

GWC

# Residence Life



2019-2020 Guidebook

*Your Home Away From Home*

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# Office of Residence Life

This Handbook serves to familiarize all undergraduate, graduate, and doctoral students with Aurora University's services and policies. Some departments may have an additional handbook pertinent to their programs of study. These are your resource guides, and you should find them helpful as you become involved in student life at Aurora. The policies and procedures in this Handbook are designed to promote fairness and will be adhered to as faithfully as possible. While the Handbook is comprehensive and applicable to all students, the Handbook is not a contract between the University and its students. It is not written with the specificity of a criminal statute, and it is not an exhaustive attempt to codify every possible type of problematic behavior. If circumstances dictate variation from the policies and procedures described in the Handbook, the variation will not invalidate a decision unless a student has been subjected to arbitrary or capricious conduct on the part of the University. This Handbook may be altered by the University at any time without notice, and students are urged to contact the Dean of Student Life to ensure that they have obtained the latest version of the Handbook.

## DISCLAIMER

Please note that this guidebook contains excerpts from the Aurora University A-Book. To read the complete handbook please visit this website:

<http://www.aurora.edu/documents/abook/abook.pdf>

## CODE OF CONDUCT

The following actions/behaviors shall constitute violations of the Code of Conduct. Any student found responsible for a violation of this Code will be subject to disciplinary sanctions, as described later in this document.

### **MISSION**

Aurora University is an inclusive community dedicated to the transformative power of learning.

### **CORE VALUES**

Aurora University draws upon the rich legacies of Aurora College and George Williams College to welcome learners to our campuses in Illinois and Wisconsin. Here all become members of an inclusive educational community dedicated to the development of mind, body and spirit. Today, as in the past, we prize the twin virtues of character and scholarship and affirm our commitment to the values of integrity, citizenship, continuous learning and excellence.

- We will adhere to the highest standards of integrity in every aspect of institutional practice and operation. Through this proven dedication to honesty, respect, fairness, and ethical conduct, we will lead by example and inspire our students to do the same.
- We will exercise the rights and responsibilities of citizenship in an educational community, founded upon the principles of mutual respect and open discourse. We will live within our means and manage our resources wisely, while creating an environment that fosters teamwork and promotes service to others.
- We will work and live as an organization devoted to continuous learning. We recognize that the university exists in a diverse and changing world and know that we will succeed in helping students achieve their full potential only if we realize our own. We seek a growth process that is never-ending.
- We will pursue excellence by embracing quality as a way of community life. Accordingly, we will set high expectations for ourselves, our students and our university and will work together to attain them. The University's core values are the foundation upon which our aspirations rest. They undergird our belief in the transformative power of learning. As members of the Aurora University community, we enter into a voluntary compact with one another to live, learn and work in ways consistent with these ideals.

## **EXPECTATIONS**

Community Expectations: Aurora University, as an institution of higher education founded in 1893, exists for the purpose of nourishing the growth of its students as thoughtful, productive and responsible members of society. In an effort to communicate our vision of living and learning in a safe, supportive environment, we have developed the following community expectations:

- We all have rights and responsibilities. Each person conducts him/herself in such a way as to enhance the well-being of all members in the community. Each person also is held accountable for his/her own actions and is responsible for the consequences of said actions.
- As members of the Aurora University community, we support the application of rules which encourage the development of our campus environment as a constructive educational setting.
- Community responsibility consists of actively supporting the physical, emotional, intellectual, and spiritual well-being of one another.
- As we participate in this community, we strive for open mindedness, sensitivity, justice and equality.
- We are fortunate to attract a diverse student body. To further each person's understanding of the world around him/her, we challenge each person to value the differences in one another.
- We expect that students accept their responsibility to respect and protect the rights and properties of our extended community, including our Aurora University neighbors, businesses, and the residents of the city of Aurora.

### **Aiding and Abetting**

Aiding and abetting another person in committing an act that violates the Code of Conduct.

### **Alcohol**

Violations associated with alcohol use:

- Using, possessing, manufacturing, or distributing alcoholic beverages on the Aurora University campus, regardless of age. (Exemptions are made for approved Music by the Lake, Conference Center, and Bistro events.)
- Illegally using, possessing, or distributing alcoholic beverages at any off-campus University-sponsored event.
- Appearing on campus perceptibly under the influence of alcohol, particularly when there is a danger to self, others, or property or there is unreasonable annoyance to others, or causing a disturbance off campus as a result of being under the influence of alcohol.
- One whose room/suite is host to an event/situation that involves a violation of the University Alcohol Policy.
- One whose guest is responsible for a violation of the University Alcohol Policy.
- Any person or organization providing/purchasing for or distributing alcohol to any individual below the age of 21 years.
- Possession of empty alcohol containers, regardless of consumption location.
- Possession of alcohol paraphernalia including but not limited to keg tappers, beer bongs, and flasks.

### **Good Samaritan Policy**

The University has a Good Samaritan Policy, which is designed to protect the health and safety of students who may need medical attention as a result of excessive alcohol consumption or the use of controlled substances. If you receive attention or seek medical assistance for a peer as a result of the abuse of alcohol or controlled substances, you may not be subject to formal disciplinary action for violating University policy as set forth in Policy Statement F in this document.

### **Arson**

Intentionally and/or maliciously starting fires or committing other acts of arson. Arson is a Clery Act reportable crime.

### **Assault**

Committing any violent physical or verbal attack against another person or group; attempting to inflict offensive physical contact or bodily harm on a person that puts the person in immediate danger of or in apprehension of such harm or contact.

- Domestic violence is an assault, as defined above, between people who have an ongoing romantic relationship or between people living together as roommates.

### **Bicycles**

Storing bicycles in any inside building location other than a student's individual residence hall room; mounting a bicycle to a wall or ceiling; riding a bicycle within a University building. Improper use of bicycles on University property, e.g. performing stunts/tricks on bicycles.

### **Building/Hall Sports**

Ball bouncing/kicking/throwing, or any activity deemed a physical sport, except appropriate activity in designated athletic locations; wrestling, engaging in water fights or utilization of squirt guns, and other forms of horseplay/rough-housing.

### **Cleanliness/Health/Safety**

Failing to maintain community/residence hall rooms in clean and sanitary condition without excessive clutter; failure to place trash and recycling in designated bins.

### **Complicity**

Being present during the planning or commission of any violation of the Code of Conduct. Students who anticipate or observe a violation of the Code of Conduct are expected to remove themselves from association or participation and are encouraged to report the violation.

### **Controlled Substances**

Using, possessing, or distributing any state or federally controlled substance except as expressly permitted by law or drug paraphernalia including but not limited to bongs, grinders, hookahs, marijuana pipes, roach clips, and/or scales.

### **Damage to Property**

Examples of damage to property include but are not limited to:

- Engaging or participating in acts of destroying, damaging or defacing property of the University, University vendors, members of the University community, or any others.
- Damage to property done with malicious intent.
- Tampering with or changing locks to University-owned facilities without authorization.

### **Darts and Dartboards**

Possessing, hanging, or using darts and/or dartboards in residence hall rooms.

- Disorderly Conduct: Committing any of the following:

### **Disorderly Conduct**

- Engaging in disorderly conduct or fighting, including, but not limited to, acts that breach the peace, are unruly and/or destructive, or are lewd, indecent, or obscene.
- Assembling to commit or intending to commit any unlawful act by force; carrying out or planning to carry out any action which has the potential to disturb or threaten the public peace, even without unlawful intention; or conducting oneself in a disorderly manner so as to disrupt or threaten to disrupt the public peace, even without unlawful purpose.

### **Disruption of University Activities**

- Interrupting or disturbing the day-to-day academic and operational functions of the University or committing intentional acts that obstruct, disrupt, or physically interfere with the use of University premises, buildings, or passages.

### **Endangering Behavior**

- Physical abuse of any person or any action that threatens or endangers the emotional well-being, health, or safety of any person.

### **Failure to Comply**

Committing any of the following:

- Failing to comply with the directions of or obstructing University employees acting in the performance of their duties.
- Failing to positively identify oneself to a University employee when requested to do so (the preferred form of identification is a current, valid University identification card).
- Failing to comply with the sanction(s) imposed under the Code of Conduct.

### **False Representation**

Providing false information to the University. This includes, but is not limited to:

- Making false reports of a fire, bomb threat, or other dangerous condition; causing or contributing to the cause of a false fire alarm; failing to report a fire, or interfering with the response of University or municipal officials to emergency calls.
- Furnishing false information to any University employee or office.
- Forging, altering, or misusing any University document, record, or instrument of identification.
- Tampering with the election of any University-recognized student organization.
- Attempting to represent the University, any recognized student organization, or any official University group without the explicit prior consent of the officials of that group.

### **Federal, State or Local Laws**

- Violating federal, state, or local laws on University premises or while in attendance at University sponsored or supervised events or committing off-campus violations of federal, state, or local law that adversely affect the reputation of the University, the safety of the campus community, and/or the pursuit of its objectives.

### **Fire Hazards**

Violations associated with fire hazards include, but are not limited to:

- Possessing or using, without proper authorization, flammable materials or hazardous substances on University property, including, but not limited to candles, incense, caustic/toxic chemicals and other materials designed to burn..
- Possessing or utilizing hazardous electrical appliances in the residence halls, including but not limited to air conditioners, cooking appliances (toasters, toaster ovens, etc) or any appliance with an open heating surface (hot plates, electric grills, improperly-used coffee pots, etc), electric blankets, microwave ovens using greater than 700 watts, refrigerators greater than 4.0 cubic feet, or space heaters.
- Using any form of extension cord or multiple outlet (octopus adapter) except for approved UL strips/surge protectors; running any cords under doorways or carpeting.
- Covering more than 50% of a residence hall room door or walls with material, in violation of fire safety regulations; covering walls or ceilings with fabric, fabric-like, or plastic wall coverings or adornments, including but not limited to, tapestries, towels, or sheets.
- Possessing halogen lights and neon signs in the residence halls.
- Possessing live Christmas trees in the residence halls.

### **Fire Pits**

Violations associated with fire pits use include, but are not limited to:

- Leaving a fire unattended.
- Burning anything other than natural fire wood or commercial logs (i.e. garbage, foliage, cardboard, or similar items).
- Use of fire accelerants (i.e. lighter fluid, gasoline, etc.).
- Not abiding by local fire ordinances (i.e. fire bans).
- Fires not contained inside the fire pit.
- Leaving trash or waste near the fire pit.
- Burning a fire past 11pm at night

### **Fishing**

- Violating the State of Wisconsin, Department of Natural Resources' rules and regulations (<http://dnr.wi.gov/>) or in appropriate use of fishing equipment.

### **Furniture**

Committing any of the following:

- Removing public area furniture from its designated location.
- Damaging, painting, or removing University-provided residence hall furniture (bed, chair, desk, dresser, mattress, or wardrobe).
- Possessing water beds and/or building/possessing lofts in the residence halls.

### **Gambling**

- Gambling for money or other items of value on University property or at University-sponsored events.

### **Harassment**

- Committing any of the following, knowing or having reasonable grounds to know that it will or potentially could tend to alarm, anger, harm, or disturb others, or provoke an assault or breach of peace. This policy includes written and verbal forms of harassment. Online community users (i.e. Facebook and Twitter) are subject to the same policy as e-mail and other communication.
- Engaging in actions which harass, threaten, or otherwise endanger the health or safety of any person.
- Intimidating, demeaning, or injuring an individual physically, mentally, or emotionally.
- Engaging in a course of conduct or repeatedly committing acts that alarm or seriously annoy another person and which serve no legitimate purpose.
- Stalking behavior in which an individual intentionally, willfully, maliciously, and/or repeatedly engages in conduct directed at an individual which alarms, threatens, torments, terrorizes, or serves no legitimate purpose.

### **Hate Motivated/Bias Based Incidents**

- Conduct directed at an individual on the basis of age, race, ethnicity, gender, sexual orientation, religion, socioeconomic status or ability with intention to intimidate, demean, or injure an individual(s) physically, mentally, or emotionally.

### **Hazing**

- Committing any intentional, knowing or reckless act, occurring on or off the Aurora University campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in or maintaining membership in any organization or athletic team whose members are or include students at an educational institution. A person commits an offense if the person engages in hazing, encourages another to engage in hazing, knowingly permits hazing to occur or has knowledge of hazing and fails to report said knowledge to an appropriate official of the University. It should be noted that it is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

### **Kayaks**

- Storing kayaks in any inside building location other than a student's individual residence hall room; mounting a kayak to a wall or ceiling; entering the lake in a kayak without lifeguard being present.

### **Lake Front and Water Activities**

- Swimming or other water activities while no lifeguard is on duty, failing to abide by or obstructing college or Geneva Lake Water Safety Patrol instructions.

### **Life Safety**

Committing any of the following:

- Discharging, causing to be discharged or tampering with fire and life safety equipment, including but not limited to altering or misusing any firefighting equipment, safety equipment, or emergency device.
- Attaching items to or hanging items from smoke detectors or sprinkler heads.
- Exiting through alarmed doors; propping open exterior or interior doors that allow access to a locked facility.
- Failing to exit a University building during a fire alarm.
- Failing to evacuate a University building in a timely manner during an emergency, as instructed by a University Official or Emergency Personnel.

### **Pets**

- Possessing animals or pets in the residence halls other than approved certified service animals and/or fish/aquatic animals that must remain under water to survive, in aquariums 10 gallons or under. Animals or pets found in the residence halls must be removed within 24 hours.

### **Pranks**

- Mischievous or malicious tricks or acts that cause or have the potential to cause damage, distress, or harm.

Porches

- storing, affixing, placing, or exhibiting items; using a grill; or smoking on your porch

### **Quiet/Courtesy Hours**

- Engaging in actions on campus that interfere with a student's right to study, at any time; producing excessive noise (i.e. stereos, video games, televisions, or voices raised to a level not confined within the individual residence hall room) during quiet 12 hours (Sunday-Thursday, 11 PM to 10 AM and Friday-Saturday, 1 AM to 10AM, or 24 hours a day from the Saturday prior to final exams through residence hall semester closing).

### **Roller Blading/Skateboarding**

- Improper use of roller blades, scooters, or skateboards on University property, e.g. use of roller blades in a University building, performing stunts/tricks on scooters or skateboards.

### **Room Alterations/Decorations**

Violations associated with decorations in residence hall rooms include, but are not limited to:

- Making structural changes to a residence hall room.
- Display/hanging of offensive or inappropriate materials or materials that promote alcohol/controlled substances.
- Utilizing duct tape, nails, tacks, and/or hooks other than properly-utilized temporary adhesive hooks.
- Painting room walls, ceilings, or floors.

### **Sexual Assault**

- Committing acts of sexual assault (stranger, date, or acquaintance), sexual abuse, or other forms of coerced sexual activity. Please see Policy A at the end of the handbook for more information.

### **Signs, Pictures, and Posters**

- Possessing traffic or street signs (prohibited by Illinois state law); displaying signs, pictures, and/or posters as residence hall window displays.

### **Smoking/Tobacco**

- Smoking of cigarettes, electronic cigarettes, cigars, pipes, other forms of tobacco, etc. on the University campus.

### **Solicitation**

- Engaging in unauthorized canvassing or solicitation on University property, including textbook buyback programs not sponsored by the University and product sales parties such as for cosmetics or household goods.

### **Theft**

- Engaging in acts of theft or possessing without authorization goods belonging to other members of the community, including, but not limited to, University furniture, University property, and/or food and other items not designated as “carry-out” by dining services.

### **Trespass**

- Prohibited entry or presence on University property or in University-owned facilities.

### **Unauthorized Use/Possession of Keys/ID Cards**

- Possessing, lending or duplicating keys to any University building or facility without authorization by appropriate University officials; possessing, lending, or duplicating a University ID card without authorization by appropriate University officials.

### **Unauthorized Exit/Entry**

- Entering or exiting illegally, improperly, without authorization, or during non-contract periods without proper registration, any room or facility which you are not authorized to enter/exit, including alarmed exit doors; granting residence hall access to non-residents (e.g. tailgating).

### **University or College Policies and Services**

- Violating published University policies, rules, or regulations including, but not limited to, the policies on sexual assault, zero tolerance, computer use, and alcohol and controlled substances; violating the rules and regulations of other University departments including, but not limited to: Residence Life, Student Activities, Information Technology Services, Dining Services, Campus Public Safety and the Library.

### **Vehicles**

- Parking in a way that constitutes a hazard or an inconvenience to pedestrians or the operators of other vehicles; blocking sidewalks, driveways, or building access; parking on or driving across grounds or athletic fields; driving recklessly; major vehicle repairs; storage of motorized vehicles (e.g. mopeds, motorcycles) in a building.

### **Visitation**

Violations associated with visitation in the residence halls and on campus include, but are not limited to:

- Any person not assigned by Residence Life to live within the residence halls present in a residence hall room without permission of the host's roommate(s).
- Visitors involved in any policy violation (visitor may be removed/banned from campus and hosts held responsible for the visitor's actions).
- Visitors from off campus or other residence halls who are not escorted by their host; visitors in a residence hall room not in the presence of their host.
- Visitors present during quiet hours not registered following the procedures established by Residence Life. To register, complete the form with Campus Public Safety.
- Visitors under age 18 present in the residence halls, with the exception of immediate family members during the hours of 8 AM to 8 PM or approved recruitment overnight visits sponsored by the University. Please note individuals in violation of this policy will be escorted out of the residence halls and parents/legal guardians will be contacted.
- A host with more than one overnight visitor or a visitor present more than three nights per seven day period; visitors, including students from any other residence hall room, staying overnight more than three nights per seven day period.

### **Weapons**

- Possession, keeping or use that carelessly, recklessly or intentionally harms or intends to harm another person of a weapon, dangerous instrument, fireworks, hazardous substance or noxious materials on campus, including in any vehicle.
- Weapons include, but are not limited to, firearms (such as handguns and rifles), BB guns, pellet guns, air guns, spring-guns or other instruments or weapons in which the propelling device is a spring, air, piston or CO2 cartridge or other similar devices, antique and ornamental weaponry, weapon replicas, weapons paraphernalia (such as holsters), and bows and arrows.
- Dangerous instruments include, but are not limited to, deadly substances (such as potassium cyanide), explosives, explosive devices, gunpowder, firearm ammunition, flammable petroleum fuels, knives with a blade length of three inches or more, clubs, and martial arts weaponry. Important note regarding weapons: Under Illinois State Statute, no guns, lookalike guns, air rifles and pistols, or paintball guns or pistols are allowed inside schools or within 1,000 feet of school grounds, unless carried by on-duty law enforcement personnel. "School" is defined as any public or private elementary or secondary school, community college, college, or university.

### **Windows and Roofs**

- Occupying or storing items on any outdoor window ledge or roof area. Entering, leaning out of, throwing items from, or exiting through windows. Opening or removing screens from windows.

## Policies

### Policy A: Sex Discrimination Policy

#### **POLICY STATEMENT A: Sexual Misconduct Policy**

##### **I. Policy Prohibiting Sexual Misconduct (Including Sex Discrimination, Sexual Harassment, Sexual Assault, and Sexual Violence)**

Aurora University (the “University”) is committed to providing a learning, working and living environment that promotes personal integrity, civility and mutual respect. Aurora University does not discriminate, or tolerate discrimination, against any member of its community on the basis of race, color, national origin, ancestry, sex/gender, age, religion, disability, pregnancy, veteran status, marital status, sexual orientation, or any other status protected by applicable federal, state or local law in matters of admissions, employment, or in any aspect of the educational programs or activities it offers. Sexual misconduct (including sex discrimination, sexual harassment, sexual assault, and sexual violence) is a serious offense that has major consequences for the victim, the respondent, and the campus community. Dating violence, domestic violence, and stalking are also prohibited by this policy. Sexual assault, sexual violence, sexual harassment, dating violence, domestic violence, and stalking are collectively referred to in this policy as “sexual misconduct.” Aurora University is committed to addressing sexual misconduct, will not tolerate any sexual misconduct, and has developed the following guidelines prohibiting such incidents.

- These guidelines apply to groups as well as individuals.
- A male or a female may be the victim of sexual misconduct and may also be the harasser or wrongdoer.
- The sexual orientation/gender identity of individuals engaging in sexual misconduct is not relevant to allegations under these guidelines.
- The use of alcohol or drugs will never function to excuse behavior that violates this policy. 24
- All alleged or suspected violations of this policy will be investigated promptly and equitably, regardless of whether a complaint alleging a violation of this policy has been filed, and regardless of where the conduct at issue occurred.

### **Applicable Federal Law**

This policy supplements the Zero Tolerance Policy and addresses the requirements of Title IX of the Education Amendments of 1972 (“Title IX”) and the Violence Against Women Act (“VAWA”). Title IX is the federal law that prohibits sex discrimination in federally funded education programs and activities. Title IX states as follows:

*No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.* Discrimination on the basis of sex (i.e., sex discrimination) includes sexual harassment, sexual assault, and sexual violence. The University has designated a Title IX Coordinator to oversee sexual misconduct policy development, enforcement, and compliance as required by Title IX:

Amy Gray, Assistant Vice President for Student Life and Title IX Coordinator  
Office location: 316B Eckhart Hall  
Phone: 630-844-5467  
Email: agray@aurora.edu

The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance on behalf of the University. This includes coordination of training, education, communications, and administration of complaint and grievance procedures for the handling of suspected or alleged violations of this policy and the Zero Tolerance Policy. In addition, the following members of the University community have been designated to assist with the development, enforcement, and compliance of this policy:

Shaun Neitzel, Dean of Student Life and Assistant Title IX Coordinator  
Office location: 316C Eckhart Hall  
Phone: 630-844-6515  
Email: sneitzel@aurora.edu

Mary Weis, Director of Human Resources and Assistant Title IX Coordinator  
Office location: 439 S. Gladstone  
Phone: 630-844-3866  
Email: mweis@aurora.edu

The Assistant Title IX Coordinators are also responsible for implementing and monitoring Title IX compliance at the University, and for notifying the Title IX Coordinator of any alleged or suspected 25 violations of this policy and the Zero Tolerance Policy and the resolution of such alleged or suspected violations, regardless of whether a complaint or grievance is submitted.

As noted above, it is the policy of the University to provide a work and educational environment free of all forms of sexual misconduct as defined in this policy and as otherwise prohibited by state and federal statutes. Sexual harassment, including acts of sexual assault and sexual violence, is a form of sexual misconduct and is prohibited by the University. This prohibition against discrimination on the basis of sex applies to all students, faculty, and staff, to other members of the University community, and to contractors, consultants, and vendors doing business or providing services to the University in accordance with the Zero Tolerance Policy.

Prohibited conduct includes all forms of sex discrimination and sexual harassment, as well as sexual assault and sexual violence. Sexual misconduct, which includes sexual assault, sexual assault and sexual violence, may take many forms.

Sexual Harassment: Sexual harassment may consist of repeated actions or may even arise from a single incident if sufficiently extreme. Sexual harassment includes unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship, status in a position of employment or an academic course or program, or participation in any University activity; (2) submission to or rejection of such conduct is used as a basis for a decision affecting an individual's employment or educational relationship, status in a position of employment or an academic course or program, or participation in any University activity; or (3) such conduct has the effect of unreasonably interfering with a student's or employee's work or educational performance or creating an intimidating, hostile, or offensive working, educational, or living environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include, but are not limited to:

- Physical assaults of a sexual nature, such as rape, sexual assault, sexual battery, molestation, or attempts to commit these acts.
- Intentional physical conduct that is sexual in nature such as touching, pinching, patting, grabbing, poking, or brushing against another individual's body.
- Offering or implying a job- or education-related reward (such as a pay increase, a favorable employment evaluation, a job promotion, a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct.

- Threatening or taking a negative employment or educational action (such as a reduction in pay, a negative employment evaluation, or a demotion, giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual's job or academic work more difficult because sexual conduct is rejected.
- The use or display in the workplace or classroom, including electronic means, of pornographic or sexually harassing materials such as posters, photos, cartoons or graffiti without pedagogical or other justification.
- Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gestures, noises, remarks, jokes, questions, or comments about a person's sexuality or sexual experience.

Sexual Assault and Sexual Violence: Sexual assault/sexual violence is a particular type of sexual harassment that includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. This includes, but is not necessarily limited to, inappropriate touching, sexual intercourse of any kind without consent, rape, and attempted rape.

Dating Violence, Domestic Violence: Dating/domestic violence means physical abuse, harassment, intimidation, interference with personal liberty, or willful deprivation of a family member, household member, or person with whom the perpetrator has, or has had, a dating or engagement relationship.

Stalking: Stalking means engaging in a course of conduct directed at a specific person, that the perpetrator knows or reasonably should know that this course of conduct would cause a reasonable person to fear for his or her safety or the safety of others, or suffer emotional distress. Examples of stalking behavior include following a person, conducting surveillance of the person, appearing at the person's home, work or school, making unwanted phone calls, sending unwanted emails or text messages, leaving objects for the person, vandalizing the person's property, or injuring a pet.

Retaliation and Intimidation: Retaliation exists when action is taken against a complainant or participant in the complaint process that (i) adversely affects the individual's opportunity to benefit from the University's programs or activities; and (ii) is motivated in whole or in part by the individual's participation in the complaint process. No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of such complaint shall be subject to retaliation as a result of such activity or participation. In addition, any act of intimidation designed to prevent an individual from reporting a violation of this policy or otherwise participating in the investigation or resolution process is prohibited. Any acts of retaliation or intimidation, as defined in this policy, shall be grounds for disciplinary action, up to and including dismissal.

Consent: As noted above, all non-consensual sexual conduct is absolutely prohibited by the University. When determining whether there has been effective consent, the following guidelines will apply:

- Consent is informed, freely and actively given and requires clear communication between all persons involved in a sexual encounter.
- Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable. Silence, in and of itself, cannot be interpreted as consent.
- It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Previous relationships or consent does not imply consent to future sexual acts.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.
- Consent can be withdrawn at any time.
- Effective consent cannot be given by minors, mentally disabled individuals or person's incapacitated as a result of drugs or alcohol. 27
- If you have sexual activity with an individual who is mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy.
  - ◇ Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.
  - ◇ This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called "date-rape" drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketomine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>.

Examples of conduct that violates this policy include, but are not limited to, the following:

- Non-Consensual Sexual Contact: Any intentional sexual touching, however slight with any object or body part, by a man or a woman upon a man or a woman, without consent.
- Non-Consensual Sexual Intercourse: Any sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a man or woman upon a man or a woman, without consent.
- Forced Sexual Intercourse: Unwilling or non-consensual sexual penetration (anal, vaginal or oral) with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware.
- Sexual Exploitation: Occurs when a student or employee takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, even if the conduct may not otherwise constitute sexual assault or sexual violence. Examples of sexual exploitation include, but are not limited to:
  - ◇ prostituting another person;
  - ◇ non-consensual video or audio-taping of sexual activity;
  - ◇ going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
  - ◇ engaging in voyeurism;
  - ◇ knowingly transmitting an STD or HIV to another.

### **Responsible Employees**

Any "Responsible Employee" of the University informed of an alleged violation of the sexual misconduct policy (including sexual assault and sexual violence) involving students, employees or other members of the University community is expected to file a report with the Title IX Coordinator. "Responsible Employees" include all persons directly employed by the University whose job responsibilities require direct contact with students or employees. This includes all faculty members, student life staff, deans, student worker supervisors, campus public safety staff, etc. Student staff members with an obligation to report any knowledge of a violation of this policy to the Title IX Coordinator include Peer Advisors, Resident Assistants, and Campus Public Safety student workers. Specific exceptions to this are those professionals who are obligated by law to maintain confidentiality, including Counseling Services staff, Wellness Center staff and the University Chaplain, when they are acting in their professional capacity.

### **Confidentiality**

When reporting an alleged violation of this policy, complainants may request confidentiality or ask that the complaint not be pursued. In response to this request, Aurora University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality and/or request not to pursue an investigation. The complainant should recognize that, as a result of this request, the university's ability to respond may be limited. The determination of whether a request for confidentiality can be honored is made by the Title IX Coordinator. All Responsible Employees must report violations of this policy to the Title IX Coordinator and should inform any complainant requesting confidentiality of their obligation to do so. The Title IX Coordinator will evaluate the request for confidentiality in the context of the university's responsibility to provide a safe and nondiscriminatory environment for all students. Specifically, the University will weigh the request for confidentiality against the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints against the same individual; and the alleged harasser's right to receive information about the allegations if the information is maintained by the school as an "educational record" and/or if interim measures are being put into place. If a victim's request for confidentiality limits the University's ability to investigate a matter, the University will still take any steps it deems necessary to limit the effects of the alleged sexual misconduct and prevent its recurrence. For example, the University might provide training and education, adjust policies, conduct climate surveys, or provide increased security at a given location.

### **Options for Assistance Following an Incident of Sexual Misconduct** **Confidential Support Services/Intervention**

Students or employees who have been subject to sexual misconduct, including sex discrimination, sexual harassment, sexual assault, and sexual violence, may wish to seek counseling services. Students may receive free counseling from the Aurora University Counseling Center (630-844-5416), the University Chaplain (630-844-6866), Mutual Ground in Illinois (630-897-8383) or Association for the Prevention of Family Violence in Wisconsin (262-723-4653). Employees may receive free counseling from the university's Employee Assistance Program (800-272-7255), Mutual Ground in Illinois (630-897-8383) or Association for the Prevention of Family Violence in Wisconsin (262-723-4653). These resources are available whether or not a victim chooses to make an official report or participate in the disciplinary or criminal process; however, these services can assist complainants with obtaining needed resources, explain reporting options, and help navigate the reporting process, and provide ongoing support as needed.

For more information regarding the support provided by the Title IX Coordinator, including interim measures available to complainants during the investigation and grievance process, please see below.

### **Health Care Options**

A victim of sexual misconduct may also wish to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services. Medical treatment can also be crucial to preserving evidence in the event of a criminal investigation.

It is highly recommended that victims of sexual misconduct seek medical attention, preferably within the first twelve (12) hours post-assault. Our local emergency rooms have trained health care professionals on staff, including Sexual Assault Nurse Examiners, experienced in assessment, evidence collection and treatment of victims of sexual assault. While victims will be referred to our local emergency rooms for medical attention, our Wellness Center on the Aurora campus can provide additional information and support to victims on how to seek further medical attention and what to expect at the visit.

For further support and advocacy victims of sexual assault may contact Mutual Ground (630-897-8383), the local sexual assault/domestic violence crisis center in Aurora. Professionals from Mutual Ground provide free, twenty-four- (24)-hour crisis intervention which includes support for victims at the hospital emergency room, information about medical exams and evidence collection, as well as individual counseling and support groups.

For a listing of additional 24-hour crisis intervention services (counseling & advocacy for victims of sexual assault) within the State of Illinois you may visit the Illinois Coalition Against Sexual Assault (ICASA) web page at [www.icasa.org](http://www.icasa.org). For a listing of such services within the State of Wisconsin you may visit the Wisconsin Department of Health Services web page at [www.dhs.wisconsin.gov/mh/crisis.htm](http://www.dhs.wisconsin.gov/mh/crisis.htm). In addition the National Sexual Assault Hotline (1-800-656-HOPE) can provide information on crisis centers throughout the United States.

### **Local Hospitals**

Contegra Hospital  
3701 Doty Rd.  
Woodstock, IL 60098  
Phone: 815-338-2500

Mercy Walworth Hospital  
N2950 State Road 67  
Lake Geneva, WI 53147  
Phone: 262-245-0535

### **Local 24-hour Crisis Intervention Services (Counseling/Advocacy)**

Walworth County Department of Health and Human Services  
W4051 County Road NN 30  
Elkhorn, WI 53121 -  
Crisis Hotline: 800-365-1587 (24/7 assistance)  
-General phone number: 262-741-3200

Association for the Prevention of Family Violence  
735 N. Wisconsin St. Suite 101  
Elkhorn, WI 53121  
-Crisis Hotline: 262-723-4653

DISCLAIMER

Please note that this guidebook contains excerpts from the Aurora University A-Book. To read the complete handbook please visit this website:

**<http://www.aurora.edu/documents/abook/abook.pdf>**