familiarize themselves with confidential reporting resources.
- Inform the individual disclosing an issue related to sex discrimination or sexual harassment, including sexual or relationship violence, of their obligation to report any information shared to the Title IX Coordinator.

Connect the individual with a confidential resource if the individual wishes to speak to someone confidentially.

Employees may also have other reporting obligations pursuant to other DePaul policies including:

Crime Reporting and Clery Act Compliance

Reporting Misconduct policy

More information about reporting responsibilities regarding sexual and relationship violence for all DePaul employees and confidential reporting options can be found on the Sexual & Relationship Violence Prevention website.

VII. Procedures

Investigation and Resolution Process

When the offices above receive a complete complaint of discrimination, harassment or retaliation, including matters related to the Sexual and Relationship Violence Prevention and Response Policy, the office will promptly investigate the allegation in a fair and expeditious manner. Every complaint is based on its own facts and circumstances, which can impact the course of the investigation. The following is an outline of the procedure generally followed.

Receipt and Review

The specific initial steps may vary depending on the facts and circumstances of the complaint. Generally speaking, the responsible office will:

- · Acknowledge receipt of the complaint in writing within 10 days of receipt.
- Conduct a preliminary assessment of allegations to determine whether the alleged conduct, if substantiated, could constitute a violation of this Policy.

Fact-Finding and Notifications

The specific fact-finding and notifications steps may vary depending on the facts and circumstances of the complaint. Generally speaking, the responsible office will:

- Simultaneously inform the complainant and the respondent in writing of the initiation of the investigation.
- · Collect and review relevant documentation.
- As needed, interview the complainant, respondent, and witnesses to the reported event or events.
- Prepare a summary of the investigation.
- Simultaneously inform the complainant and respondent in writing of aspects of the investigation, including, for example, any interim measures, extensions of time, and outcomes.
- Provide written notification to the appropriate University officials of its finding, if necessary.
- In matters involving student respondents, the parties will be given a written notification as to whether the matter will move forward to a Student Conduct Process.

Time Frame for Resolution

DePaul will take reasonable measures to complete any process resulting in a determination as to a policy violation within 60 calendar days from the date when an investigation is initiated. DePaul reserves the right to extend this time limit, in its sole discretion, in order to ensure a proper review of all material and as circumstances warrant. As referenced above, the appropriate office will simultaneously inform the complainant and respondent of any extensions and the reasons.

Resolution of Complaint

When the Respondent's Status is: Employee

A determination as to policy violations will be made by EE&EEO or the Title IX Coordinator. All determinations as to whether an individual is or is not in violation of a policy will be based on the standard of "whether it is more likely than not," based on the information available at the time, that the individual is or is not in violation of the policy at issue. If EE&EEO or the Title IX Coordinator, following its investigation, determines that the Anti-Discrimination and Anti-Harassment policy has been violated, it will work with the appropriate University officials to recommend appropriate corrective action. Supervisors, department heads, chairs, and other University managers and officers have the responsibility for determining and

implementing appropriate corrective action. EE&EEO or the Title IX Coordinator may advise in the implementation of corrective action and may monitor the implementation of the corrective actions.

- Report that a <u>staff member or student employee</u> may have violated this policy: For staff members, the Progressive Discipline policy applies. For student employees, the Student Conduct Process may also apply, as detailed below.
- Report that a <u>faculty member</u> may have violated this policy: The procedures outlined in the Faculty Handbook apply, including Chapter Four of the Faculty Handbook relating to discipline, suspension or termination of faculty members for cause

When the Respondent's Status is: Student

A determination as to a policy violation and a determination as to sanctions will be addressed through the procedures outlined in the Student Conduct Process. The range of potential sanctions for students who are found responsible for violating this policy is detailed in the Student Conduct Process. Students should also familiarize themselves with all of the Student Rights in the Student Conduct Process and aspects of the Student Conduct Process. This includes, for example, the Amnesty/Good Samaritan policy.

Other Policies

To the extent that the initial assessment or investigation indicates that other University policies may have been violated by the reported conduct, the appropriate University official(s) will be notified and applicable procedures set forth in the DePaul Student Handbook, the applicable policy, the DePaul Faculty Handbook, or relevant collective bargaining agreements will apply

Confidentiality

DePaul is committed to balancing the interests of all parties involved in discrimination, harassment, and/or retaliation complaints. To the extent possible, DePaul will limit the disclosure of information related to the complaint and its investigation. Nonetheless, DePaul cannot promise confidentiality of any information received in a complaint or during an investigation.

Section 504 Grievance Procedure

Please note that this Policy constitutes the University's Section 504 Grievance Procedure. EE&EEO is the University's Section 504 Coordinator for Grievance Procedures. Any employee, applicant, or student who believes that they may have been discriminated against based on a disability, or retaliated against because they complained about discrimination or because they have requested an accommodation may file a complaint through this Policy.

Employees and applicants for employment seeking accommodations for physical or mental disabilities should contact the University's Section 504 Coordinator for Employees (EE&EEO). Students and applicants for admissions seeking accommodations for physical or mental disabilities should contact the University's Section 504 Coordinator for Students (Center for Students with Disabilities).

Other Resources

Although the University encourages individuals to utilize the complaint process described above to resolve any complaints, use of this process does not prohibit the filing of a complaint with external agencies at any time. Individuals may choose to file a complaint with various external agencies including, but not limited to, the government agencies listed below.

The U.S. Equal Employment Opportunity Commission

http://www.eeoc.gov/field/chicago/

Illinois Department of Human Rights

http://www.illinois.gov/dhr/Pages/default.aspx

The U.S. Department of Education, Office for Civil Rights

http://www2.ed.gov/about/offices/list/ocr/addresses.html

VIII. Divisional Collaborations Office of Institutional Compliance

Academic Affairs

IX. Contact Information

EE&EEO 14 East Jackson Boulevard, Suite 1300 (312) 362-8500 EEO_Investigations@depaul.edu

Title IX Coordinator Lincoln Park Campus Student Center, Suite 307 (312) 362-8970 titleixcoordinator@depaul.edu

X. Appendices

None.

EXHIBIT C

Student Conduct Process

Overview of the Student Conduct Process

 The Student Conduct Process begins when the University receives information that a student's conduct may be in violation of the policies in the Code of Student Responsibility or other University policies.

The University will review the information provided and make a decision that:

- 1. It is appropriate to initiate a Student Conduct Process.
- 2. More information or investigation is needed before making a determination whether to initiate a Student Conduct Process.
 - 3. It is not appropriate to initiate a Student Conduct Process at this time.

If a Student Conduct Process is initiated (including after further investigation or information gathering), the Student Conduct Process will proceed as follows:

- The University will promptly communicate with the relevant parties, including the complainant and the referred student, in order to explain the Student Conduct Process. See details in <u>Initial Meetings</u>.
- Depending on the circumstances, the University may decide to impose interim sanctions. See details in <u>Interim Sanctions</u>.
- 3. The University will determine whether the Student Conduct Process will proceed with an administrative hearing or a University Board hearing. This determination will be discussed with the relevant parties during any initial meetings. Factors that contribute to the decision include but are not limited to the type of violation, severity of the incident, consideration for potential likely sanctions, the impact on the larger University community, and the role of the complainant.
- 4. The University will work with the individuals involved to determine each individual's level of participation in the Student Conduct Process and what role each individual will have in the Student Conduct Process. For example, whether the referred student will be

participating in the Student Conduct Process; and whether the complaining individual will serve as a complainant, witness, or not participate at all.

- 5. The University will hold an administrative hearing or a University Board hearing. See details in <u>Administrative Hearing Process</u> and <u>University Board hearing process</u>.
- 6. If a referred student is found "IN VIOLATION" of any policy, conduct sanctions will be assigned. See details in <u>Information About Conduct Sanctions</u>.
- The complainant and the referred student will have the opportunity to appeal all determinations as to policy violations and sanctions. See details in <u>Conduct Appeals</u>
 <u>Procedures</u>.

All meetings and hearings that are part of the Student Conduct Process, including initial reviews, administrative hearings and University board hearings are scheduled at the earliest availability of the reporting individual, the referred student and the hearing officer or University Board panel. As appropriate, academic commitments will be considered in determining student availability. Other commitments may be considered at the discretion of the Dean of Students Office.

The availability of an advisor to attend any meeting or hearing related to the Student Conduct Process shall not unreasonably interfere with or delay the Student Conduct Process.

EXHIBIT D

Information Sheet - Rights and Options

DePaul University's Sexual and Relationship Violence Information Sheet

DePaul University is concerned about the safety and well-being of its students, faculty and staff. If you have experienced any incidents of sexual misconduct, harassment, or violence, whether on- or off-campus, please know that you have rights, you have options, and support is available for you. This document is intended as an overview of various policies, procedures, resources, and supports.

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11 Additional Resources

Title IX:

Title IX of the Education Amendments of 1972 ("Title IX") prohibits discrimination based on sex, which includes sexual and relationship violence at any federally funded education program or activity. When the university receives a complaint of sexual and relationship violence or discrimination, it will respond in a prompt and equitable manner, consider and process every complaint based on its own facts and circumstances, and prohibit retaliation against anyone for raising complaints or participating in a process related to Title IX. DePaul's complete Anti-Discrimination and Anti-Harassment policy can be found at <u>http://go.depaul.edu/adah</u>

Sexual and Relationship Violence:

DePaul's Sexual and Relationship Violence Prevention and Response Policy (SRV) strictly prohibits sexual and relationship violence and threats of sexual and relationship violence, which is defined in DePaul's policy. Individuals of any sex, sexual orientation, or gender identity may experience sexual or relationship violence. In all instances, DePaul encourages reporting of unwelcome conduct whether or not it appears to meet the definitions as set forth in DePaul's policy. With a report, DePaul can assist in identifying resources and available courses of action. DePaul's complete Sexual and Relationship Violence Prevention and Response policy can be found at <u>http://go.depaul.edu/</u> <u>srvpolicy</u>

Reporting Rights:

You have the right to report an incident of sexual or relationship violence to the university, law enforcement, or both. You also have the right not to make a report.

On Campus Reporting Options:

Emergency Reporting:

Public Safety: The Public Safety Office is open 24 hours a day, 7 days a week.

Lincoln Park campus: 773-325-7777

Non-Emergency Reporting:

Title IX Coordinator: The Title IX coordinator's office is located in the Lincoln Park Student Center Suite 307. You can contact the Title IX coordinator by calling 312-362-8970 or emailing

titleixcoordinator@depaul.edu. The Title IX coordinator works with other offices to address Title IX complaints and other Title IX compliance issues. These offices include Student Affairs, Academic Affairs, Human Resources, Athletics, Compliance and Risk Management and Enrollment Management & Marketing.

Anonymous Reporting:

The Misconduct Reporting Hotline is available for anonymous, electronic reporting. Call 877.236.8390 or <u>depaul.ethicspoint.com</u>

In addition, electronic reports of sexual and relationship violence, including anonymous reports, can be made by accessing the incident reporting form at <u>http://go.depaul.edu/report</u>

Responsible Employees:

All DePaul faculty and staff who have not otherwise been designated as confidential reporting resources (defined on following page) are "responsible employees." Title IX requires that when a responsible employee learns of sex discrimination, including sexual or relationship violence, that individual is required to promptly advise the Title IX coordinator or other appropriate designees. Because of this, please note that, although DePaul takes survivor confidentiality very seriously, confidentiality cannot be guaranteed when informing DePaul employees who have not otherwise been designated as confidential reporting resources of incidents of sexual or relationship violence.

Information will only be shared with those employees who "need to know" in order to assist the review, investigation, resolution or remediation of the report.

DePaul is committed to protecting the privacy of all individuals involved in a report of prohibited conduct. In any report, investigation or resolution of a report, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the allegation and to the extent required or permitted by law. Information will only be shared with those employees who "need to know" in order to assist the review, investigation, resolution or remediation of the report.

DePaul takes confidentiality very seriously and takes steps to protect confidentiality to the extent possible by law. Information shared with designated confidential campus or community professionals cannot be revealed without express permission, or as otherwise permitted or required by law. Designated confidential reporting resources are the Office of Health Promotion and Wellness (Survivor Support Advocates), University Counseling Services, Mission and Ministry, and the University Ombudsperson. More information about other oncampus confidential reporting resources can be found at <u>http://</u>go.depaul.edu/srv.

Although DePaul aims to honor requests for confidentiality where possible, there may be times where the university will have to move forward with the Student Conduct Process or other response even if an individual declines to participate.

Office of Health Promotion & Wellness, Survivor Support Advocates

go.depaul.edu/hpw 773-325-7129 hpw@depaul.edu 2250 N. Sheffield Ave, Suite 302

Survivor Support Advocates are designated as confidential advisors. They can provide anyone who has had an experience with sexual or relationship violence with a safe, confidential, and non-judgmental space to receive support.

Staff can connect individuals with on- and off-campus resources, such as confidential counseling with University Counseling Services or recognized religious leaders engaging in pastoral care in Mission and Ministry; medical/legal/law enforcement options, including obtaining orders of protection and no contact orders or obtaining medical forensic examinations at no cost; safety planning and selfcare; and alterations to transportation and working situations if requested and reasonably available. They can also assist with notifying campus authorities and local law enforcement about incidents of sexual and relationship violence.

You are entitled to decline notification to campus authorities or local law enforcement. Scheduled appointments and walk-ins are welcome. University Student Conduct Information & Other Information About Filing Complaints

Processing and Resolving Complaints:

DePaul University is committed to providing a prompt and equitable investigation and resolution to issues of sexual and relationship violence. For students, this includes the Student Conduct Process.

Student Conduct Process:

- Information about the Student Conduct Process (SCP) can be found at http://go.depaul.edu/scprocess
- A survivor may serve as the complainant or as a witness in the SCP.
- The survivor and referred student are allowed to have an advisor of their choosing, including an attorney, throughout the SCP.
- DePaul prohibits retaliation against anyone raising complaints or participating in a process under Title IX.
- DePaul uses a "more likely than not" standard in its SCP to determine if a violation occurred.
- Sanctions imposed may include probation, no contact restrictions, suspension or dismissal.
- All employees who respond to sexual and relationship violence and participate in making policy determinations through the SCP regarding incidents of sexual and relationship violence have undergone appropriate training on an annual basis.
- At the conclusion of the SCP, both parties are simultaneously notified in writing of the outcome, appeal rights, if any changes are made to an outcome, and when an outcome is final.

Right to Request Interim Measures:

The Title IX coordinator can assist in obtaining interim protective measures and accommodations for individuals involved in reports of sexual and relationship violence when requested and reasonably available, including changes to academic, living, dining, working and transportation situations. Such options are available regardless of whether a survivor reports to local law enforcement or pursues internal disciplinary options.

Off-campus Reporting

24 - Hour Chicago Rape Crisis Hotline:

1-888-293-2080 (assistance identifying a sexual assault crisis center and advocacy)

24 – Hour Chicago Domestic Violence Help

1-877-863-6338 (assistance identifying a domestic violence shelter and advocacy)

Chicago Police Department

911 (emergency)

311 (non-emergency)

More information about other on-campus confidential reporting resources can be found at <u>http://go.depaul.edu/srv.</u>

To best preserve evidence of an assault, survivors are encouraged to:

- Avoid showering/bathing, changing clothes, washing hands, going to the toilet or brushing
- Save each item of clothing worn at the time of the assault in separate paper bags, if clothing is changed
- Avoid disturbing anything in the area where the assault occurred
- Save any text messages, social networking pages and other communications

Additional Resources

Advocate Illinois Masonic Medical Center

www.advocatehealth.com/immc/ 836 W Wellington Ave Chicago, IL 60657 773-975-1600

Apna Ghar Inc

www.apnaghar.org/ 4350 N Broadway St. Chicago, IL 60613 (773) 334-4663

Arab-American Family Services

www.arabamericanfamilyservices.org 9044 S Octavia Ave. Bridgeview, IL 60455 (708) 599-2237

A Safe Place

www.asafeplaceforhelp.org/ 2710 17th St. Zion, IL 60099 847-731-7165 24-Hour Crisis Line: 847-249-4450

Between Friends

www.betweenfriendschicago.org/ LPC: 773-325-7777 Loop: 312-362-8400 312-362-8066

Campus Ministry

<u>go.depaul.edu/ministry</u> LPC: 2250 N. Sheffield Ave, Suite 311 Chicago, IL 60614 773-325-7902 Loop: 1 E Jackson Blvd., rooms 11008-11010 Chicago, IL 60604 312-362-6699

Center on Halsted (LGBT & STD Testing Services)

www.centeronhalsted.org/ 3656 N. Halsted St. Chicago, IL 60613 773-472-6469

Connections for Abused Women and Their Children (CAWC)

<u>www.cawc.org/</u> 1116 N. Kedzie Ave Chicago, IL 60651 24-Hour Crisis Line: 773-278-4566 773-489-9081 (TTY)

Cook County Circuit Court

www.cookcountyclerkofcourt.org 555 W Harrison St., Chicago

Crisis Hotlines

24-Hour Chicago Rape Crisis Hotline: 1-888-293-2080 24-Hour Sarah's Inn Domestic Violence Crisis Line: 708-386-4225 24-Hour City of Chicago Domestic Violence Help Line: 1-877-863-6338 24-Hour Spanish Speaking Domestic Violence Hotline: 312-738-5358

Dean of Students Office

<u>go.depaul.edu/dos</u> Lincoln Park 2250 N. Sheffield Ave., Suite 307 Chicago, IL 60614

deanofstudents@depaul.edu 773-325-7290

Employee Assistance Program (Counseling and Resources for DePaul staff only)

1-800-456-6327

LGBTQA Student Services

go.depaul.edu/LGBTQA LPC: 1036 W. Belden Ave., 3rd floor Chicago, IL 60614 773-325-7325

Additional Resources

Life Span Center for Legal Services & *Advocacy*

Life-span.org 312-408-1210

Mujeres Latinas En Accion

http://www.mujereslatinasenaccion.org/ Home/programs/sexual-assault-program 2124 W. 21st Place Chicago, IL 60608 773-890-7676 (office)

Neopolitan Lighthouse

www.neopolitanlighthouse.org 24-Hour Crisis Line: 773-722-0005 773-638-0228 (TTY)

Porchlight Counseling Services

www.porchlightcounseling.org/ Multiple Chicagoland Counseling Locations 773-750-7077

Public Safety (24x7 for all emergencies)

publicsafety.depaul.edu LPC: 773-325-7777 Loop: 312-362-8400 312-362-8066

Rape Victim Advocates (Free Counseling and Legal Advocacy)

www.rapevictimadvocates.org/ 180 N. Michigan Ave., Suite 600 Chicago, IL 60601 312-443-9603

Survivor Support Advocates

go.depaul.edu/hpw Office of Health Promotion & Wellness 2250 N. Sheffield Ave., Suite 302 Chicago, IL 60614 773-325-7129

University Counseling Services

studentaffairs.depaul.edu/ucs/ LPC: 2250 N. Sheffield Ave., Suite 350 Chicago, IL 60614 773-325-7779

Loop: 25 E. Jackson Blvd., Suite 1465 Chicago, IL 60604 312-362-6923

YWCA Metropolitan Chicago -Loop (Free Counseling and Legal Advocacy)

www.ywcachicago.org 1 N. LaSalle St., Suite 1150 Chicago, IL 60602 312-372-6600



EXHIBIT E

Summary of DePaul's Primary Prevention and Awareness Programming

Program Date	Name	Audience	Attendance
2019	Responsible Employee Trainings	Students	223
2019	Title IX Training	Students	42
2019	Title IX Training	Staff	25
2019	Vinny Vow	Students	212
2019	Other Workshops and Trainings	Students	442
2019	Other Workshops and Trainings	Students and Staff	6
2019	Premiere DePaul	Students	2,636
2019	Transition DePaul	Students	1,123
2019	Common Hour	Students	2,636
			,
Fall 2019	NCAA Title IX Training	Students and Staff	260
Fall 2019	Title IX Training for RA's	Students	10
Fall 2019	Vinny Vow 8/26/19	Students	16
Fall 2019	Responsible Employee Training: EDGE Peer Mentors	Students	22
Fall 2019	Title IX Presentation	Staff	25
Fall 2019	Responsible Employee Training - Students, Mission & Ministry	Students	19
Fall 2019	Theatre School MFA Title IX	Students	12
Fall 2019	Global Pathway Orientation Title IX w/ DOS	Students	20
Fall 2019	Student Center Employee Presentation	Students	74
Fall 2019	Vinny Vow Session 2 in room 112	Students	12
Fall 2019	Vinny Vow Room 109	Students	16
Fall 2019	Responsible Employee Training - Athletics	Students	23
Fall 2019	University Board Training	Students and Staff	6
Fall 2019	Responsible Employee Training- Modern Language Tutors	Students	17
Fall 2019	Responsible Employee Training +Boundaries - Writing Tutors	Students	18
Fall 2019	Vinny Vow with RAs	Students	24
Fall 2019	Vinny Vow IFC	Students	19
Fall 2019	Healthy Relationships and Consent with the RAs and Residents	Students	17
Fall 2019	It's All Love	Students	3
Fall 2019	Staying Safe with Sigma Lambda Gamma	Students	7
Fall 2019	Vinny Vow IFC	Students	19
Fall 2019	Vinny Vow IFC	Students	26
Fall 2019	STI & Safer Sex RA Event	Students	10
Fall 2019	Vinny Vow	Students	20
Fall 2019	RA Consent Event- Corcoran Hall	Students	16
Fall 2019	Sex in the Dark	Students	15
Fall 2019	Sexual Violence 101: Psychology of Human Sexuality	Students	34
Fall 2019	I CARE For You: Trauma Informed Response Training	Students and Staff	17
Fall 2019	Take Care DePaul Athletics, Check in #1	Students	42

23	Students	Sexual Violence 101: Women's Health	Fall 2019
11	Students	Vinny Vow: Esports	Fall 2019
1	Students	Recovery Meeting: Healthy Communication	Fall 2019
12	Students	SRV Workshop Lambda Phi Epsilon	Fall 2019
11	Students	Vinny Vow: Esports	Fall 2019
16	Students	RA Event Safe Sex Practice 2/7/2019	Winter
			2019
21	Students	Vinny Vow SGA 2/21/2019	Winter
			2019
13	Students	Theatre School Consent Workshop 2/22/2019	Winter
			2019
24	Students	Boundaries Training for ISSE Peer Mentors 3/8/2019	Winter
			2019
28	Students	Sexual Assault 101: Women's Health 3/25/2019	Winter
			2019
21	Students	Phi Kappa Phi Sexual Assault Prevention 4/7/2019	Spring
			2019
20	Students	DCTC: Healthy Relationships & Communications 4/23/2019	Spring
			2019
14	Students	Sexual Violence 101 4/26/2019	Spring
25	Ctudanta	Sefer Sev E /2/2010	2019 Species
25	Students	Safer Sex 5/2/2019	Spring 2019
23	Students	Resp. Emp. Training Ols 5/10/2019	
25	Students	Kesp. Linp. Hanning Ois 3/10/2013	Spring 2019
21	Students	Sexual Assault 101: Women's Health 5/13/2019	Spring
	Students	Sexual / ISSuale 191. Women's Health 5/15/2015	2019
17	Students	Sexual Assault 101: Nora Murphy's Class 5/16/2019	Spring
			2019
27	Students	Resp. Emp Training STARS 5/17/2019	Spring
			2019
28	Students	Sexual Assault 101: Psych of Human Sexuality 5/20/2019	Spring
			2019
26	Students	Phi Sigma Pi Eta Gamma Consent and Resources for Survivors	Spring
		6/5/2019	2019
9	Students	ISSE Peer Mentor Boundary Training 6/7/2019	Spring
			2019