



2018

Annual Security Report

and

Annual Fire Report

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Section 1 Introduction

1.1 Introduction

MacMurray College publishes this report in compliance with the Jeanne Clery Disclosure Campus Security Policy and Campus Crime and Statistics Act (Clery Act), the Higher Education Opportunity Act of 2008, and the Violence Against Women Reauthorization Act of 2013 (VAWA), which amended the Clery Act, by requiring certain policies and reporting regimens in reference to crimes of domestic violence, dating violence, and stalking. The MacMurray College Department of Campus Safety coordinates with various College entities, including the office of the Provost and Vice President for Academic Affairs and Student Life, the Title IX Coordinator, the Dean of Student Life, the Director of Campus Safety & Housing, Resident Directors, Resident Assistants, the Athletic Director, team coaches, student organization advisors, as well as Campus Security Guards, Student Safety Aides, and/or local law enforcement and emergency services agencies to compile the necessary information for this report.

This report includes policy statements and detailed structure in regard to the College's policies, procedures, and programs involved with safety and security. The information included pertains to the Department of Campus Safety and describes the process individuals can report and prevent crimes or suspicious activities to. This report furnishes program information the College provides in an effort to prevent drug and alcohol abuse; this report also details programs specific to alertness, prevention, and response to various forms of sexual misconduct. The report also includes three years' worth of statistics for particular types of crimes that occurred on campus and fire safety data. This report also contains information on MacMurray College's Emergency Action Plan (EAP).

We encourage members of the MacMurray College community to utilize this report as a resource for safe practices on and off campus. Paper copies of this document are available upon request from the MacMurray Office of Student Life.

Important

Telephone Information

Jacksonville Emergency		911
Security Department	24 hours day, Every day	217-370-3207
Student life Office	8:00 am- 4:30 pm M-F	217-479-7123
Title IX Office	8:00 am-4:30 pm M-F	217-479-7156
Physical Plant Office	7:30 am- 3:30 pm M-F	217-479-7220
Business Office	8:00 am- 4:30 pm M-F	217-479-7006
Prairie Center Against Sexual Assault Hotline		217-753-8081

1.2 The Officer of Safety and Security Policies and Procedures

MacMurray College is committed to maintaining a safe and secure learning environment.

The Department of Campus Security encourages all students and faculty to become familiar with MacMurray's security policies and procedures in an effort to increase awareness with respect to individual personalities and behaviors. All members of the MacMurray community are heartened to immediately report any criminal activity, suspected criminal activity, and emergency situations.

Operating around the clock, MacMurray's Security officers continual patrol of MacMurray College buildings, parking lots, and ground by foot and vehicle to deter crime and enforce all campus rules and regulations. Security officers do not have official police or arrest powers but utilize citizen's arrest authority when needed. Other duties include, but are not limited to, aiding in cases of emergency; responding to a request for service or access assistance; aiding in subduing any disturbances, and conducting investigations when appropriate and requested by the administration.

Student Safety Aides can provide a safety escort for individuals to a car, campus residence hall, or other on-campus destination if requested.

All members of MacMurray community have access to the college's academic, athletic, and administrative facilities during open or general use hours. Major athletic, recreational, or cultural events are open to the general public; however, access to campus facilities is limited to the locations where the events are being held. Private or individual use of MacMurray facilities by the general public is by invitation only. Access to MacMurray's residence halls is restricted to students and their guests along with college officials having a legitimate need

to enter the facility. The residence halls are not open to the public. All visitors (non-MacMurray students) to the residence halls must be guests of a MacMurray student. Students serving as hosts are held responsible for the actions of their guests in the residence hall and elsewhere on campus. The full guest policy is found in the Student Handbook and online at:

https://my.mac.edu/ICS/icsfs/The_Maggie_2018-2019_Final_8.9.18.pdf?target=4f5762ff-2b43-46d1-85e9-7d65f905d4a8.

All residence halls are locked 24 hours a day with access being limited to residents possessing key card entry to the hall. Each residence hall is supervised by a Resident Director, a staff of Resident Assistants, and Student Safety Aides. These individuals reside in the residence hall and share on-call rotation duty. Every member of the residence life staff has undergone training with respect to emergency procedures and can enforce college safety and security policies in the residence halls. The College does not provide on-campus housing for married students. Additionally, the College does not provide, nor do any student organizations maintain or provide, off-campus housing for MacMurray students. The College does not provide security or supervision for students residing off-campus in apartments, individual homes, or individual rooms in private homes.

The Facilities Department, Campus Security, and Residence Life staff are responsible for checking facilities regularly for maintenance and safety of pathways, egress lighting, safety of entrances and exits, security cameras, and door locks.

1.3 Monitoring and Recording with Local Police

MacMurray College has a good working relationship with the local police department and the police are routinely called concerning on-campus incidents that require their attention. In addition, criminal activity involving MacMurray students that occurs at off-campus locations is monitored by the Office of Student Life with the assistance of Jacksonville Police Department. If an incident should occur off-campus that involves MacMurray students, those students could face charges through the Jacksonville Police Department as well as the campus judicial system.

The Jacksonville Police Department, the Office of Campus Safety and Security, and the Office of Student Life work together to ensure accurate information for mandated reports.

The College does not have a written memorandum of understanding with the police department at this time. The memorandum is in process and will be in place fall 2018.

1.4 Individual Responsibility

It is essential that every member of the MacMurray community becomes involved in and cooperates with campus security policies and programs. Campus security procedures and practices are included in student leader and residence staff training annually, in open campus forums, and periodic electronic communication. The success of the College’s security efforts is dependent upon the cooperation of students and employees. All students and employees must accept responsibility for their own personal safety and the security of their personal possessions by taking simple common-sense precautions. For example, a student can call a Student Safety Aide at (217) 479-7035 for an escort or utilize the MacSafe App for a Friend Walk or Virtual Walk Home. It is also suggested that students travel in groups when walking around campus at night. Residence hall room doors and office doors should be bolt locked at night or when the room is unoccupied. Vehicles should be locked at all times and any valuables stored in vehicles should be locked in the trunk. All motor vehicles parked on campus should possess a college parking decal. Bicycles should be kept locked at all times.

1.5 Reporting Crime

Campus Safety & Security	Gamble Campus Center	217-370-3207
Dean of Student Life	Gamble Campus Center	217-479-7123
Director of Campus Safety & Housing	Gamble Campus Center	217-479-7124
Title IX Coordinator	Jenkins Education Center	217-479-7156
Jacksonville Police Department	200 W. Douglas St.	911
JPD (<u>non-emergency number</u>)	Jacksonville, IL 62650	217-479-4630

All members of MacMurray community should immediately report any criminal acts and any suspicious looking individuals or unusual incidents occurring on campus to any of the following appropriate college officials. Any member of the Residential Life Staff located in the Residence Halls.

Victims of a crime are encouraged to promptly file a police report, along with reporting to the above persons or organizations, which will be used for preparing the annual disclosure of crime statistics. A list of resources and options to victims of a crime are available in most campus offices including the Office of Student Life, academic support services offices, the athletics offices, the Office of the Title IX Coordinator, and all administrative support offices. The College has no policy or procedure for voluntary confidential reporting for inclusion in the annual disclosure of crime statistics.

1.6 Timely Warning Notices

To aid in the prevention of similar crimes, timely warning crime alerts are posted as quickly as possible relating to crimes of homicide, murder, non-negligent manslaughter, negligent manslaughter, sex offenses (including forcible and non-forcible sex offenses), robbery, aggravated assault, burglary, motor vehicle theft, and arson that are reported to a campus security authority or local police and are encouraged by the College to represent a threat to student and staff. The College may not provide timely warnings on those crimes reported to a pastoral or professional counselor. Alerts are posted by one or more of the following means: all-campus e-mail, MacMurray College homepage, flyers, MacSafe App push notification system. All alerts are available in the history section on the MacSafe App. The Office of Campus Safety is responsible for issuing the warning or may designate the Office of Communication and Marketing or Office of Information Technology to issue the alert.

1.7 Emergency Notification

The MacSAFE app, campus email, college webpage, and social media is to be used to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. With the help of internal college departments, the Jacksonville Police Department, Office Emergency Management, Morgan County Sherriff, Illinois State Police, the determination to confirm there is a significant emergency or dangerous situation to initiate the notification system and determine the content of the notification will rest on the Office of Campus Safety. The College will, without delay, and considering the safety of the community, select from the list of approved canned messages and initiate the Mac SAFE notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to

contain, respond to or otherwise mitigate the emergency. Given the enrollment of the College all campus emergency notifications go to all campus members.

1.8 Emergency Drills, Testing & Evacuation

The College will test emergency response and evacuation procedures on at least an annual basis, including: fire drills, severe weather response, and loss of utilities. Tests may be announced or unannounced. All emergency response and evacuation procedures related to the drill performed will be available in the Office of Campus Safety

1.9 Security Awareness & Crime Prevention

The institution's educational programs for security awareness and crime prevention take place during new student orientation and consists of training on the MacSAFE app and all of the campus and building security measures. This awareness program is held once per year.

Section 2: Policies, Procedures, and Programs

2.1 Alcohol and Drug Abuse Prevention: Policies, Procedures, Programs

Violations of the policies listed below are punishable by disciplinary sanctions up to and including expulsion from MacMurray College. The College cooperates fully with local law enforcement agencies in enforcing state and federal drug laws as required under the Drug Free Schools and Communities Act (DFSCA). The Office of Student Life offers a variety of services in regard to drug and alcohol prevention. These services include: the distribution of informational material, referrals, and college disciplinary actions. In addition, a variety of alcohol and drug awareness programs such as hall programming, passive bulletin boards, Health Services programs, and Drunk Driving simulation programs are routinely held throughout the academic year. Information on these and other such programs are distributed from the Office of Student Life in Gamble Campus Center and is announced via posters, e-mail, and bulletins.

Additional information regarding MacMurray College and our alcohol and other drug policies, and programs can be found under our Drug Free Schools & Community Act at the following website:

<http://www.mac.edu/consumer information/drug free.asp>

2.1.1 Alcohol Policy

It is the position of MacMurray College that alcohol use is detrimental to a successful educational environment. Therefore, any use, regardless of age, is strongly discouraged while living in the residential halls. MacMurray students who are younger than Illinois' legal drinking age of 21 are prohibited from possessing (includes closed containers) or consuming alcoholic beverages on College property. Students who are at least 21 years of age may consume alcoholic beverages only in the privacy of the residence hall rooms with the door closed. Students under the age of 21 may not be present under any circumstance. All students who are in a room where both alcohol and underage students are present will be subject to disciplinary action. The question of who is consuming alcohol being irrelevant in cases where both alcohol and underage students are present. Kegs, party balls, jugs, as well

as any other rapid consumption devices are prohibited whether open or closed and are subject to confiscation. In accordance with Illinois law, powdered alcohol is prohibited on campus. Residence halls may be designated as “dry halls”, no alcohol is permitted in these halls. Any violation of alcohol policies has an automatic fine. Other disciplinary action and sanctions may occur.

Behavior which interferes with the rights of any other member of the campus community, especially other residents, and which is precipitated by or includes the use of alcoholic beverages may result in disciplinary action. This includes but is not limited to: loud parties, disorderly conduct, disturbing the peace, public drunkenness, rude conduct toward College employees or other residents, and providing alcohol to minors. To help deter abusive drinking behavior, no more than 4 persons are allowed in a room or suite where alcoholic beverages are being consumed. Absolutely no “parties” are allowed in residence hall rooms where alcohol is present. Students of legal age who choose to drink in their room assume all responsibility for the outcome of drinking. They should understand that they are expected to keep their drink in private and assume adult responsibility for their choices to drink alcohol. College sanctions involving underage students and alcohol are considered more severe and include confiscation of the alcohol. Should a question of “who” is in possession of alcohol arise, the resident(s) of a room in which a violation occurs will be assumed to have principal responsibility even though he/she might not be present when the offense is discovered. It will be standard procedure for Residence Life staff to check all students' cups and/or glasses for alcoholic beverages when the cup and/or glass is carried outside of the resident's room (i.e. lounge, hallways, restrooms, etc.). This is not intended as an infringement on the rights of students but rather a means by which a positive environment is fostered for all students. Any alcohol brought into a building must be in a bag or covered container. See the Standards of Conduct Section of The Maggie for further disciplinary violations and sanction information.

2.1.2 Drug Policy

MacMurray College is a drug-free zone. The use of drugs or possession of drugs or drug paraphernalia is explicitly forbidden on MacMurray College campus, at MacMurray College events, on or within MacMurray College property, etc. To better assist the Residence Life leadership team in enforcing MacMurray College's Drug Policy, the following revision has

been implemented effective January 1, 2017: Any resident student who is deemed by an RD, the Director of Campus Safety & Housing, or the Dean of Student Life to smell of marijuana may be subject to a Drug Violation Fine. Any student issued a Drug Violation Fine will be required to meet with the student conduct officer. Any guest of a resident student who is similarly determined to be under the influence of marijuana will be required to immediately vacate the premises and his/her host will be required to meet with the student conduct officer and may be subject to a Drug Violation Fine, a Guest Policy Violation, or other sanctions as determined appropriate by the Director of Campus Safety & Housing. 56 The Maggie 2018-2019 (Revised July 2018) RAs who believe that a student or guest of a student may be under the influence of marijuana are to contact their RD or the on-duty RD; the RD will determine whether to issue a citation. See the Standards of Conduct Section of the Maggie for further disciplinary sanction information.

2.1.3 Smoking Policy

Electronic Cigarettes. E-cigarettes, personal vaporizers, or electronic nicotine delivery systems are not permitted in any enclosed public areas. The Illinois Clean Air Act requires that institutions provide a smoke-free environment. Smoking prohibited in student dormitories. (a) Notwithstanding any other provision of this Act, smoking is prohibited in any portion of the living quarters, including, but not limited to, sleeping rooms, dining areas, restrooms, laundry areas, lobbies, and hallways, of a building used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education. Therefore, all buildings on the campus are smoke-free. Smokeless tobacco is banned from ALL ENCLOSED PUBLIC AREAS at MacMurray including, but not limited to:

- Campus Center
- Chapel
- Classroom buildings
- Dining Hall
- Franklin Elementary School Building
- Jenkins Education Complex
- Kathryn Hall
- Library

- Residence Hall lounges and hallways

2.1.4 Illegal Drugs

The illegal use of drugs and the possession of drug paraphernalia by MacMurray students is a Level III offense and is prohibited. The College cooperates fully with local law enforcement agencies and is prepared to pursue prosecution in cases which suggest drugs and drug dealing. In accordance with Illinois law, caffeine in powdered form is prohibited on campus.

As with questions regarding “who” is in possession of drugs, room residents bear the same responsibility in the determination of “who” possesses alcohol. Effective August 15, 1997, the School Reporting of Drug Violations Act became law. The act reads as follows: “S.H. A. 105 ILCS 127/ 2 2. DUTY OF SCHOOL ADMINISTRATORS. It is the duty of the principal of a public elementary or secondary school, or his or her designee, and the chief administrative officer of a private elementary or secondary school or a public or private community college, college, or university, or his or her designee, to report to the municipal police department or office of the county sheriff of the municipality or county where the school is located violations of Section 5.2 of the Cannabis Control Act and violations of Section 401 and subsection (b) of Section 407 of the Illinois Controlled Substances Act occurring in a school, on the real property comprising any school, on a public way within 1,000 feet of a school, or in any conveyance owned, leased, or contracted by a school to transport students to or from a school or a school related activity within 48 hours of becoming aware of the incident.” MacMurray College reserves the right to report all drug violations to the Jacksonville Police Department within 48 hours of the reporting of any drug-related incident. See the Standards of Conduct Section of this document for further disciplinary sanction information. Any violation of drug policies has an automatic fine as well as other disciplinary action and sanctions may occur.

2.2 Missing Student Notification

The Higher Education Opportunity Act (Public Law 110-315) requires higher education institutions that maintain an on-campus housing facility must establish, for students who reside in an on-campus student housing facility, both a policy and procedures for missing student notification. A residential student is one who resides in on-campus housing under a current housing contract and is currently enrolled at the College. Notification All students

living in on-campus housing facilities have an option to register a confidential contact person with the Housing Office. The contact person will be notified in the case the student is determined to be missing for 24 hours. However, the requirement does not preclude implementing these procedures in less than 24 hours if circumstances warrant a faster response. Only authorized campus officials and law enforcement officials in furtherance of a missing person investigation may have access to this information. The student is responsible for keeping the contact information current. Even if a student does not register a contact person, the Jacksonville Police Department will be notified that the student is missing. If a student is under the age of 18 and not emancipated, the College will notify the parent or guardian in the case the student is determined to be missing for 24 hours. All official missing student reports will be referred immediately to campus security and/or the Jacksonville Police Department. Procedures for Reporting and for Investigating Missing Students:

1. Any individual on campus who believes that a student may be a missing person must notify the Director of Campus Safety & Housing, the Dean of Student Life, security, and/or another member of the residence life staff immediately. If the student is an off-campus student, the reporting person should immediately call the local police. The College will assist external authorities with the investigation if it is requested to do so.
2. Upon receiving a report, College officials will attempt to gain all relevant information from the person making the report.
3. College officials will attempt to contact the student via phone and send the student an e-mail.
4. If the student is unable to be reached via phone, two staff members will visit the student's room in the residence hall. The staff members may key in to perform a health and well-being inspection.
5. Staff members will speak to residents and staff members to ascertain if anyone can confirm the missing student's whereabouts or confirm the last time the student was seen.
6. Staff members will contact all relevant faculty and staff.

7. Staff members will look up student's car make, model and license plate. Check parking lots to see if car is currently parked on campus.
8. Staff members will check all on-campus locations mentioned by the above stated parties as potential locations of the missing student.
9. Staff members will contact any friends that are made known through the above stated inquiries.
10. Staff members reserve the right to contact parents/guardians/emergency contacts as part of the investigation.

If these procedures provide an opportunity for College officials to make contact with the missing student, verification of the student's state of health and intention of returning to campus will be made. If these procedures do not provide an opportunity for College officials to make contact with the missing student, the local law enforcement agency will be notified. The local law enforcement agency may be contacted sooner if circumstances warrant a faster implementation.

2.3 Sexual Assault Prevention: Policy, Process and Programs

MacMurray College prohibits all forms of sexual violence. All reports of these violations will be investigated regardless of whether the alleged incident occurred on or off campus. The College affirms the view that sexual misconduct and sexual assault within the academic community that aims to enrich the lives of its members through learning, achievement, and service. For this goal to be possible, all community members must engage in responsible conduct that assures the rights and welfare of others. The MacMurray community will not tolerate violation of another person's rights through sexual misconduct or sexual assault. All reports of sexual misconduct and sexual assault will be investigated. Not only may such actions be subject to the following policies, but they may also be punishable under civil and criminal law. College disciplinary processes are not dependent on the filing or outcome of criminal or civil proceedings.

The Campus Security Enhancement Task Force is a campus-wide effort to work toward the prevention of sexual violence, domestic violence, dating violence and stalking; to ensure coordinate responses for law enforcement and victim services; and work towards improving coordination between community leaders and service providers. The task force shall meet

once each semester to discuss and improve best practices, policies, and procedures, as well as, collaboration and information-sharing among stakeholders.

2.3.1 Sexual Assault Educational Programming and Bystander Intervention Resources

MacMurray College is committed to sexual assault prevention and ongoing awareness regarding sexual harassment and sexual assault. Intentional programming in both fall and spring semesters are planned and promoted for the benefit of incoming students and new employees, all students, faculty, and staff members. Programs will include but are not limited to:

- Professional speakers/presentations
- Residence Hall Programming
- Sexual Assault Awareness Month-April
- Bystander intervention Training
 - Situational awareness
 - Resources and Referrals
 - Calling 911 or college officials
 - Looking for assistance
 - Asking for help
- Written resources about available community services and agencies will be available in the Campus Center and relevant campus offices
- Written information about sexual assault will be placed in key campus locations
- Health Services programming at various times each semester
- Programming sponsored by student organizations

2.3.2 Violations

There are a variety of different behaviors and conduct which may constitute a violation of this Sexual Conduct Policy and require investigation and redress under Title IX. The behaviors set forth herein below provide an example of the types of behaviors that are expressly prohibited by this Policy. The list is not necessarily all-inclusive; however, attempt has been made to provide a thorough explanation of what each type of prohibited behavior involves.

Sexual Harassment

Sexual harassment is:

- Uninvited and unwelcome
- Verbal, written, or physical behavior
- Of a sexual, sex-based, and/or gender-based nature; and
- Directed against another person, often but not necessarily by a person of authority toward a subordinate

Hostile Environment

A hostile environment is created when sexual harassment is:

- Sufficiently severe, or
- Persistent and pervasive enough,
- That a reasonable person would find that it unreasonably interferes with, denies, or limits a person's ability to participate in or benefit from the college's educational, employment, social, and/or residential program.

Quid Pro Quo Harassment

Quid pro quo harassment occurs when:

- A person having power or authority over another;
- Makes unwelcome sexual advances, requests sexual favors, or makes other verbal or physical conduct of a sexual nature; and
- When submission to such conduct is made either explicitly or implicitly a term or condition of receiving a benefit of any educational program, obtaining a good grade, rating or evaluation, or progressing through the course of educational study and matriculation.

Sexual harassment among or between students, among and between staff and faculty, and among and between students, staff, and faculty is regarded as unethical, unprofessional, and unacceptable. In all situations, power and authority implicit in the various academic and institutional relationships are not to be abused and/or exploited by any form of sexual harassment. Interpretation of this general definition of harassment will be with reference to societal standards of acceptable behavior, academic freedom, and freedom of expression.

Non-Consensual Sexual Contact

Non-consensual sexual contact is:

- Any intentional sexual touching;
- However slight;
- With any object;
- By a person upon another person;
- That is without consent and/or by force.

“Sexual contact” may include, but is not necessarily limited to:

- Intentional contact with another person’s breasts, buttock, groin, or genitals;
 - Touching another person with any of these body parts;
 - Making another person touch you or themselves with or on any of these body parts;
- or
- Any other intentional bodily contact of a sexual nature

Non-Consensual Sexual Intercourse

Non-Consensual Sexual intercourse Is :

- Any sexual intercourse;
- However slight;
- With any object;
- By a person upon another person;
- That is without consent and/or by force.

“Sexual Intercourse” includes:

- Vaginal or anal penetration (no matter how slight the penetration) by a penis, object, tongue, or finger; and
- Oral copulation (mouth-to-genital).

Force

When used in the context of the terms defined herein, “force” is:

- The use of physical violence and/or imposing on someone physically to gain sexual advantage or access; and/or.
- The use of threats, intimidation (implied threats), and coercion that are intended to overcome a person’s free will, resistance, or to produce consent.

Sexual Exploitation

Sexual exploitation occurs when:

- A person or persons takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit or the advantage or benefit of a third person.

Sexual exploitation may include behaviors and conduct that also violate other provisions of this Sexual Conduct Policy.

Intimate Partner Violence

Intimate Partner violence is:

- Violence or emotional and/or psychological abuse between those in an intimate relationship with each other.

Domestic Violence

A felony or misdemeanor crime of violence committed by:

- A current or former spouse of the victim;
- A current or former intimate partner of the victim;
- A person with whom the victim shares a child;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Illinois; or
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating Violence

Violence committed by:

- A person who is or has been in a social relationship of a romantic or intimate nature with the victim.

A social relationship will be found considering the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

Stalking

Stalking is:

- A course of conduct;
- Directed at a specific person;
- That is unwelcome; and

- That would cause a reasonable person to fear for his/her safety or the safety of others;
or
- That causes a reasonable person to suffer substantial emotional distress.

For purposes of this policy, a “course of conduct” means two or more acts including but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

MacMurray College will not condone or tolerate any threat to the institution’s educational or work climate because of sexual misconduct or any other violations of the sexual conduct policy under Title IX. Such behaviors are particularly reprehensible between students and faculty/staff because of the trust and dependence implicit in the academic setting.

2.3.3 What is Consent?

Consent is a voluntary agreement to the act of sexual conduct or sexual penetration. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct. Those who want to engage in a specific sexual activity must understand that any sexual behavior must be acceptable to both parties. A previous or current sexual relationship or even silence may not be taken to imply consent, nor can the mode of dress, going out on a date, or presence in a room. Consent cannot be given by a person who is asleep or mentally or physically incapacitated, either through the effect of drugs, alcohol, or for any other reason.

Furthermore, consent to sexual activity may be withdrawn at any time during the encounter.

Effective consent:

- Clear;
- Knowing;
- Voluntary (by affirmative, conscious, and voluntary words or actions); and
- Gives permission for specific activity.

Effective consent is best attained verbally prior to sexual interaction and cannot be assumed based on any prior relationship or prior consent. Effective consent cannot be given by a person who is asleep or who is mentally or physically incapacitated, whether by drugs, alcohol, or any other reason.

2.3.4 What to do following Sexual Misconduct or Sexual Assault?

There are numerous options for a person who has been victimized by sexual harassment, non-consensual sexual contact, or any other prohibited type of sexual intimidation or violence. MacMurray College urges all victims to seek appropriate resources to assist with the process following a violation of the Sexual Conduct Policy. A victim has the right to choose or not choose any resources outlined below.

Legal

An individual who has been a victim of criminal sexual conduct, has the option of notifying law enforcement or seeking the assistance of an attorney in order to pursue criminal prosecution and/or civil litigation. Contacting law enforcement will likely involve filing a police report and participating in a police investigation. MacMurray's Title IX Coordinator can provide assistance and local contact information to anyone wishing to make such a report.

Pursuing criminal or civil relief through the court system is a separate legal process from what the College follows for investigating reports of violation of this Sexual Conduct Policy.

To report a Crime:

- Jacksonville Police Department, 200 West Douglas Avenue, Jacksonville, IL — 217-479-4630 or call "911" for emergencies.

Medical Care

Individuals who have been sexually or physically assaulted are advised to seek appropriate medical care as soon as possible. If the situation is life-threatening, emergency medical care should be obtained by calling "911". For less serious injuries, for evaluation for sexually transmitted diseases, and for pregnancy testing, students are encouraged to seek appropriate medical care as soon as possible. MacMurray's Title IX Coordinator can provide assistance and local contact information to anyone wishing to seek medical care.

In addition, the following local resources are also available:

Medical Treatment

- Passavant Area Hospital, 1600 West Walnut, Jacksonville, IL — 217-245-9541
Emergency Room and Outpatient services are available 24 hours a day.

Pregnancy Testing

- Pregnancy Resource Center, 1440 West Walnut, Suite A-3, Jacksonville, IL, 217- 245-9340. All services are free.
- Morgan County Health Department, 345 West State Street, Jacksonville, IL — 217-245-5111
- Planned Parenthood, 601 North Bruns Lane, Springfield, IL — 217-546-1060

Sexually Transmitted Disease Testing

- Morgan County Health Department, 345 West State Street, Jacksonville, IL — 217-245-5111

Springfield Health Department, 2833 South Grand Avenue East,
Springfield, IL — 217- 535-3100

Medical-Legal Evidence Collection

An individual who has been sexual assaulted is also encouraged to obtain a collection of medical-legal evidence. This collection of evidence is essential should a person decide to pursue criminal or civil legal action. Federal law provides free medical-legal examinations for sexual assault. Students should seek medical care for collection of such evidence.

Counseling

An individual who has been a victim of sexual misconduct or sexual violence is also encouraged to seek counseling and support. The Title IX Coordinator can provide contact information to anyone wishing to pursue counseling. In addition, the following local resource is also available:

Counseling and Advocacy

- Prairie Center Against Sexual Assault, 2001 West Lafayette Avenue, Jacksonville, IL — 217-243-7330

2.4 Reporting Sexual Conduct Violations to MacMurray College

MacMurray College is seriously committed to a safe and hospitable environment that fosters learning. Violations of the Sexual Conduct Policy are a direct threat to this condition for learning. Whether the victim is a student or not, MacMurray College's policies may apply if the individual accused of a sexual conduct violation is a MacMurray student or employee. In addition, MacMurray's policies may also be activated if the behavior in question occurs on or off

MacMurray's campus and whether or not classes are in session, or an individual is fully matriculated. The reason for this broader interpretation of circumstances and conditions is that a violation of the Sexual Conduct Policy by a MacMurray student or employee will be considered a potential threat to the entire MacMurray community no matter when or where it occurs. Individuals who are not MacMurray students who engage in behaviors that violate this Sexual Conduct Policy, while on MacMurray College's campus, should be reported to the Dean of Student Life, the Title IX Coordinator, or campus security and may be banned from campus.

2.4.1 Amnesty and Good Samaritan Policy

Student health and safety are primary concerns of MacMurray College. Students may be reluctant to seek help in times of crisis or medical emergency because of potential student conduct consequences for themselves or others. In these instances, MacMurray seeks to reduce barriers for those needing assistance in dealing with an emergency situation. MacMurray students are expected to take appropriate action to get help for themselves and other members of the campus community even when Student Conduct violations have occurred.

In order to encourage reporting, the Amnesty and Good Samaritan Policy offers leniency to reporting parties in crisis situations involving alcohol, drugs, hazing, and/or sexual misconduct or sexual assault. The College strongly considers the positive impact of taking responsible action to help others when determining sanctions for alleged policy violations relating to the incident. This means no formal disciplinary actions may be assigned to the reporting student(s) or student in need of assistance for alcohol or drug possession violations relating to the incident. This policy also may apply to other student conduct investigations in which witnesses are asked to come forward. In such cases, the incident will be documented. Educational and/or behavioral or health interventions may be required as a condition of deferring disciplinary sanctions.

2.4.2 Anonymous Reporting

Anyone who wishes to make an anonymous report of violations of this Sexual Conduct Policy, or other campus crimes, may do so by filling out the Anonymous Report Form for Sexual Assault and Misconduct. This form may be obtained in the Office of Student Life in the MacSAFE app or online at <https://www.mac.edu/students/index.asp>. The form may be dropped off in the Student Life office, or at one of the black drop boxes which are located in the Campus Center, first floor by the water fountain; the Athletics hallway in the Jenkins Education

Complex; and the Putnam –Springer Center lobby by office #114. You may also mail this form to the following address:

Office of the Dean of Student Life

MacMurray College

447 E College Avenue

Jacksonville, IL 62650

Reports received electronically will receive a response from the Dean of Student Life or the Title IX Coordinator as quickly as possible.

2.4.3 Title IX Compliance

MacMurray College complies with Title IX of the Education Amendment of 1972 law which prohibits discrimination on the basis of sex in any education program or activity that receives federal funding. Title IX states that “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” To this end, if any student believes they have been subject to discrimination, harassment, or sexual misconduct of any kind, the student should contact either the Student Conduct Officer, who will notify the Title IX Coordinator, or report directly to the Title IX Coordinator. The Title IX Coordinator is Danielle Doerfler and her office is located in the Jenkins Education Complex (Room 109). Danielle Doerfler may be reached at 217-479-7156 or emailed at danielle.doerfler@mac.edu.

The Title IX Coordinator’s responsibility is to investigate alleged violations of Title IX and to ensure compliance with the protections afforded under Title IX for all parties involved. The Title IX Coordinator will be notified of any report of sexual misconduct, non-consensual sexual contact, or any other misconduct that falls under Title IX. The Title IX Coordinator will be included in the investigative process to help ensure proper investigative procedures and the safety of all parties involved.

2.4.4 Sexual Conduct Policy

As part of its compliance with Title IX, MacMurray College prohibits all forms of sexual violence, sexual misconduct, and other conduct and behaviors that are prohibited by Title IX. All reports of sexual violence, sexual misconduct, and other behaviors prohibited by Title IX will be investigated regardless of whether the alleged incidents occurred on or off

campus. The College affirms the view that violations of this Sexual Conduct Policy within the academic community threaten academic freedom. MacMurray College is a residential community that aims to enrich the lives of its members through learning, achievement, and service. For this goal to be possible, all community members must engage in responsible conduct that is protective and respectful of the rights and welfare of others.

MacMurray College will not tolerate violation of another person's rights through sexual violence, sexual misconduct, or any other behavior that is prohibited by Title IX. All reports of Title IX violations will be investigated. Not only may such violations be subject to the disciplinary policies set forth herein, but they may also be punishable by civil and criminal legal action. College disciplinary processes are not dependent on the filing or outcome of criminal or civil proceedings.

2.4.5 Campus Security Enhancement Task Force

The Campus Security Enhancement Task Force is a campus-wide effort to work toward the prevention of sexual violence, domestic violence, dating violence and stalking; to ensure coordinated responses for law enforcement and victim services; and work toward improving coordination between community leaders and service providers. The task force shall meet once each semester to discuss and improve best practices, policies, and procedures, as well as collaboration and information-sharing among stakeholders.

2.5 Reporting Stalking, Dating Violence or Domestic Violence at MacMurray College

Engaging in Stalking or Intimate Partner/Domestic/Dating Violence violates this Sexual Conduct Policy as well as MacMurray's Student Code of Conduct. Allegations that a MacMurray student has engaged in any of this behavior are to be reported to the Dean of Student Life. Those alleged to have violated these policies will be subjected to the policies and procedures of the Sexual Conduct Policy. Allegations of more serious sexual misconduct by MacMurray students will not be subject to the College's ordinary disciplinary procedures, but to the disciplinary process set forth herein below in this Sexual Conduct Policy.

2.5.1 Procedures in Response to a Report of Violation of the Sexual Conduct Policy

A member of MacMurray College community who has been the victim of any of the acts of sexual misconduct or non-consensual sexual contact that are described in this Sexual Conduct Policy, is encouraged to make an official report to the Dean of Student Life or the

Title IX Coordinator. The Dean of Student Life and the Title IX Coordinator are trained in general matters of investigation and in the subject area of sexual violence.

2.6 Reporting Violation of the Policy

Violations of the Sexual Conduct Policy may be reported by the victim or by someone else with knowledge of the situation. The person making the report is referred to herein as “Reporting Party.” Once a report is made, the following process will be implemented and will generally include: investigation, interim measures, adjudication, and appeal.

All complaints, regardless of who reports, will receive prompt responses. In consideration of the general welfare of the individuals involved and the campus community, the Title IX Coordinator reserves the right to investigate complaints whether or not all parties choose to participate in the investigative process.

1. The Reporting Party will be encouraged to report the incident to the police. MacMurray College will comply with law enforcement and support police investigation at their request.
2. The Reporting Party, the Dean of Student Life, and/or the Title IX Coordinator will meet to discuss all options for the student, including the process of the investigation, adjudication, and the possible outcomes. The need for and availability of “interim measures” will also be discussed. The Dean of Student Life or the Title IX Coordinator will also explain the rights of the Reporting Party, which include the following:

The Reporting Party has the following rights:

- a. to meet privately, at a place of his/her choice to make the report of violation;
- b. to receive a verbal explanation and a written copy of these rights;
- c. to receive written copies of his/her initial report made to the Dean of Student Life, any written witness statements, the Investigator’s Summary Report, the Reviewers’ Findings and Sanction, if any, any appeal filed by the Responding Party, any correspondence regarding an appeal, and the President’s final decision;
- d. to be treated with courtesy, sensitivity, dignity, understanding, professionalism, and confidentiality, regardless of gender or the gender of the Responding Party;
- e. to have the safeguards and limitations of confidentiality explained fully to you;
- f. to have your questions answered and receive explanations of the system and process involved;

- g. to receive information regarding resources for any medical, legal, or counseling needs;
- h. to have assistance in arranging for any hospital treatment or other medical needs;
- i. to have assistance in contacting available resources such as counselors, advisors, security officers, etc.;
- j. to have your case fully investigated;
- k. to have MacMurray College cooperate with any law enforcement agents or police investigators who may become involved;
- l. to be kept updated throughout the process;
- m. to have an advisor/support person present throughout the investigative process including any interviews and, although the advisor/support person cannot speak on behalf of the Reporting Person, the advisor/support person may provide a written statement regarding the reported incident;
- n. to not have his/her prior sexual activity or general reputation discussed or considered during the adjudicatory process;
- o. to refuse to engage in self-incrimination;
- p. to be offered reasonable protection from retaliation, intimidation, and/or harassment;
- q. to be informed of the outcome and any sanctions resulting from the investigation and adjudication of a reported violation of the Sexual Conduct Policy;
- r. to be provided assistance with on-campus/off-campus living arrangements, transportation, or work arrangements that may be needed following report of violation; including but not necessarily limited to: providing alternate on-campus housing accommodations or refunding a portion of the housing contract if on-campus housing is not a reasonable option;
- s. to assistance with academic accommodations, which may include: taking an incomplete in a class; rescheduling class obligations, including papers and exams; moving class sections; and/or taking an academic under load;
- t. to be provided with assistance and information on obtaining orders of protection or no contact orders;
- u. to decline formally reporting to authorities; and

- v. to appeal the findings and sanctions, if any, following adjudication.
3. The Reporting Party will be informed that attempt will be made to keep the Reporting Party and/or victim's identity and information confidential, but that there is no guarantee of confidentiality due to the necessary nature of the investigation and adjudication process. The Dean of Student Life and/or the Title IX Coordinator will make every attempt to answer any of the Reporting Party's questions regarding confidentiality, contact with the alleged perpetrator, retaliation, etc.
4. In cases where there may be a potential conflict of interest with the Investigator, as determined by the Dean of Student Life and the Title IX Coordinator, one or the other may lead the investigation or appoint a designated college official to lead the investigation.
5. The victim (who may or may not be the Reporting Party) will be given access to trained confidential advisors provided through the Prairie Center Against Sexual Assault in Jacksonville, IL. Counseling services will also be provided by MacMurray College through the Park Place Center in Jacksonville, IL. Referrals to other agencies will be made as needed.
6. Information will be given on how to preserve evidence of the crime.
7. When the Reporting Party is the victim, the Dean of Student Life will discuss medical, legal, or counseling options with the Reporting Party. The Dean of Student Life may request to include the Health Services Coordinator in referrals for medical and health agencies.
8. The Reporting Party will be asked to make a recorded verbal and written statement regarding the incident.
9. The Dean of Student Life and/or the Title IX Coordinator will then review the Sexual Conduct Policy in *The Maggie together* to decide what policies have been violated by the alleged perpetrator (referred to from this point as the Responding Party).
10. The Dean of Student Life or the Title IX Coordinator will then set up a separate meeting with the Responding Party.
11. The Responding Party, the Dean of Student Life, and/or the Title IX Coordinator will meet to discuss all options for the student, including the process of the investigation, adjudication, and the possible outcomes. The need for and availability of "interim

measures” will also be discussed. The Dean of Student Life or the Title IX Coordinator will also explain the rights of the Responding Party, which include the following:

The Responding Party has the following rights:

- a. to receive a verbal explanation and written copy of his/her rights;
 - b. to receive written copies of: his/her initial report made to the Dean of Student Life, any written witness statements, the Investigator’s Summary Report, the Reviewers’ Findings and Sanctions, if any, any appeal filed by the Reporting Party, any correspondence regarding an appeal, and the President’s final decision;
 - c. to have fair and impartial consideration of the complaints made;
 - d. to be treated with courtesy, sensitivity, dignity, understanding, professionalism, and confidentiality, regardless of gender or the gender of the Reporting Party;
 - e. to have reasonable notice of the charges, notice of the campus rules and regulations involved, and notice of the time and place of the hearing;
 - f. to have the safeguards and limitations of confidentiality explained;
 - g. to have questions answered and to receive explanation of the system and process involved;
 - h. to receive a resource list of local attorneys;
 - i. to have an advisor/support person present throughout the investigative process including any interviews and, although the advisor/support person cannot speak on behalf of the Reporting Person, the advisor/support person may provide a written statement regarding the reported incident;
 - j. to not have his/her prior sexual activity or general reputation discussed or considered during the adjudicatory process;
 - k. to refuse to engage in self-incrimination;
 - l. to be offered reasonable protection from retaliation, intimidation, and/or harassment;
 - m. to be informed of the outcome and any sanctions resulting from the investigation and adjudication of a reported violation of the Sexual Conduct Policy; and
 - n. to appeal the findings and sanctions, if any, following adjudication.
12. The Responding Party will be asked to make a recorded verbal and written statement of the Responding Party’s version of the incident.

13. At this point, the Responding Party may choose to admit to the infraction and accept a sanction without a hearing.
14. If the Responding Party does not admit the alleged violation of the Sexual Conduct Policy, then the Dean of Student Life will investigate the report including contacting and gathering information from any noted witnesses to the event. The Title IX Coordinator will be included in the investigative process to help ensure the safety and fair treatment of all parties involved.
15. The Dean of Student Life will compile all investigation statements and reports. Copies of investigation statements and reports will be provided to the Reporting Party, the Responding Party, and the Title IX Coordinator.
16. If alleged victim is deceased as a result of such crime or offense, the next of kin of the victim shall be treated as the alleged victim for purposes of disclosure under this policy.

*Local police recorded, or written statements may be used in lieu of the statement process outlined above.

2.6.1 Interim Measures

Interim Measures are temporary actions used to stabilize a situation. These actions are used to support the involved parties and to protect the integrity of the investigation. Additionally, Interim Measures, are available to both the Reporting Party and/or Victim (if other than the Reporting Party) and the Responding Party. MacMurray College reserves the right to use Interim Measures at their discretion but will consult with the parties involved to determine what, if any Interim Measures may be necessary.

2.6.2 The Alternate Judicial Board Hearing Process

If the Responding Party does not wish to admit the violation, then during the course of the investigation by the Dean of Student Life, the Dean will convene a specialized committee for the purpose of reviewing the investigation and adjudicating the alleged violation.

This ad hoc committee, the Alternate Judicial Board, shall consist of the Dean of Student Life, one full-time female faculty member, one full-time male faculty member, one female student, one male student, and the Title IX Coordinator, or designee. Generally, the Dean of Student Life will chair the committee and facilitate the proceedings. There may be circumstances that warrant a designated person to chair the committee or serve in the place of the Dean of Student Life, the Title IX Coordinator, or another member of the Board.

The facilitator of the committee does not have a vote in the final deliberations of the case. The Dean of Student Life will, in consultation with the Title IX Coordinator, endeavor to select committee members who have been with the college longer than one year, are not biased, do not have a conflict of interest in the case, and are not well-known to the impacted student parties. The Alternate Judicial Board (referred to from this point as the Reviewers) receives orientation to general matters of investigation, and prior to the hearing is trained in the subject area of sexual violence, and the sexual conduct policy.

The Reporting Party and the Responding Party will be informed of the identity of the Reviewers and either may request that any Reviewer be removed from the Board due to a conflict of interest. This request must be submitted to the Dean of Student Life in writing. The decision of whether to remove a Reviewer due to an alleged conflict of interest rests with the sole discretion of the Dean of Student Life, who will consider whether the Reviewer has such an interest that he/she will not be able to provide an unbiased decision. In cases where a conflict of interest exists, the Reviewer will be removed from the Board and will not take place in any further activity related to the complaint. The Dean of Student Life, in consultation with the Title IX Coordinator will appoint a replacement Reviewer. If the request for recusal is for the Dean of Student Life, then the Title IX Coordinator will choose a replacement for the board.

Once the Alternate Judicial Board is established, a hearing date and time will be set within 5-10 business days, unless otherwise agreed by the parties. The Investigation File will be made available in the Dean of Student Life's office for review by the members of the Alternate Judicial Board, at least 24 hours in advance of the hearing. All Reviewers are required to sign a Confidentiality Statement. The materials in the Investigation File may not be removed from the Dean's office.

The Hearing

The hearing process is non-confrontational. The Reporting Party and the Responding Party will be assigned to separate rooms during the hearing and will be called to meet with the Reviewers individually for questioning purposes. The Reporting Party and the Responding Party do not interact during the hearing and are not permitted to directly question or interrogate each other.

1. The Reporting Party and their key witnesses will be convened in a room or office in the Student Life Office and the Responding Party and their key witnesses will be convened in another room or office in the Student Life Office.
2. Both the Reporting Party and the Responding Party will be permitted to have their advisor/support person present with them during the hearing. Advisors, even if legal counsel, may not address the Reviewers, question the witnesses, or interrupt the proceedings at any time. The College reserves the right to have its own legal counsel present at any hearing or meeting during which an attorney is present to represent a student. If legal counsel is requested by the student, adequate notice must be given to the Dean of Student Life so that an acceptable meeting time can be arranged for the College's legal counsel to also be present. College disciplinary proceedings or hearings are not legal proceedings; therefore, legal counsel may not speak to the Reviewers or question witnesses during the hearing. Advisors and legal counsel may speak to their advisee only if needed to help clarify questions or assist the student during the process.
3. The Dean of Student Life or Title IX Coordinator will speak with the Reporting and Responding Parties, their witnesses, and advisors about the order of the proceeding. The role of each participant will be explained.
4. Both the Reporting Party and the Responding Party have the option of preparing written questions that can be given to the Dean of Student Life or the Title IX Coordinator to be asked of the other Party during the hearing. While these questions will generally be asked, the Dean and/or Title IX Coordinator reserve the right to limit the questions if deemed in their sole discretion to be appropriate and necessary to preserve the fair and impartial hearing process.
5. Once the Reviewers are convened, the Investigation File will be reviewed with them and the Dean of Student Life or Title IX Coordinator will read the hearing procedures as set forth in this Sexual Conduct Policy.
6. The Dean of Student Life or Title IX Coordinator reserves the right to halt the proceedings if procedure is not being followed. The Dean of Student Life or Title IX Coordinator reserves the right to dismiss any participant including the Reporting Party, the Responding Party, witnesses, advisors/support persons, or Reviewer at any point in

the proceeding if procedures are not followed. If the proceedings are halted another date and time will be set to re-convene the hearing.

7. The hearing will be recorded, and written transcripts of the hearing will be produced within 3 business days of the hearing. The deliberations of the Reviewers following conclusion of the hearing will not be recorded.
8. The Reviewers will hear testimony from the Reporting Party first. The Reporting Party is expected to testify regarding the allegations of the complaint. The Reviewers may ask questions of the Reporting Party. The Reviewers will then read the statements from the Responding Party and their witnesses. The Reporting Party may testify further in response to these statements and the Reviewers may ask further questions. Before excusing the Reporting Party, he/she will be given an opportunity to submit written questions to the Reviewers that are to be asked of the Responding Party. Once the Reporting Party is excused from the hearing room, the Reviewers will call in the Reporting Party's witnesses individually, who will make their statements and be questioned by the Reviewers. The witnesses will then return to their waiting room.
9. The same process as outline in the foregoing Paragraph will be utilized for the Responding Party's testimony, questioning, and witness statements. The Responding Party will also be given an opportunity to submit written questions to the Reviewers that are to be asked of the Reporting Party.
10. The Reviewers will meet again with the Reporting Party and ask any follow up questions including the questions of the Responding Party. The Reviewers may call in witnesses again if needed. If there are no further questions, the Reporting Party and their witnesses will then be permitted to leave the Student Life Office.
11. The Reviewers will then meet with the Responding Party and provide the answers to their questions and allow them to give any rebuttal statements. If there are no further questions, the Responding Party and their witnesses will then be permitted to leave the Student Life Office.
12. The Reviewers will then convene with the Dean of Student Life to discuss the Investigation File and ask any questions regarding the report. After this session the Dean of Student Life will exit the Student Life Conference Room. The Title IX Coordinator or designee will remain with the Reviewers.

13. The Title IX Coordinator will ask the Reviewers if they perceive any issues with the manner in which the investigation by the Dean of Student Life was handled. The Dean may be asked to answer any questions regarding the handling of the investigation.
14. At this point in the process, the Reviewers will begin their deliberations which shall not be recorded. Using a preponderance of the evidence standard, the Reviewers will reach a consensus as to a decision on the alleged violation of the Sexual Conduct Policy. A “preponderance of the evidence” is defined as enough evidence to make it more likely true than not that the facts about which the Reporting Party complains are true. This decision will be based on majority rule. When a Reviewer is not in agreement, that will be noted in the decision.
15. After a decision is made on the alleged violation of the Sexual Conduct Policy, the Reviewers will consider whether and to what extent sanctions are necessary. The Dean of Student Life will share prior history of student conduct and sanctions, if applicable, for both the Reporting and Responding Party. History of prior student conduct may be considered in the Reviewers’ discretion as part of the decision-making process for sanctions if it evidences a pattern of behavior that is considered relevant to the sanctioning phase.
16. The Reviewers shall prepare a written summary of their findings and of the sanctions, if any, that are recommended.
17. The Dean of Student Life will produce written transcripts of the hearing and submit the transcripts, investigation file, and Reviewers’ written summary to the President of the College within 3 business days of the hearing.
18. The President of the College will, within two days of receiving the transcripts, investigation file, and Reviewers’ written summary, either approve or disapprove the recommendations of the Reviewers. The President may, at his/her sole discretion, add to, delete from, or adjust any recommended sanction. The President will communicate his/her decision to the Dean of Student Life.
19. The Dean of Student Life will prepare a written decision, including sanctions, if any, and will provide it to the Reporting Party and the Responding Party within 5 business days of the conclusion of the hearing.

20. If either the Reporting Party or the Responding Party disagrees with the decision or sanction(s), the student may appeal, in writing, to the President within 5 business days of the date the student received the written decision.

The President, the Dean of Student Life, or the Alternate Judicial Board may adjust the time periods set forth in this policy, if circumstances suggest the advisability of doing so. Such circumstances may include, but are not limited to, vacation periods of the College, legitimate unavailability of any needed persons, or unforeseen situations that may delay the process. In the event that member of the Alternate Judicial Review Board is unavailable, The Dean of Student Life may designate a replacement for the purpose of proceeding with the provisions of this policy in a timely manner.

2.6.3 Appeal of an Alternate Judicial Board Decision

Both the Reporting Party and Responding Party have equal ability to file a written appeal of the written decision following hearing. Any such appeal must be filed in writing with the President of the College no later than five business days after receiving the written decision. The Reporting Party and Responding Party both have rights to a copy of the written transcripts for use in writing an appeal. And both student parties have the right to meet with the President to discuss any appeal prior to the issuance of a final decision. The President will consider the following issues when reviewing an appeal of the written decision: 1) does the evidence support the finding; 2) does the finding support the sanction; 3) is there new evidence that warrants reconsideration or a change in the outcome; 4) were there errors in the hearing procedure; 5) was there a clear bias of a Reviewer; and 6) were the Reviewers' findings reasonable given the facts, standard of review, and procedures outlined above?

The decision of the President following appeal is a final decision.

2.6.4 Confidentiality of Information

Confidentiality will be respected as much as possible when any violation of the Sexual Conduct Policy has been reported. MacMurray College will make reasonable efforts to protect the privacy of the persons involved. However, due to the nature of the investigation and hearing process which is described further herein, the College cannot guarantee confidentiality. The College will, however, make reasonable efforts to limit the sharing of

private information with only those persons directly involved or impacted by any report or subsequent investigation.

Additionally, the Clery Act requires disclosure of information related to on-campus sexual assaults for statistical purposes. These reports are tabulated and published annually with sexual assault and other crime statistics included. These reports do not include individual identities or any personal identifiers.

2.6.5 Retaliation

Any form of retaliation against any individual involved with the reporting of sexual conduct policy violations is forbidden by this policy. Retaliation should be reported promptly to the Dean of Student Life.

2.6.6 Involuntary Withdrawal Policy

MacMurray College attempts to provide a safe and orderly environment, insofar as possible, in which all students are able to pursue their academic and social development. In so doing, it reserves the right to require an involuntary withdrawal of any student whose behavior or physical/ psychological disorder is incompatible with minimal standards of academic performance and/or social adjustment.

Examples of circumstances where an involuntary withdrawal would apply include, but are not limited to the following: students who are deemed to be a danger to themselves or others; students whose behavior is severely disruptive to others; students who refuse or are unable to cooperate; students whose behavior or physical condition suggests a disorder that is disruptive to the student's education or to others; and students whose physical or psychological disorder requires highly specialized services beyond those available locally. The College also reserves the right to enforce the withdrawal of any student if, in the judgment of the appropriate administrator or disciplinary body or the Academic Standards Committee, it is in the best interest of the College. The College may take such action without making any charges of misconduct. A student may be dismissed for poor academic work or for conduct that is contrary to College standards. The judgment of the officers of the College is final in all such cases. In such cases in which an involuntary withdrawal is invoked, the customary refund policy will apply.

2.6.7 No Contact Order and Interim Measures

MacMurray College is committed to providing support and resources to any student who may be the recipient of persistent unwanted or harassing behavior. College administrators are authorized to issue a No Contact Order (NCO) prohibiting contact between students when there exists a reasonable concern. No Contact Orders includes, but is not necessarily limited to, in-person contact, telephone calls, email, texts and other forms of electronic communication, social media-based messages or postings, and third-party communication. Violations of No Contact Orders may be subject to disciplinary actions as appropriate according to the student conduct policy.

Students who have interpersonal conflicts that do not raise concerns for individual health and safety will not be granted NCOs. These individuals should pursue other forms of conflict resolution, such as mediation or restorative justice, and should seek assistance in the Office of Student Life.

Interim Measures are actions to prevent further potential conflict and may be utilized with or without the standard disciplinary procedures or interim measures.

The Title IX Coordinator will be consulted when consideration is given to an NCO and or interim measures. All facts and circumstances that may be relevant will be reviewed, additional factors will be taken into account, but not limited to, the following:

- When there are allegations, threats, or evidence of physical violence by one student against another;
- When there are allegations, threats, or evidence of emotional abuse or harassment by one student of another;
- When there is a substantial risk of emotional harm from continued contact between students;
- When continued contact between students may have a material impact on campus disciplinary proceedings;
- When requested or agreed to in good faith by both students involved; and
- When there are of allegations of serious college policy violations.

NCOs may include additional protective measures or other terms specific to the safety, well-being, or other needs of either or both students subject to the NCO,

when deemed necessary by the college. Any additional terms shall be expressly stated in the NCO. Additional protective measures or other terms need not be reciprocal. They may include, but are not limited to, the following:

- Restricting a student from being in close proximity to the other student;
- Restricting a student's access to certain campus locations, including the other student's residence hall;
- Restricting the times, a student may be present in on-campus dining facilities;
- Requiring that the students not be enrolled in the same academic course(s);
- Requiring that the students not participate in the same co-curricular or extra-curricular activities.
- NCOs may be issued by the following administrators:

The Provost, Dean of Student Life, Title IX Coordinator, or their designee(s).

The college will review all NCOs annually. Each NCO will remain in effect until the graduation or withdrawal of at least one of the parties, unless the NCO or students mutually request that the NCO is modified or rescinded by the college. A student seeking the modification or rescission of an NCO shall so request the administrator who issued the NCO. The issuing administrator shall consult with both parties before determining whether or not to modify or rescind the NCO.

2.6.8 Institutional Sanctions

Sanctions that the College may impose following the results of any disciplinary proceeding may include educational sanctions, counseling, residence hall restrictions, removal from residence hall, other campus restrictions, up to and including dismissal from the College.

2.7 Federal Campus Sex Crimes Prevention Act

In accordance with the Campus Sex Crimes Prevention Act (Section 1601 of Public Law 106-386) all institutions of higher education are required to notify the campus community where registered sex offenders' information may be obtained for the state in which the institution resides. Furthermore, Illinois Compiled Statutes (730 ILCS 152/115 (a) and (b) mandate that the Illinois State Police establish and maintain a Sex Offender Database. This database is updated daily and allows searching by name, city, county, zip code, compliance status or any combination thereof. This database is available via the internet at the

following location: <http://www.isp.state.il.us/sor/>. If more information is required, contact the local law enforcement (police or sheriff) office.

Section 3: Disclosure of Annual Crime Statistics

3.1 Preparing the Annual Disclosure of Crime Statistics

Several steps are taken throughout the year to ensure that crime statistics are reported correctly. Statistics are compiled by the Office of Student Life. Statistics for this report are gathered from incident reports, meetings with Security Officers, other college officials such as coaches, advisors, the Provost and Vice President for Academic Affairs and Student Life, and the year-end police report that is provided by the Jacksonville Police Department. Efforts are made to ensure accuracy and accuracy and avoid double counting. To ensure timely warnings and accuracy, all criminal offenses should be reported to the Office of student Life and/or the Jacksonville Police Department.

3.2 Open Campus Police Log

In accordance with the 1998 amendment to the Clery Act, the MacMurray College Office of Campus Safety and Security maintains a daily log written in a form that can be easily understood. The report records all incidences reported to police or security and includes the nature, date, time and location of each incident. Except where disclosure is prohibited by law or when such disclosure would jeopardize the confidentiality of the victims, all entries are open to public inspection. The portion of the crime log that is within the most recent two-month period will be available for inspection, upon request, during regular business hours. Request for portions of the crime log that are older than two months will be made available for public inspection within two business days of the request.

3.3 Crime Statistics

In accordance with Title II of Public Law 101-542, “The Crime Awareness and Campus Security Act of 1990”, as amended, MacMurray College hereby reports to all current and prospective student and employees the aforementioned information regarding College security policies and procedures along with the data presented below and on the following page with respect to criminal acts occurring on campus during the time periods indicated:

*** These Categories in each section include property adjacent to the MacMurray campus, which can be 500-1000 feet from the MacMurray property line.

Category	Venue	2015	2016	2017
CRIMINAL HOMICIDE				
Murder and Non-Negligent	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
Manslaughter	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
Negligent Manslaughter	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
SEX OFFENSES				
Forcible	On Campus***	0	3	0
	In Dormitories or Other Residential Facilities	0	3	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	1	0	0

	On Public Property****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
Non-Forcible	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
ROBBERY				
	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
AGGRAVATED ASSAULT				
	On Campus***	0	1	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	1	1
	On Public Property****	0	0	0
	Classified as Hate Crime in Group A	0	0	0

BURGLARY				
	On Campus***	0	5	2
	In Dormitories or Other Residential Facilities	0	3	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	2	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
ARSON				
	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
MOTOR VEHICLE THEFT				
	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	1
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
ARREST FOR LIQUOR LAW VIOLATION				

	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	
	In or on a Non-Campus Building or Property****	0	0	1
	On Public Property*****	0	1	0
	Classified as Hate Crime in Group A	0	0	0
ARREST FOR DRUG RELATED VIOLATION				
	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	3	0	1
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
WEAPONS				
	On Campus***	0	0	2
	In Dormitories or Other Residential Facilities	0	0	2
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
DISCIPLINARY VIOLATIONS – LIQUOR LAW				
	On Campus***	8	15	24

	In Dormitories or Other Residential Facilities	8	14	23
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	1	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	2	1
	Classified as Hate Crime in Group A	0	0	0
DISCIPLINARY VIOLATIONS – DRUG RELATED				
	On Campus***	2	0	4
	In Dormitories or Other Residential Facilities	2	0	2
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	2
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
HATE CRIME ONLY (Group B)				
Larceny - Theft	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	4	0
	On Public Property*****	0	0	0
Simple Assault	On Campus***	0	0	0

	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property****	0	0	0
Intimidation	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property****	0	0	0
Destruction/Damage/ Vandalism	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property****	0	0	0
Violence Against Women Act 2013 (VAWA) Offenses <i>Data collection began 2014</i>				
Domestic Violence	On Campus***	0	0	1
	In Dormitories or Other Residential Facilities	0	0	1

	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
Dating Violence	On Campus***	1	0	0
	In Dormitories or Other Residential Facilities	1	0	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0
Stalking	On Campus***	0	1	0
	In Dormitories or Other Residential Facilities	0	1	0
	In or On a Campus Building or Campus Property (non-Residence Hall)	0	0	0
	In or on a Non-Campus Building or Property****	0	0	0
	On Public Property*****	0	0	0

3.4 Emergency Response and Evacuation Procedures

MacMurray College will immediately notify the campus community upon the confirmation of significant emergency or dangerous situations involving an immediate threat to the health or safety of student and employees occurring on campus. MacMurray will, without delay and without considering the safety of the community, determine the content of the notification and initiate the notification system, unless the notification system will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. MacMurray College will also provide adequate follow-up information to the community as needed.

The Emergency Director (President or designate) will be responsible for the overall direction of the College's emergency response. This person will work with the Emergency Response Team and others in assessing the emergency and preparing the College's specific response. The Emergency Director or designate will give approval to initiate the notification system.

The Emergency Response Team member include: College President; Provost & Vice President for Academic Affairs and Student Life, Dean of Student Life, Director of Facilities, and the Director of Campus Safety & Housing. In the event of an identified campus-wide emergency, to include tornado, fire, or violent incident, the campus will be notified the following ways:

1. Use of the College's Emergency Notification System, which is distributed through the push notification system on the MacSafe App.
2. Pertinent information will be placed on the home page of the website

All notifications are dependent upon working equipment. Runners will be utilized as a last resort. MacMurray College will test the emergency response and evacuation procedures on an annual basis, including publicizing its procedures in conjunction with the test.

MacMurray College will document a description of the exercise as well as the date and time of the exercise and whether or not it was announced or unannounced.

Section 4: Fire Safety

MacMurray College has five student residence halls on-campus, four of which are in use for the years, 2015-2017. Each hall is equipped with fire alarms and fire extinguishers. All residence halls have water-based sprinkler systems per all applicable codes. All halls are compliant with state codes. Each hall has a minimum of one fire drill per semester. Resident Directors provide detailed information about evacuation in the event of a fire. In general, the following information is important:

1. If a fire alarm sounds, evacuate the hall immediately.
2. Leave your lights on, close your windows (leave curtains open), and be sure to lock your door.
3. Wear shoes and a coat.
4. Carry a towel for protection from smoke inhalation.
5. Remain calm.
6. Remain outside the building until you Resident Director, the Fire Department, or Student Life Staff gives you permission to re-enter.

If a fire is discovered in the residence hall, the person(s) should proceed to the nearest alarm box and sound the alarm to evacuate the building. The person(s) need to exit the building as quickly as possible. Notification of fire should be made to build RA, RD, SSA, Student Life Staff, or security.

Any open flames (including candles) and incense are not allowed in the residence halls. Electric heaters are prohibited in the residence halls. Smoking is not allowed in the residence halls in accordance with the Illinois Clean Air Act. This act requires that institutions provide a smoke-free environment. Section 5 of this act was amended on May 15, 2006 by adding section 4.5 as follows: (410 ILCS 80/4.5)

Smoking prohibited in student dormitories.

- (a) Notwithstanding any other provision of this Act, smoking is prohibited in any portion of the living quarters, including, but not limited to, sleeping rooms, dining areas, restrooms,

laundry areas, lobbies, and hallways of a building used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education.

Fire Drills are held once a year for the campus. These drills are announced and have detailed information about where to go in case of a fire. Each building is staffed with designated floor and building captains who are responsible for assisting building occupants.

4.1 Fire Log

MacMurray College Office of Safety and Security Maintains a fire log in a form that is easily understood. The log records:

- All incidents,
- Date and time of day of fire,
- Whether the fire was unintentional, intentional or undetermined,
- Deaths and injuries caused by the fire,
- And property damage costs.

The portion of the fire log that is within the most recent two-month period will be available for inspection, upon request, during regular business hours. Request for portion of the log that is older than two months will be made available for public inspection within two business days of the request.

Building	Date of Fire	Time of Fire	Unintentional Fire	Intentional Fire	Undetermined Fire	Death related to Fire	Number of Injuries	Property Damage Cost
Jane Hall			0	0	0	0	0	\$0
Kendall House			0	0	0	0	0	\$0
Michalson House			0	0	0	0	0	\$0

Norris House			0	0	0	0	0	\$0
Rutledge Hall			0	0	0	0	0	\$0