



## **KEY POINTS OF THE SOLEX COLLEGE POLICY ON SEXUAL MISCONDUCT, TITLE IX STATEMENT, AND ADDITIONAL GUIDANCE**

### **OVERVIEW STATEMENT**

SOLEX College does not discriminate, or permit discrimination, by any member of our college organization against any individual on the basis of race, color, religion, national origin, sex, pregnancy, gender identity, gender expression, sexual orientation, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, or any other classification protected by law in matters of admission, employment, educational programs or services we provide. Harassment, whether verbal, physical, or visual that is based on any of these characteristics is a form of discrimination.

SOLEX College complies with federal and state laws that prohibit discrimination based on the protected categories listed above, including Title IX of the Education Amendments of 1972, which prohibit discrimination based on sex (including sexual misconduct) in all of our educational programs and activities. In addition, SOLEX College provides reasonable accommodations to qualified applicants, students, and employees with disabilities and to individuals who are pregnant, and/or otherwise fall into a protected class of people.

Any alleged violations of our policies with respect to nondiscrimination, reasonable accommodations, sexual misconduct or any type of other sexual harassment should be directed to SOLEX College's Compliance Officer, 350 E. Dundee, Wheeling, IL 60690.

### **POLICY ON SEXUAL MISCONDUCT**

SOLEX College's policy is that no member of our organization—students, faculty, administrators, staff, vendors, contractors, building personnel, or others—may sexually harass or engage in any other sexual misconduct with any other member of this organization. These standards apply equally to all regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved. Sexual misconduct is any unwelcome conduct of a sexual nature, which includes, but is not limited to, unwelcome sexual advances; the use or threatened use of sexual favors as a basis for academic or employment decisions; conduct that creates a hostile, intimidating, or offensive academic or working environment; conduct that has the effect of unreasonably interfering with an individual's work performance; and other verbal, nonverbal, or physical conduct of a sexual nature that is

sufficiently severe, persistent, or pervasive to limit a person's ability to participate in or benefit from an educational program or activity. SOLEX College is committed to fostering an environment in which all members of our organization are safe, secure, and free from sexual misconduct of any form. Our community expects that all interpersonal relationships and interactions – especially those of an intimate nature – will be grounded upon mutual respect, open communication, and clear consent. When learning of conduct or behavior that may not meet these standards, organizational members are expected to take an active role in upholding this policy and promoting the inherent dignity of all individuals.

SOLEX College strongly encourages open and honest communication about actions, wishes, and intentions when it comes to sexual contact. It is always the requirements of the individual initiating any type of sexual activity, to ensure that consent is fully given before any actions occur. If the person is not sober, emotionally or otherwise compromised, etc., consent cannot be given. The impairment of someone's functioning by drugs or alcohol does not excuse someone from the responsibility to obtain consent, and is not ever an excuse to commit sexual misconduct.

### **SEXUAL VIOLENCE STATEMENT**

Sexual violence is a specific form of sexual harassment that is prohibited. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to use of drugs and/or alcohol or to an intellectual or other disability. Some examples of sexual violence may include rape, sexual assault, sexual battery, sexual coercion, dating violence, and domestic violence.

### **TITLE IX STATEMENT**

SOLEX College complies with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual violence) based on sex in the College's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. The Title IX coordinator, with the Director of Student Services, and the Director of International Students serving as the deputy coordinator have been designated to oversee compliance with Title IX and to respond to reports of violations. A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting the United States Department of Education's website at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html> or calling 800-421-3481.

### **THE VIOLENCE AGAINST WOMEN ACT (VAWA) STATEMENT**

SOLEX College complies with the federal Violence Against Women Act amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, and the accompanying regulations which became effective on July 1, 2015 (collectively referred to as VAWA). VAWA imposes additional duties on universities and colleges to investigate and respond to reports of sexual assault, stalking, and dating or domestic violence, and to publish policies and procedures related to the way these reports are handled. SOLEX College has directed its Title IX Coordinator, with assistance of the Deputy Title IX Coordinators, to coordinate SOLEX College's compliance with VAWA and to respond to reports of violations. The Title IX Coordinator is charged with coordinating SOLEX College's compliance with the Clery reporting-related VAWA requirements.

### **ADDITIONAL GUIDANCE**

## **Investigation and Confidentiality**

Reports describing conduct that is inconsistent with these policies will be promptly and thoroughly investigated. Complaints about violations of these policies will be handled discreetly, with facts made available to those who need to know to investigate and resolve the matter. SOLEX College has jurisdiction to investigate any alleged violations of this policy that occur in the context of a College program or activity or that otherwise affect the College's working or learning environments, regardless of whether that conduct occurred on or off campus. In conducting such an investigation, SOLEX College may involve local or regional policy, and/or Homeland Security, depending on the Visa status of involved individuals. If the alleged sexual misconduct occurred outside of the context of a SOLEX College program or activity or off-campus, and where one or more of the parties are not members of the SOLEX College organization, the College's ability to investigate and/or impose disciplinary sanctions may be limited. In such instances, SOLEX College reserves the right to take any steps it deems appropriate to address the situation and provide appropriate resources to those individuals impacted and, where appropriate, the broader College community.

## **Retaliation**

SOLEX College prohibits retaliation against anyone for registering a complaint pursuant to these policies, assisting another in making a complaint, or participating in an investigation under the policies. Anyone experiencing any conduct that he or she believes to be retaliatory should immediately report it to one of the Title IX officers.

## **Resolution**

If a complaint of discrimination, harassment, or sexual harassment is found to be substantiated, appropriate corrective action will follow, up to and including separation of the offending party from SOLEX College, consistent with procedure.

## **Reporting**

All members of the SOLEX College organization are responsible for creating a working, learning, and living environment that is free of discrimination and harassment, including sexual harassment.

- SOLEX College strongly encourages individuals to report incidents of discrimination or harassment to one of the Title IX officers.
- Individuals in supervisory or teaching positions who have been told about or witnessed conduct that may violate these policies are obligated to report it.
- All SOLEX College employees (including student employees), as well as nonemployees with teaching or supervisory authority, are obligated to report sexual misconduct of which they become aware, unless they have a recognized confidentiality privilege.

## **Your Responsibilities**

All members of the SOLEX College organization are responsible for creating a working, learning and living environment that is free of discrimination and harassment, including sexual harassment. It is important to contact one of the individuals listed under Title IX officers if any of the following occurs:

- You believe you have been subjected to conduct or comments that may violate these policies;
- You believe you have been retaliated against in violation of these policies; or
- You have been told about or witnessed conduct that may violate these policies.

If you believe you have been discriminated against or harassed:

- Contact one of the Title IX coordinators.

- Do not blame yourself.
- Do not delay in reporting a problem.
- Consider keeping a written, dated record of events.

If you witness or become aware of possible discriminatory or harassing conduct by others:

- Contact one of the Title IX coordinators.

If you think you may have offended or harassed someone:

- Do not assume others will tell you when they feel offended or harassed by what you say and do.
- Examine how others respond to what you say and do.
- Apologize as soon as possible.
- Change your behavior.

### **Vendors, Contractors and Third Parties**

The SOLEX College policies on discrimination, harassment, and sexual harassment apply to the conduct of vendors, contractors and third parties. If a member of the University community believes that he or she has been subjected to conduct by a vendor, contractor or third party that violates these policies, the community member should contact one of the Title IX coordinators. SOLEX College will respond as appropriate, given the nature of its relationship to the vendor, contractor or third party.

### **Academic Freedom**

While SOLEX College is committed to the principles of free inquiry and free expression, discrimination and harassment identified in this policy are neither legally protected expression nor the proper exercise of academic freedom.

## **DEFINITIONAL INFORMATION**

SOLEX College is committed to developing an environment in which all members of our college organization are safe and free from sexual misconduct of any form. As such, we have defined the following:

Sexual misconduct may include, but is not limited to:

- Sexual assault: sexual penetration without consent, sexual contact without consent, incest, or statutory rape by one person to another person.
- Sexual exploitation: taking sexual advantage of another person without consent (i.e., lewd exposure, recording intimate activities, etc.)
- Sexual harassment; any unwelcome conduct of a sexual nature that creates a hostile, intimidating, or offensive environment. Sexual harassment may include any remarks, teasing, joking, insulting, or otherwise degrading a person based on one's gender, orientation, etc. It may also include any pressure for any type of romantic relationship, obscene gestures, sexually explicit profanity, cyberbullying, "sexting" or other sharing of pictures of a sexual nature that are not for educational purposes in the classroom, any unnecessary touching or hugging.
- Dating/domestic violence: intimidation, harassment, physical abuse, sexual abuse, or emotional abuse by someone to a partner in any sort of intimate relationship.
- Stalking: any unwelcome conduct over time that causes a person to fear for one's safety (i.e., threats, following, monitoring, communication, etc.)

- Retaliation: any adverse action taken against someone because that person reported or provided information about a violation.

Consent must be knowing, voluntary, active, and present and ongoing. Consent is a knowing and voluntary agreement to engage in specific sexual activity at the time of the activity, when you are of legal age and physically fit to make this agreement. Consent is not present when an individual does not have the capacity to give consent due to age, alcohol, drugs, sleep, emotional status, or other physical condition or disability.

Consensual romantic or sexual relationships amongst members of SOLEX College: SOLEX College believes that when individuals are involved in a consensual romantic or sexual relationship and are in positions of unequal power, there is a potential for conflict of interest, favoritism, exploitation, or sexual misconduct to occur. SOLEX College does not promote or encourage these relationships within the workplace. In the event that they do occur, the person with the greater power must not hold any supervisory or evaluative authority over the other person, and must report the relationship to the Compliance Officer. A management plan must be developed and implemented for this situation. There are no circumstances in which a teacher should be romantically involved with a student, unless there has been a pre-existing relationship between these individuals, and the student becomes admitted, or the teacher becomes hired. In this case, SOLEX College's Compliance Officer needs to be made aware of the situation, and every effort will be made to make sure that the student is not a student in a class taught by the teacher. Again, a management plan will be developed and implemented for this situation.

## **SOLEX COLLEGE'S PROCEDURES FOR THOSE WHO HAVE EXPERIENCED SEXUAL MISCONDUCT OR OTHER SEXUAL VIOLENCE: DETAILED INFORMATION**

If you have experienced sexual misconduct, or know someone who has, it is important that you know that you have options and rights. If you have experienced sexual misconduct, you may seek medical attention, speak with a confidential resource, file a police report, contact the Compliance Officer at SOLEX, and choose to preserve physical evidence if you decide to report at a later date.

### **1. Seeking Medical Assistance**

Experiencing any form of sexual misconduct, especially acts of violence, is difficult and may become overwhelming. Survivors often experience a range of emotions, including fear, anxiety, and confusion, and may be unsure of what they want to, or should do, next. Regardless of whether the individual chooses to report the incident, SOLEX College strongly encourages survivors of any form of violence to seek medical attention as soon as possible, even if they feel no injury was sustained. Medical assistance providers can treat visible physical injuries and identify injuries that may not be visible, and, where appropriate, also test for and treat sexually transmitted infections, test for pregnancy, and provide emergency contraception (if requested). In addition, a hospital can test for the presence of alcohol or drugs (e.g., "date rape" drugs) and perform a rape evidence collection procedure which are also strongly recommended to maintain all legal options. Under Illinois law, medical personnel are required to alert police when it reasonably appears that the person requesting treatment has sustained an injury as a victim of a criminal offense, including sexual assault or violence, but individuals have the right to refuse to speak to police. As members of SOLEX College live throughout the greater northeastern Illinois area, there are a range of choices for seeking medical assistance. SOLEX College encourages survivors to seek help from their local hospital/emergency or immediate care medical center, or use the county-provided services based on the county where they live.

## 2. Preserving Evidence

Many sexual misconduct offenses also are crimes in the state or locality in which the incident occurred. For that reason, survivors of sexual misconduct often have legal options that they can pursue. These options are available solely at the discretion of survivors, who may change their minds about pursuing them at any time. For example, a survivor may seek a protective order from a court against the perpetrator(s); pursue a civil action against the perpetrator(s); and/or participate in a law enforcement investigation and criminal prosecution of the perpetrator(s). Regardless of whether an incident of sexual misconduct is reported to the police or SOLEX College, SOLEX College strongly encourages individuals who have experienced sexual misconduct to preserve evidence to the greatest extent possible, as this will best maintain all legal options for them in the future. Additionally, such evidence may be helpful in pursuing a complaint with SOLEX College. While SOLEX College does not conduct forensic tests for parties involved in a complaint of sexual misconduct, the results of such tests that have been conducted by law enforcement agencies and medical assistance providers may be submitted as evidence that may be considered in a SOLEX College investigation or proceeding, provided they are available at the time of the investigation or proceeding. Below are suggestions for preserving evidence related to an incident of sexual misconduct. It is important to keep in mind that each suggestion may not apply in every incident: General evidence preservation suggestions:

- Do not alter, dispose of, or destroy any physical evidence.
- If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or law enforcement as soon as possible so they can attempt to collect possible evidence (e.g., from the drink, through urine or blood sample).
- Preserve evidence of electronic communications by saving them and/or by taking screen shots of text messages, instant messages, social networking pages, or other electronic communications, and by keeping pictures, logs, or copies of documents that relate to the incident and/or perpetrator.
- Even if survivors choose not to make a complaint regarding sexual misconduct, they should nevertheless consider speaking with University Police or other law enforcement to preserve evidence in the event that they change their mind at a later date. Evidence preservation suggestions specific to sexual assault
- Because some evidence, particularly evidence that may be located on the body, dissipates quickly (within 48-96 hours), individuals who have been sexually assaulted and wish to preserve evidence should go to a hospital or medical facility immediately to seek a medical examination and/or Page 11 evidence collection. Under Illinois law, any cost for an emergency medical or forensic examination for a victim of sexual violence that is not covered by private insurance or Illinois Public Aid will be covered by the Illinois Department of Healthcare and Family Services, and should not be billed to the patient.
- An individual who has been sexually assaulted should not shower, bathe, douche, smoke, brush teeth, eat, drink, or change clothes or bedding before going to the hospital or seeking medical attention.
- If the individual who has been sexually assaulted decides to change clothes or bedding, they should not wash the clothes worn or bedding used during the assault, and

should bring them to a hospital, medical facility or the police in a non-plastic bag (e.g., paper bag).

- In Illinois, individuals who have been sexually assaulted may allow the collection of evidence even if they choose not to make a report to law enforcement. After the evidence is collected, Illinois law requires hospital staff to store it for two weeks. A sexual assault evidence collection kit may not be released by an Illinois hospital without written consent from the survivor.

### **3. Confidential Support, Advocacy & Counseling**

The following resources are available for individuals to discuss incidents and issues related to sexual misconduct on a confidential basis. Confidential resources will not disclose information about incidents of sexual misconduct to anyone, including law enforcement or SOLEX College, except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or where state law requires a report be made. Confidential resources can provide survivors with information about support services and their options. Because of the confidential nature of these resources, disclosing information to or seeking advice from a confidential counselor does not constitute a report or complaint to SOLEX College and will not result in a response or intervention by SOLEX College. SOLEX College is a small, private institution. As such, we do not have our own survivor-centered services. Student Support Services will provide counseling referrals, information about sexual health concerns, information about reporting options, and referrals for medical and/or legal advocacy.

Off-Campus Confidential Resources include:

- A. Hotlines: All hotlines provide 24 hour (7 days/week) crisis counseling and information regarding sexual assault, dating violence and stalking. Survivors and friends of survivors can call. Note- the hotlines can also provide information on local hospitals, such as what hospitals will have a victim advocate or SANE (Sexual Assault Nurse Examiner) available.
  - Chicago Metro Rape Crisis Hotline (YWCA): (888) 293-2080
  - Chicago Domestic Violence Line: (877) 863-6338
  - LGBT Anti-Violence Project (Center on Halsted): (773) 871-2273
  - RAINN: Rape, Abuse & Incest National Network (800) 656-HOPE  
<https://ohl.rainn.org/online/> (online hotline).
- B. Advocate centers:
  - Rape Victim Advocates Main Office: 180 N. Michigan Ave, Suite 600, Chicago (312) 443-9603 [www.rapevictimadvocates.org](http://www.rapevictimadvocates.org). Services include: medical and legal advocacy, counseling services (individual and group). Services are free and for survivors or friends/partners of survivors.
  - Life Span Center for Legal Services and Advocacy 70 E. Lake Street, Suite 700, Chicago, (312) 408-1210 [life-span@life-span.org](mailto:life-span@life-span.org) [www.life-span.org](http://www.life-span.org). Services include (for survivors of DV and SV): legal services, legal advocacy (i.e. assistance with Orders of Protection, etc.) and counseling.
  - Center for Contextual Change 9239 Gross Point Road, Skokie (847) 676-4447 x304 (for appointments or a confidential assessment) [www.centerforcontextualchange.org](http://www.centerforcontextualchange.org). Services for survivors of sexual and domestic/dating violence: individual and group counseling. Services for perpetrators of sexual and domestic/dating violence: individual and group counseling.

- Porchlight Counseling Services (773) 750-7077 confidential helpline and intake [www.porchlightcounselingservices.org](http://www.porchlightcounselingservices.org). Services include: free counseling for survivors of sexual and/or domestic/dating violence

#### **4. Reporting Sexual Misconduct**

SOLEX College organization's members who believe they have experienced sexual misconduct have the right to choose whether or not to report the incident to SOLEX College or law enforcement and pursue a sexual misconduct complaint with SOLEX College. Following is information for individuals who wish to report incidents of sexual misconduct:

##### **A. Reporting to Law Enforcement**

SOLEX College encourages individuals to report incidents of sexual misconduct to local law enforcement officials. Timely reporting to the police is an important factor in successful investigation and prosecution of crimes, including sexual violence crimes, and may lead to the arrest of an offender or aid in the investigation of other incidents. An individual who has experienced sexual misconduct has the right to choose whether to file a police report. Filing a police report can result in the investigation of whether sexual violence or related crimes occurred and the prosecution of those crimes against a perpetrator. It is important to know that reporting the incident to police does not mean an individual is obligated to testify in court.

In Illinois, some officers have special training to work with survivors. Anyone can request that type of officer when sexual misconduct is involved. Survivors can request to work with an officer based on the officer's gender. A survivor has up to five years after a sexual assault to file a report to the police. A survivor has up to three years after an incident of domestic violence or stalking to file a police report.

##### **B. Reporting Incidents to SOLEX College.**

An individual who has experienced sexual misconduct has the right to choose whether to report the incident to the Title IX Coordinator or Deputy Title IX Coordinators for investigation. All SOLEX College employees (including student employees) are obligated to promptly report incidents of sexual misconduct of which they become aware, unless they have a recognized confidentiality privilege. SOLEX College encourages students and third parties who have observed or been made aware of sexual misconduct to report the incident to the Title IX Coordinator or a Deputy Title IX Coordinators for investigation.

##### **C. Reporting Incidents Involving Minors**

All SOLEX College organizational members are obligated to report to DCFS and University Police any suspected abuse and neglect of a child. This includes any and all incidents of sexual misconduct involving minors. It is a crime in Illinois to fail to report sexual abuse of a child of which someone over the age of 18 has personally observed.

#### **5. Interim Protective Measures & Accommodations**

Interim protective measures and accommodations are reasonable measures SOLEX College can put in place to provide immediate support and added protection to an individual who reports having experienced sexual misconduct or retaliation, at no cost to that individual. These measures can be temporary in duration pending the results of an investigation, but can become permanent. Interim protective measures and accommodations include, but are not limited to:

- A no-contact directive issued by the Title IX Coordinator, Deputy Title IX Coordinator, or their designee

- Housing or work space relocation
- Adjustment of course schedules or employment schedules
- Time off from class or work, or a leave of absence
- Transportation arrangements
- Safety planning

Interim protective measures and accommodations can be made available regardless of whether an individual chooses to report an incident to local law enforcement or pursue a complaint with SOLEX College. The Title IX Coordinator, Deputy Title IX Coordinators, or their designee will determine whether interim protective measures or accommodations are reasonable and should be implemented, and, if so, will work to ensure that interim protective measures or accommodations are implemented as soon as possible. SOLEX College will keep confidential any accommodations or protective measures provided, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the protective measures or accommodations. To seek an interim protective measure or accommodation, students should contact the Title IV Coordinator. Violations of directives related to interim protective measures or accommodations may lead to an investigation and disciplinary action which may include, but is not limited to exclusion, expulsion, or dismissal from the University, and termination of employment.

## **6. Investigation and Resolution of Alleged Violations of the Sexual Misconduct Policy**

Reporting an incident of sexual misconduct or retaliation to SOLEX College can result in the investigation of whether a violation of this policy occurred and can also result in disciplinary action against any student, staff or faculty member, or outside party, who is determined to have violated this policy. SOLEX College has generally designated the Title IX Coordinator to oversee complaints of sexual misconduct and retaliation involving staff, faculty and third parties, and the Deputy Title IX Coordinators to oversee reports of sexual misconduct and retaliation against students. A report of sexual misconduct or retaliation will be routed to the appropriate office for investigation, regardless of where it is initially directed. SOLEX College's investigative and resolution processes of reports of violations of this policy will be prompt, fair and impartial. The procedures set forth below are intended to afford a prompt response to reports of sexual misconduct, to maintain privacy and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy. Complaints of sexual misconduct and retaliation will be investigated and resolved in accordance with this policy. Because such allegations can sometimes raise novel issues and involve competing interests, SOLEX College reserves discretion to take reasonable actions to address those issues in a manner consistent with the spirit of this policy, and which preserves fairness for both parties and maintains the integrity in the investigation and resolution processes.

### **A. Standard of review**

SOLEX College uses the preponderance of the evidence standard to determine responsibility of violations of this policy.

### **B. Sanctions, corrective actions, and remedies**

Violations of this policy may result in sanctions and corrective actions, which can include, but are not limited to:

- Verbal warning

- Written warning
- Advisory letter
- Monitoring
- Disciplinary hold on academic and/or financial records
- Performance improvement/ management process
- Required counseling or therapy
- Required training or education
- Campus access restrictions
- No trespass order issued by SOLEX College (with respect to campus locations)
- No contact directive (with respect to an individual)
- Loss of privileges
- Loss of oversight, teaching or supervisory responsibility
- Probation
- Demotion
- Loss of pay increase
- Transfer (employment)
- Revocation of offer (employment or admissions)
- Disciplinary suspension
- Suspension with pay
- Suspension without pay
- Exclusion
- Expulsion
- Degree revocation
- Termination of employment
- Termination of contract.

SOLEX College may assign other sanctions as appropriate in each particular situation. Sanctions and corrective actions will be imposed in accordance with relevant policies and/or procedures and other requirements set forth in the applicable Staff Handbook, Faculty Handbook, Student Handbook, other policies or handbooks that may be developed over time, or contracts. In addition, SOLEX College may take steps to remediate the effects of a violation on victims and others. Following an investigation, SOLEX College may extend interim protective measures and accommodations, and/or take other measures to eliminate any hostile environment caused by the sexual misconduct, prevent the recurrence of any sexual misconduct, and remedy the effects of the sexual misconduct on the complainant and the SOLEX College organization. Such measures may include, but are not limited to, the interim measures and accommodations as well as counseling, training, and other preventative measures.

C. Advisor/legal counsel

Complainants and respondents may be accompanied by one advisor throughout the investigation and any hearing process. An advisor is a support person who is present to provide support to a complainant or respondent throughout an investigation and/or hearing. An advisor may not speak, write, or otherwise communicate with an investigator, hearing officer or panel on behalf of the complainant or respondent, and, because these are internal SOLEX College proceedings, may not function as legal counsel. To enhance the

integrity of the investigation process and help ensure fairness for all parties, advisors cannot be a witness or party in the matter or a related matter, a family member of the complainant or respondent, or an attorney.

In any matter involving a complaint of sexual assault, stalking, or dating or domestic violence, the advisor may be any person of the party's choosing, including an attorney. In this case, the advisor is still limited to the supportive and not participatory role described above. Advisors who do not abide by these guidelines may be excluded from the process.

D. Privacy and Sharing of Information

SOLEX College considers complaints and investigations conducted under this Policy to be private matters for the parties involved. For that reason, SOLEX College will protect the identity of persons involved in reports of sexual misconduct to the best of its ability. SOLEX College will only share personally identifiable information with persons with a need-to-know in order for SOLEX College to investigate and respond or to deliver resources or support services. SOLEX College does not publish the names nor post identifiable information about persons involved in a report of sexual misconduct. SOLEX College does not confirm to outside parties the identity of an individual who may be involved in a report of sexual misconduct without that individual's consent. However, SOLEX College cannot promise complete confidentiality or privacy in the handling of sexual misconduct reports or complaints. Most situations require the disclosure of the complainant's identity to those involved in the investigation in order to fully investigate the matter and/or to enable the respondent to fully respond to the allegations. When individuals report allegations of sexual misconduct to SOLEX College and do not consent to the disclosure of their names and/or do not disclose the identity of the alleged offenders or identifiable information about the alleged offenders, SOLEX College's ability to respond to the complaints may be limited. In cases where an individual reporting sexual misconduct requests anonymity or does not wish to proceed with an investigation, SOLEX College will attempt to honor that request but, in some cases, the Title IX Coordinator or Deputy Title IX Coordinator may determine that SOLEX College needs to proceed with an investigation based on concern for the safety or well-being of the broader college organization (e.g., risk of future acts of sexual violence or a pattern of sexual misconduct). SOLEX College reserves the right to take appropriate action in such circumstances, including in cases when the individual reporting the misconduct is reluctant to proceed. All participants in an investigation of sexual misconduct will be informed that confidentiality helps enhance the integrity of the investigation, protect the privacy interests of the parties and protect the participants from statements that might be interpreted to be retaliatory or defamatory. For these reasons, the complainant and respondent will be asked to keep the information related to the investigation private, to the extent consistent with applicable law. Witnesses and advisors will be directed to maintain complete confidentiality. Upon the conclusion of an investigation, the complainant and respondent will be notified in writing, at the same time, of the outcome of the investigation, including whether the alleged conduct was found to have occurred, and any sanctions imposed on the respondent that directly relate to the complainant. For the same reasons noted above, SOLEX College encourages the parties to maintain the confidentiality of this communication.

E. Investigations and resolution of complaints against faculty, staff and third parties

The Title IX Coordinator, or designee, investigates complaints of sexual misconduct, including complaints of sexual harassment and sexual assault, brought against faculty, staff and third parties. When a complaint is received, the Title IX Coordinator, or designee interviews parties and witnesses and reviews any relevant documents and evidence. Once an investigation is completed, the investigator makes findings on whether the preponderance of the evidence indicates that the respondent violated the Policy on Sexual Misconduct. The investigator advises the parties of the findings in writing, and communicates findings and recommendations to other SOLEX College offices as needed for resolution and determination of sanctions or corrective actions. Most investigations are completed within 60 days. Parties may file an appeal of an investigator's findings.

F. Investigations and resolution of reports against students

The Deputy Title IX Coordinator for sexual misconduct complaints against students, Title IX Investigator, or designee, investigates reports of alleged violations of this policy by Northwestern students. When a report is received, the Deputy Title IX Coordinator or designee will conduct an initial inquiry to determine the resolution plan. If action is required to remediate the impact of the alleged policy violation, the Deputy Title IX Coordinator will take interim actions or make accommodations as appropriate. If the report has not been resolved informally, the matter will then be assigned to an investigator who will gather full details related to the report. The investigator will interview the parties and relevant witnesses and review relevant documents and evidence. Resolution of these reports is determined through the Director of Student Services. If it is determined by the Director that the alleged policy violation has the potential to result in a separation from the SOLEX College (e.g., suspension, exclusion, expulsion, degree revocation), the investigator will complete an investigative report that includes details of the investigation and the investigator's findings of fact. The report will be provided to the individual reporting the misconduct, the respondent, and the SOLEX College administration. Administration will call for a hearing, in which the parties will have the opportunity to meet with the administration individually. Administration will determine responsibility for policy violations and, if applicable, sanctions.

G. Complainants

Complaints regarding the specific allegations of sexual assault, stalking, dating or domestic violence Individuals who report to the Title IX Coordinator, or a Deputy Title IX Coordinator, that they have experienced sexual assault, stalking, or dating or domestic violence, whether the offense occurred on- or off-campus, will be provided with a written explanation of their rights, options, and resources including a link to this policy. Specifically, this notice will include information about:

- Services and resources related to counseling, health and mental health, legal, visa and immigration, and student financial aid;
- Interim protective measures and accommodations, and how to request them during the course of the investigation;
- The procedures for institutional disciplinary action in cases of sexual assault, dating or domestic violence and stalking; and
- Preserving evidence, reporting to law enforcement, being assisted by University officials in reporting to law enforcement, seeking a protective order, and confidentiality.

## **SOLEX COLLEGE'S PROCEDURES FOR THOSE WHO ARE TOLD BY SOMEONE ELSE THAT ONE HAS EXPERIENCED SEXUAL MISCONDUCT OR OTHER SEXUAL VIOLENCE: DETAILED INFORMATION**

If you are an employee of SOLEX College, and someone tells you that one is a survivor of sexual violence, you have an obligation to report this to the Title IX Coordinator/Compliance Officer. While you do not want to engage in any type of confrontational questioning, you should be clear in your response that you know that this person has options, and you should try to provide relevant information within the context of being an active listener.

An individual who has experienced sexual misconduct often responds to normal situations in different ways, showing agitation, anger, sadness, confusion, withdrawal, inattention, or dismissal of others. It is important that you listen, support, and refer.

- Listen by giving the person your complete attention. Tell the survivor that this is not one's fault, and the survivor has options. Do not interrupt. Do not discuss your personal history. Do not say you know what the person is going through.
- Support the survivor by asking that the survivor share the story as the survivor wants to share. Provide options for the survivor to sit or stand, share or be silent, cry, etc. Try to be nonjudgmental in both your speech and your actions. Tell the survivor that there are a variety of feelings that one has, and you want to help create a safe space for the survivor to have those feelings and process the next steps. Make the space safe. Do not question what the survivor is going through or say you understand it, or can even imagine it. Do not ask questions that suggest blame, such as, "Why did you wear that?" or "Why were you drinking?" or "Why did you stay when others left?" Do not question if the survivor is telling the truth. Do not touch the survivor without verbal permission. Do not show any signs of your own frustrations.
- Refer the survivor to resources. It is not expected that you will have all the answers, or can fix the problem. It is not your responsibility to try to fix the situation. It is your responsibility to tell the survivor that SOLEX College can provide resources and support. Refer the person to the Compliance Officer.

Dealing with sexual misconduct in any form is not easy. If you believe that you cannot listen, support, or refer without your own feelings overwhelming you, it is important to be honest with the survivor and state that you may not be the right person right now to engage in sharing. You need to then ask that person if there is someone else you can bring in on the conversation, or refer the survivor to someone else. It is never okay to walk away and leave the survivor alone or feeling devalued for sharing.