



**2016  
Annual Security and Annual Fire Report**

**IMPORTANT  
TELEPHONE INFORMATION**

Jacksonville Emergency		8+911
Security Department	24 hours day, Everyday	479-7020
Student Life Office	8:00 am- 4:30 pm M-F	479-7123
Physical Plant Office	7:30 am – 3:30 pm M-F	479-7220
Business Office	8:00 am-4:30 pm M-F	479-7006
Prairie Center Against Sexual Assault Hotline		(217) 753-8081

**MacMurray College  
September, 2016**

**INTRODUCTION**

The issue of personal safety is one of increasing concern in our country and is an issue that should be of importance to all members of the MacMurray community. The College shares this concern and encourages all students and employees to become familiar with MacMurray’s security policies and procedures and to become more safety conscious with respect to their individual attitudes and behavior. All members of the MacMurray community are strongly encouraged to immediately report any criminal activity, suspected criminal activity, and emergency situations.

This document has been prepared in accordance with “The Crime Awareness and Campus Security Act of 1990” as amended, and it serves to provide current and prospective members of the MacMurray community with information regarding the operations of MacMurray’s Security Office and building security, policies regarding alcohol and illegal drugs, sexual assault information, individual security responsibilities, and crime statistics for the MacMurray campus for the calendar years 2013-2015. This report also contains information on MacMurray College’s emergency plan as well as safety information for the calendar year 2015. Paper copies of this document are available upon request from the MacMurray Office of Student Life, 447 East College Avenue, Jacksonville, IL, 62650; (217) 479-7123.

**OFFICE OF SAFETY AND SECURITY  
POLICIES AND PROCEDURES**

MacMurray’s Security Office coordinates and monitors campus security and safety procedures and is staffed by four full-time officers. The security officers can be identified by their uniforms. Security

officers currently conduct regular foot patrols of the campus and residence halls. Security officers also provide escorts to members of the campus community upon request. MacMurray's security officers do not have official police or arrest powers but utilize citizen's arrest authority when needed and do have the authority to enforce all College rules and regulations. MacMurray's Office of Safety and Security has a good working relationship with the Jacksonville Police Department, the Morgan County Sheriff's Office, and the Illinois State Police who assist with incidents that may occur on or near campus. All members of the campus community are requested to report all emergencies or criminal incidents in an accurate and prompt manner to one of the following people: Security Officers, Dean of Student Life, the Coordinator for Residence Life, The Title IX Coordinator, Resident Directors, Resident Assistants, Athletic Director, team coaches, student organization advisors, Vice President for Academic Affairs and Student Life, CFO and/or to the Police. MacMurray security officers carry a cell phone which enables them to have immediate access to students or staff requesting their services and to directly contact the police department, fire department, or other emergency services as needed. Security Officers as well as the Office of Campus Safety and Security may be reached by calling either (479) 370-3207 or 479-7020 from off campus or ext. 7020 from a campus phone. Jacksonville emergency services may be reached from any on-campus telephone by dialing 8 (+) 911.

Crime prevention programs are sponsored by the Office of Student Life and the Title IX Office throughout the academic year. Crime prevention and safety information are also incorporated into student leader training, residence hall staff training, residence hall meetings, residence hall programs, student-athlete training and coaching staff training. Safety and security information, including timely notices regarding violent crimes reported to campus security or local police will be provided to all members of the campus community through posters, bulletins, brochures, e-mails, and residence hall safety educational programs. This information will hopefully aid in deterring any future criminal incidents. Programs and training specific to crime prevention include:

- Annual Clery Act training for student leaders, residence life staff, and student life staff using a Clery Act video and handout materials.
- Twice annually the local Jacksonville Police Department (JPD) training on campus for all faculty, staff, and student leaders. JPD conducts presentation on campus to train on emergency response, active shooter, and working with the local police in the event of an emergency.
- Title IX training for faculty, staff, security officers, and student leaders and various student groups; conducted by the Title IX Coordinator to review definitions, sexual assault policy and practices.
- StepUP training for faculty, staff, student leaders, student-athletes, and various student groups and campus presentations throughout the year. StepUP is a nationally recognized prosocial behavior/bystander intervention program endorsed by the NCAA.

The College's Facilities Department is responsible for the maintenance of all buildings and grounds and conducts its operations to enhance campus security and to eliminate hazards to personal safety. The Office of Safety and Security and the Facilities Department work together to ensure that campus lighting is maintained.

#### **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 the 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, 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 memoranda of understanding with the police department at this time.

### **SECURITY OF CAMPUS BUILDINGS**

All members of the 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 hall and elsewhere on campus.

All residence halls are locked 24 hours a day with access being limited to residents possessing keys to the hall. Each residence hall is supervised by a resident director and a staff of resident assistants. 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.

### **THE SECURITY RESPONSIBILITIES OF EVERY INDIVIDUAL**

It is essential that every member of the MacMurray community become involved in and cooperate 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 largely depend 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, students are advised to call a security officer (217-370-3207) for an escort or to 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. Additionally, all members of the 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.

Office of Campus Safety & Security  
Jenkins Education Complex  
217-479-7020

Office of the Dean of Student Life  
Gamble Campus Center  
217-479-7123

Office of the Coordinator of Residential Life  
Gamble Campus Center  
217-479-7130

Office of the Title IX Coordinator  
Jenkins Education Complex  
217-479-7156

Any member of the Residential Life staff located in all residence halls

Jacksonville Police Department  
200 West Douglas Street  
Jacksonville, IL 62650  
911 for emergencies  
217-479-4630 for non-emergency

Victims of a crime are encouraged to promptly file a police report along with reporting to the above persons or organizations. The security department will assist with this. Criminal incidents reported to the above persons or organizations will be used for preparing the annual disclosure of crime statistics. A list of resources and options to victims of 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.

#### **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 criminal homicide, murder and 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 considered by the College to represent a threat to students 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 email, MacMurray College of Security homepage, flyers, and BlackboardConnect Text Messaging to those who have enrolled. Alerts will generally be posted for three consecutive days and then removed.

## **POLICIES REGARDING ALCOHOL AND ILLEGAL DRUGS**

MacMurray students under the age of 21 are prohibited from possessing or consuming alcohol on college property. Two residence halls allow students who are at least 21 years of age to consume alcoholic beverages or possess open containers of alcoholic beverages, excluding kegs, party balls or jugs, only in the privacy of their residence hall rooms. No more than two (2) persons, all of whom must be at least 21 years of age, are allowed in a room or suite where alcoholic beverages are being served. All students who are in a room where both alcohol and underage students are present will be subject to disciplinary action. The unlawful manufacture, distribution, possession, dispensing, and/or use of illegal drugs or drug paraphernalia is expressly prohibited. Violations of the above policies are punishable by disciplinary sanctions up to and including expulsion from the College. The College cooperates fully with local law enforcement agencies in enforcing state and federal drug laws. The Office of Student Life offers a variety of services in regards 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 offered throughout the academic year. Information on these and other such programs are available from the Office of Student Life in the campus center and is announced via posters, email, and bulletins.

Additional information regarding MacMurray College and our alcohol and other drug policies policies and programs can be found under our Drug Free Schools & Community Act At the following web page: [http://www.mac.edu/consumer\\_information/drug\\_free.asp](http://www.mac.edu/consumer_information/drug_free.asp)

## **SEXUAL ASSAULT**

MacMurray College prohibits all forms of sexual violence. All reports of these violations will be investigated regardless of whether the alleged incidents occurred on or off campus. The College affirms the view that sexual misconduct and sexual assault within the academic community is a threat to 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 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 by civil and criminal legal action. 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 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.

## **Sexual Assault Educational Programming and 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 all students, faculty, and staff members. Programs will include but are not limited to:

- Professional speakers/Presentations.
- Residence Hall Programming.
- Sexual Assault Awareness month in April.
- Bystander intervention training.
- 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.

## **Violations**

**Sexual Misconduct** is defined as any intentional or knowing touching or fondling directly or through clothing, of the sex organs, buttocks or breasts of either person for the purpose of sexual gratification or arousal of either person in which the victim does not give or is unable to give consent.

**Sexual Assault** occurs when the accused commits sexual penetration, ever so slight, and any of the following conditions exist; force or threat of force, or perpetrator knows the victim does not understand the nature of the act, or victim is incapable of giving consent.

**Sexual Harassment** is defined as an attempt to coerce a person into a sexual relationship, or to subject a person to unwanted sexual attention, or to punish a refusal to comply, or to create a sexually intimidating, hostile, or offensive working or educational environment.

MacMurray College will not condone or tolerate any threat to the institution's educational or work climate because of sexual harassment. Such behaviors are particularly reprehensible between students and faculty/staff because of the trust and dependence implicit in the academic setting. 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.

**Domestic Violence** is defined as 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 in common,
- 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 jurisdiction receiving grant monies [under VAWA], 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** is defined as violence committed by:

- a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- a person where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- fear for his or her safety or the safety of others,
- suffer substantial emotional distress,
- experience words or behaviors directed toward him or her such that they disrupt the living and learning environment of the individual(s)

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

Effective consent:

- is a clear, positive agreement.
- is best attained verbally prior to sexual interaction.
- Is not assumed based on any prior relationship.
- 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.

### **What to do following Sexual Misconduct or Sexual Assault?**

There are numerous options for a person after sexual violence. MacMurray College urges all victims to seek appropriate resources to assist with the process following sexual misconduct or sexual assault. A victim has the right to choose or not choose any resources outlined below.

#### *Legal*

An individual who has been sexually assaulted has the option to notify law enforcement in order to pursue criminal prosecution and or civil litigation. A police report and investigation will be made prior to criminal prosecution by the local District Attorney's Office. This legal process is a separate process than that of the College's process for investigating reports of sexual misconduct or sexual assault.

#### *Medical Care*

An individual who has been sexually assaulted is advised to seek appropriate medical care as soon as possible. For life-threatening conditions, call 911. For less serious injuries and evaluation for sexually transmitted diseases and pregnancy, students should seek appropriate medical care.

### *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 suffered sexual misconduct or sexual violence is also encouraged to seek counseling and support. The process following sexual violence is difficult and talking about ways to cope and heal can support the process.

### Medical Care

- Passavant Area Hospital, 1600 W. Walnut, Jacksonville, IL — 217-245-9541
  - Emergency Room and Outpatient services available.
  - You may see a physician 24 hours a day

### Pregnancy Testing

- Pregnancy Resource Center, 1440 W. Walnut, Suite A-3, Jacksonville, IL, 217-245-9340.  
*All services are free.*
- Morgan County Health Department, 345 W. State St., Jacksonville, IL — 217-245-5111
- Planned Parenthood, 10000 E. Washington, Springfield, IL — 217-544-2744

### Sexually Transmitted Disease Testing

- Morgan County Health Department, 345 W. State St., Jacksonville, IL — 217-245-5111
- Springfield Health Dept., 1415 East Jefferson, Springfield, IL — 217-789-2182

### Counseling and Advocacy

- Prairie Center Against Sexual Assault, 2001 W. Lafayette, Jacksonville, IL — 217-243-7330

### Legal Assistance

- Jacksonville Police Department. 200 West Douglas Ave., Jacksonville, IL — 217-479-4630

### **Reporting Sexual Harassment to MacMurray College**

MacMurray College is seriously committed to a safe and hospitable environment that fosters learning. Sexual misconduct and sexual assault 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 sexual misconduct or sexual assault is a MacMurray student. 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 sexual misconduct and sexual assault by a MacMurray student will be considered a potential threat to the entire MacMurray community no matter when and where it occurs. Individuals who are not MacMurray students who engage in sexual misconduct or sexual assault while on MacMurray College's campus should be reported to the Dean of Student Life, and may be banned from campus.



In order to encourage the reporting of incidents of sexual misconduct or sexual assault to College authorities, individuals making the report may be protected from infractions of other College policies such as underage drinking, etc. Although the College still considers such infractions to be serious, policies and procedures for sexual misconduct charges would take precedence. The College must act to protect all members of its educational and residential community.

Anyone who wishes to make an anonymous report of sexual assault 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 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 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 or within 12 hours.

#### **Title IX Office**

Jenkins Education Complex, first floor, room 109; 217-479-7156

The Title IX Coordinator will be notified of any report of sexual harassment. The Title IX Coordinator will be included in the investigative process to help ensure proper investigative procedures and the safety of all parties involved.

#### **Reporting Stalking, Dating Violence or Domestic Violence to MacMurray College**

Engaging in Stalking, Dating Violence or Domestic Violence violates 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 and are subjected to the Disciplinary Procedures set out in the Maggie. 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 in the Sexual Conduct Policy; and the Title IX Coordinator will be notified.

#### **Reporting Sexual Misconduct and Sexual Assault to MacMurray College**

A member of MacMurray College community who has suffered the act of sexual misconduct or sexual assault 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.

The process of making a report is outlined below.

1. The victim (referred to from this point as the Complainant) will contact the Dean of Student Life and/or the Title IX Coordinator. All complaints will receive prompt responses. All reports must be filed prior to the perpetrator's degree conferral.

2. The Complainant, the Dean of Student Life, and/or the Title IX Coordinator will meet to discuss all options for the student, including the process of judicial proceedings, and all potential outcomes. The Dean of Student Life or the Title IX Coordinator will also explain the rights of the Complainant including, confidentiality and the limits to confidentiality during the reporting and adjudication process. In cases where there may be a potential conflict of interest 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.
3. The victim will be given access to trained confidential advisors provided through the Prairie Center Against Sexual Assault in Jacksonville, IL. Counseling services will be provided by MacMurray College through the Park Place Center in Jacksonville, IL. Referrals to other agencies will be made as needed.
4. Information will be given on how to preserve evidence of the crime.
5. When proceeding, the Complainant will make a recorded verbal and written statement of the Complainant's account of the incident.
6. The Complainant, Dean of Student Life and/or the Title IX Coordinator will then review the Sexual Misconduct and Sexual Assault Policy in *The Maggie together* to decide what policies have been violated by the perpetrator (referred to from this point as the respondent).
7. The Dean of Student Life will review medical, legal, and counseling options for the Complainant. The Dean of Student Life may request to include the Health Services Coordinator in referrals for medical and health agencies. The Dean of Student Life will also answer any of the student's questions regarding confidentiality, contact with the respondent, retaliation, etc.
8. The Dean of Student Life will then set up a separate meeting with the Respondent.
9. The Respondent, Dean of Student Life, and the Title IX Coordinator will meet to discuss all options for the student, including the process of judicial proceedings, and all potential outcomes. The Dean of Student Life will also explain the rights of the respondent including, confidentiality and the limits to confidentiality during the reporting and adjudication process.
10. The Respondent will make a recorded verbal and written statement of the respondent's version of the incident.
11. At this point, the Respondent may choose to admit to the infraction and accept a sanction without a hearing.
12. Otherwise, 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 of all parties involved.
13. The Dean of Student Life will compile all investigation statements and reports and forward copies to the complainant, and the respondent, the Title IX Coordinator, and the Alternate Judicial Board for sexual misconduct and sexual assault violation hearings.

\*The Student Conduct Officer may use local police recorded or written statements in lieu of the statement process outlined above.

#### **How Does the Alternate Judicial Board Hearing Process Work?**

Upon receipt of a written statement describing the nature of a complaint of sexual misconduct or sexual assault from a student (the complainant) against another student (the respondent), a specialized committee shall be convened to investigate the complaint. This ad hoc committee, the Alternate Judicial

Board, shall consist of the Dean of Student Life, one female tenured faculty member, one male tenured faculty member, one female student, one male student, and the Title IX Coordinator. The Dean of Student Life will endeavor to select committee members who are not biased, do not have a conflict of interest in the case, and are not well-known to the impacted student parties. The Title IX Coordinator will review the committee selection. The Alternate Judicial Board (referred to from this point as the Reviewers) will be trained in general matters of investigation and in the subject area of sexual violence. The involved student parties may request that any adjudicator be removed from the board due to conflict of interest. This request must be submitted as a one-page paper arguing for the preferred board format for the adjudication process. Or in cases where a conflict of interest, the appointed board member must recuse themselves from further participation in the adjudication of the case. The Dean of Student Life, will make the final decision if the request warrants a change to the board composition based on the belief that a board member will not be able to provide an unbiased decision. 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 established within 5-10 business days. The Investigation File will be made available in the Dean of Student Life's office for review. All reviewers are required to sign the Confidentiality Statement. The materials will not leave the Dean's office.

The hearing process is a non-confrontational hearing. The Complainant and Respondent are held in separate rooms and will be called to meet with the Reviewers individually for questioning purposes. The impacted student parties do not have direct interaction. The involved Complainant may request a direct confrontational hearing in which the process is adapted to in-person testimony and questioning format following the below procedures.

1. The Complainant and their key witnesses will be convened in a room or office in the Student Life Office and the Respondent and their key witnesses will be convened in another room or office in the Student Life Office. Both the Complainant and the Respondent will be permitted to have their advisor present with them during the hearing. Advisors may not address the Reviewers, question the witnesses, or interrupt the proceedings at any time. The College reserves the right to have legal counsel present at any meetings held during which an attorney is present to represent the 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.
2. The Reviewers will convene to review and consider the investigation file. The Dean of Student Life will read the procedures as explained the Sexual Conduct Policy.
3. The Dean of Student Life will speak with the Complainant, witnesses, and advisor about the order of the proceeding. The role of each participant will be reviewed. The Dean of Student Life will then speak with the Respondent, witnesses, and advisor about the order of the proceeding. The role of each participant will be reviewed.
4. The Dean of Student Life reserves the right to halt the proceedings if procedure is not being followed. The Dean of Student Life reserves the right to dismiss any participant including the Complainant, Respondent, witnesses, advisors, 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.

5. The hearing will be recorded and written transcripts of the hearing will be produced within 48 hours of the hearing.
6. The Reviewers will meet with the Complainant first. The Complainant will give testimony to the report. The Reviewers will then ask any questions of the Complainant. The Reviewers will then read the statements from the Respondent and their witnesses. The Complainant will then have an opportunity to write down questions they wish to be asked of the Respondent and their witnesses. Following this questioning period the Complainant will return to his/her waiting room. The Reviewers will call in the Complainant's witnesses individually, who will make their statements and be questioned by the Reviewers. The witnesses will then return to their waiting room.
7. The Reviewers will meet with the Respondent. The Respondent will give testimony to the report. The Reviewers will ask any questions they may have as well as the questions submitted from the Complainant. The Reviewers will then read the statements by the Complainant and their witnesses. The Respondent will then have an opportunity to write down questions they wish to be asked of the Complainant and their witnesses. Following this questioning period the Respondent will return to his or her waiting room. The Reviewers will call in the Respondent's witnesses individually, who will make their statements and be questioned by the Reviewers. The witnesses will then return to their waiting room.
8. The Reviewers will meet again with the Complainant and ask any follow up questions including the questions of the Respondent. The Reviewers may call in witnesses again if needed. The Complainant will be given one last opportunity to ask any questions of the Respondent in writing. The Complainant and their witnesses will then be permitted to leave the Student Life Office.
9. The Reviewers will then meet with the Respondent and provide the answers to their questions and allow them to give any rebuttal statements. The Respondent and their witnesses will then be permitted to leave the Student Life Office.
10. 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 will remain with the Reviewers.
11. The Reviewers will then convene to discuss the case. The reviewers will issue a decision on all major issues of the concern following the Preponderance of Evidence Standard. A Preponderance of Evidence Standard is defined as enough evidence to make it more likely than not that the fact that Claimant seeks to prove is true. This decision will be based on majority rule. When a Reviewer is not in agreement, that will be noted in the Finding Document.
12. The Reviewers will make a formal decision and will present a written summary, including reasoning, of its conclusion and recommendations for sanctions to the President of the College within 48 hours of the hearing, a copy will be submitted to the Dean of Student Life.
13. The Dean of Student Life will produce written transcripts of the hearing and submit the transcripts to the President within 48 hours of the hearing.
14. The President will review the transcripts and submitted documents and review the recommended sanctions. Approval or disapproval of the sanctions will be decided by the President within 24 hours of receiving the Reviewers written summary. The President reserves the right to add,

delete, or adjust any sanctions. Once the sanction(s) has been approved by the President, the Dean of Student Life will write the decision and sanctioning letter, which will be provided to the Complainant and Respondent within 5 business days of the hearing.

15. If the student 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 decision and sanctioning letter.

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 circumstance may include, but are not limited to, vacation periods of the College and legitimate unavailability of any needed persons. In the event that any board member 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. *It should be noted that the President of the College or Dean of Student Life reserves the right to ban a student from the residence halls, suspend or expel a student for cause at any time.*

### **How Do I Appeal an Alternate Judicial Board Decision?**

Both the Complainant and Respondent may provide a written appeal to the conclusions and/or recommendations of the Alternate Judicial Board to the President no later than five business days after the conclusion has been provided to all parties. The Complainant and Respondent both have rights to a copy of the recorded hearing and or 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 review of appeals will consider the following: Does the evidence support the finding? Does the finding support the sanction? Is there new evidence that changes the outcome? Were there errors in the hearing procedure? Was there a clear bias of a Reviewer? And were the Reviewers' findings reasonable given the facts, criteria and procedures outlined above?

If the President finds there was an error in the decision, then the President will issue the final decision based on the appeal information.

### **Confidentiality of Information**

Confidentiality, in regard to the reported Complainant and Respondent, will be respected as much as possible when any sexual misconduct of sexual assault charges have been reported. MacMurray College will make reasonable efforts to protect the privacy of the Complainant and the Respondent and preserve all confidential information. However, due to laws related to reporting at the State and Federal level, the College cannot guarantee confidentiality unless reports are privileged communications. Individuals sharing information should request confidentiality. College personnel and professionals being consulted should make clear the limitations of confidentiality before any disclosure of facts.

The Clery Act requires disclosure of on-campus sexual assaults for statistical purposes. These reports are tabulated and published annually with sexual assault and other crime statistics. These reports **do not** include individual identities or personal identifiers.

### **Retaliation**

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

### **Complainant's Rights**

1. To meet privately, at a place of your choice to take the complaint report.
2. To talk with a female or male staff member at your request.

3. To receive a verbal explanation of your rights and a written copy of your rights.
4. To receive written copies of the following; the initial report filed with the Dean of Student Life, Witness Statements, The Investigator's Summary Report, The Reviewer's Findings and Sanction, any appeal filed by the Respondent, any correspondence regarding an appeal, and the President's final decision.
5. To be treated with courtesy, sensitivity, dignity, understanding, professionalism, and confidentiality, regardless of your gender or the gender of the Respondent.
6. To have the safeguards and limitations of confidentiality explained fully to you.
7. To have your questions answered and receive explanations of the system and process involved.
8. To have a list of resources for any medical, legal, or counseling needs.
9. To have assistance in arranging for any hospital treatment or other medical needs.
10. To have assistance in contacting available resources such as counselors, advisors, security officers, etc.
11. To have your case fully investigated. In the event that law enforcement agents are involved, MacMurray will always cooperate. We will keep in touch with you throughout the process.
12. To have an advisor with you throughout the disciplinary process. This individual may assist the Complainant in all interviews by communicating directly to the Complainant, although the advisor is not permitted to speak on behalf of the Complainant. The advisor may provide a written statement.
13. To not have any prior sexual activity or general reputation of the Complainant discussed in a campus hearing.
14. To refuse to engage in self-incrimination.
15. To be offered reasonable protection from retaliation, intimidation, and/or harassment.
16. To be informed of the outcome and sanction of any sexual misconduct or sexual assault.
17. To be provided assistance with on-campus living, academic, transportation, or work arrangements even if the victim does not formally report. We will help you move to another on-campus location if you request it, and a room is reasonably available. We will refund the balance of your housing contract, if you decide to move off campus, and make other housing accommodations that are reasonably available.
18. To assistance with academic accommodations, including: Taking an incomplete in a class; Rescheduling class obligations, including papers and exams; moving class sections; and/or taking an academic under load.
19. To be provided with assistance and information on obtaining orders of protection or no contact orders.
20. The right to decline formally reporting to authorities.
21. To appeal the decision of the hearing board.

### **Respondent's Rights**

1. To receive a verbal explanation of your rights and a written copy of your rights.
2. To receive written copies of the following; the initial report filed with the Student Conduct Officer, Witness Statements, The Investigator's Summary Report, The Reviewer's Findings and Sanction, any appeal filed by the Respondent, any correspondence regarding an appeal, and the President's final decision.
3. To have fair and impartial consideration of the complaints lodged against you.
4. To be treated with courtesy, sensitivity, dignity, understanding, professionalism, and confidentiality, regardless of your gender or the gender of the Complainant.
5. To have reasonable notice of the charges, all campus rules and regulations, and of the time and place of the hearing.

6. To have the safeguards and limitations of confidentiality explained fully to you.
7. To have your questions answered and receive explanations of the system and process involved.
8. To receive a resource list of local attorneys.
9. To have an advisor with you throughout the disciplinary process. This individual may assist the Respondent in all interviews by communicating directly to the Respondent, although the advisor is not permitted to speak on behalf of the Respondent. The advisor may provide a written statement.
10. To not have any prior sexual activity or general reputation of the Respondent discussed in a campus hearing.
11. To refuse to engage in self-incrimination.
12. To be offered reasonable protection from retaliation, intimidation, and/or harassment.
13. To be informed of the outcome and sanction of any sexual misconduct or sexual assault.
14. To appeal the decision of the hearing board.

### **FEDERAL CAMPUS SEX CRIMES PREVENTION ACT**

The Federal Campus Sex Crimes Prevention Act, which became effective October 28, 2002, requires MacMurray College to inform the campus community where to find information on registered sex offenders. Illinois law requires sex offenders to register with their local police or sheriff, which places the names in a state-wide database. The State of Illinois Registered Sex Offenders database can be accessed at <https://www.isp.state.il.us/> If you need more information, contact your local law enforcement (police or sheriff) office.

### **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 Vice President for Academic Affairs and Student Life, and the Chief Financial Officer. The Jacksonville Police Department also cooperates with the College for needed information. Efforts are made to ensure 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.

### **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 victim, 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.

### 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 students 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:

Category	Venue	2013	2014	2015
CRIMINAL HOMICIDE				
Murder and Non Negligent Manslaughter	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	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 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***	2	1	0
	In Dormitories or Other Residential Facilities	0	1	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
Non-Forcible	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	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 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 ASSUALT	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	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
BURGLARY	On Campus***	4	0	0
	In Dormitories or Other Residential Facilities	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
ARSON	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	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 Non-Campus Building or Property****	0	0	0
	On Public Property****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
ARREST FOR				
Liquor Law Violation	On Campus***	1	0	0
	In Dormitories or Other Residential Facilities	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
Drug Related Violation	On Campus***	0	0	0
	In Dormitories or Other Residential Facilities	0	0	0
	In or on a Non-Campus Building or Property****	0	0	3
	On Public Property****	0	0	0
	Classified as Hate Crime in Group A	0	0	0
Weapons	On Campus***	0	0	0

	In Dormitories or Other Residential Facilities	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 Violations	On Campus***	24	14	8
	In Dormitories or Other Residential Facilities	0	14	8
	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
Drug Related Violations	On Campus***	6	8	2
	In Dormitories or Other Residential Facilities	0	6	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 Non-Campus Building or Property****	0	0	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 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 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 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
	In Dormitories or Other Residential Facilities	*	*	0
	In or on a Non-Campus Building or Property****	*	*	0
	On Public Property****	*	*	0
Dating Violence	On Campus***	*	*	1
	In Dormitories or Other Residential Facilities	*	*	1
	In or on a Non-Campus Building or Property****	*	*	0
	On Public Property****	*	*	0
Stalking	On Campus***	*	*	0
	In Dormitories or Other Residential Facilities	*	*	0
	In or on a Non-Campus Building or Property****	*	*	0
	On Public Property****	*	*	0

Hate Crimes Group A	Instances of Hate Crimes appearing in Group A are those that fall within the standard list of Clery Act Crimes
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Hate Crimes Group B	Instances of Hate Crimes appearing in Group A are those that occurred in additional crime categories modified under HEOA 2008, effective August 14, 2008. (20 USC 1092 (f) (1) (F)(ii))
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BIAS CATEGORIES	<p>Each statistic resulting in bodily injury that is motivated by a type of bias or prejudice will have a superscript notation for the type of bias. Numbers in superscripted parenthesis indicate the number out of the total number of incidents that were motivated by each type of bias.</p> <p>Race - ra      Gender - g      Religion - re      Sexual Orientation - s  Ethnicity - e      Disability – d      National Origin – no      Gender Identity - gi</p>
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\*\*\*This category includes all on-campus incidents, including those listed in the category below, “In dormitories or other residential facilities.” Therefore, the two categories are not cumulative, but duplicative.

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

### Emergency Response and Evacuation Procedures

MacMurray College will immediately notify the campus community upon the confirmation of significant emergency or dangerous situation involving an immediate threat to the health or safety of students and employees occurring on campus. MacMurray will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification 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 Coordinator 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 members include: College President, Provost and Vice President for Academic Affairs, CFO, Dean of Student Life, Public Relations Director, Director of Facilities, and the Coordinator of Residence Life. In the event of an identified campus-wide emergency, to include tornado, fire or violent incident, the campus will be notified in the following ways:

1. Use of the College's Emergency Notification System, which employs text messaging.
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.

### **Missing Student Notification Policy**

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 Office of Residence Life. 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 implementation. 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 Security and/or the head of Residence Life and/or the Dean of Student Life immediately. If the student is a non-residential 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 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.

### **Fire Safety**

MacMurray College has five student residence halls on-campus, four of which are in use for the years, 2014-2016. Each hall is equipped with fire alarms and fire extinguishers. All residence halls have water-base sprinkler systems per all applicable codes. All halls are complaint with state codes. Each hall has a minimum of one fire drill per semester. Two fire drills were held in 2015. Resident Directors provide detailed information about evacuation in the event of 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 curtain 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 your 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 building RA, RD, 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.

**2015 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 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	Deaths related to fire	Number of Injuries	Property Damage Cost
Jane Hall			0	0	0			
Kendall House			0	0	0			
Michalson House			0	0	0			
Norris House			0	0	0			
Rutledge Hall			0	0	0			