

TITLE IX & PROHIBITION OF SEXUAL HARASSMENT, DISCRIMINATION, & SEXUAL VIOLENCE POLICY

NON-DISCRIMINATION STATEMENT

Kelley Education Inc. does not discriminate and expressly prohibits any form of student or staff harassment based on ethnic origin, race, color, religion, sex, sexual orientation, national origin, ancestry, marital status, age, handicap or disability, status as a military veteran or any other characteristic protected by law. This policy applies to all aspects of operation including but not limited to educational opportunity, admissions and/or employment opportunities and benefits pursuant to the requirements of Title IX of the Educational Amendments of 1972, Public Law 92-218; the Rehabilitation Act of 1973, section 504, Public Law 93-112 and Title III of the Americans with Disabilities Act of 1990.

WHAT IS TITLE IX?

Title IX of the Education Amendments of 1972 (“Title IX”) prohibits discrimination based on sex, which includes sexual and relationship violence at any federally funded education program or activity. If Kelley Education Inc. receives a complaint of sexual and relationship violence or discrimination, we will respond by considering each complaint based upon its facts & circumstances; prohibit retaliation against anyone for submitting a complaint or participating in a process related to Title IX.

PROHIBITION OF SEXUAL HARASSMENT

Kelley Education Inc. believes that its employees, students, & guests have a right to work & fully participate in an environment free of any kind of discrimination & harassment. This includes sexual harassment & sexual violence.

We are required through Title IX & the Jeanne Clery Disclosure of Campus Security Policy & Crime Statistics Act, (“Clery Act”), to support victims & report on offenses of sexual assault, domestic violence, dating violence, & stalking.

Kelley Education Inc. has created this & other policies to ensure that our campuses comply with Title IX & the Clery Act. This means that we will investigate any complaints in a timely manner. If a violation is found, we will take action to end the conduct, prevent recurrence, address its impact, & protect the survivor(s).

TITLE IX COORDINATOR

Leigh Anne Kelley is the leading Title IX Coordinator. All Title IX Officials receive annual training in VAWA.

Supervising Title IX Coordinator	Campus	Telephone	Email
Leigh Anne Kelley	All Campuses	773.635.0141	leighanne@uofac.edu

Campus coordinators include:

Campus	Campus Title IX Official	Telephone	email
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Wicker Park Campus	Jennifer Guarano	773.635.0141	jguarnero@uofac.edu
Downers Grove Campus	Emily Dykema	773.635.7700	edykema@uofac.edu
El Dorado Campus	Jill Hanry	870.776.8865	jhanry@uofac.edu

WHAT DOES A TITLE IX OFFICIAL DO?

- ✓ Knowledge of all campus policies & procedures
- ✓ Meeting with employees, students, & guests as needed
- ✓ Implementing policy procedures for resolving any complaints; including, but not limited to Title IX
- ✓ Receiving annual training
- ✓ Monitoring the procedural process
- ✓ Ensuring campus safety

DEFINITIONS

To ensure that this & other policies are understood by the community, we have provided the following definitions.

Term	Definition
Sex Discrimination	Depriving someone of an opportunity based upon sex.
Sex Harassment	Unwelcome conduct of a sexual nature.
Sex Violence	Physical sexual acts perpetrated against another's wishes.
Consent	An individual has given permission verbally or through overt actions.

WHAT CONSTITUTES HARASSMENT?

Here is a partial list. Remember, these may be verbal, non-verbal, via social media, texting, or email:

- ✓ unwelcome sexual advances; including repeated attempts
- ✓ solicitations/invitations; including repeated attempts
- ✓ unwanted flirting of a sexual nature
- ✓ sexual gestures
- ✓ discussing sexual activities
- ✓ commenting about another's appearance in an unwanted way
- ✓ using offensive language; including with humor
- ✓ sexting/cyber bullying
- ✓ unnecessary touching
- ✓ any attempt to imply that another's employment, advancement, grades, performance, activities, assignments, or rewards are due to a sexual implication
- ✓ rape, sexual assault, or coercion

PREVENTION

When interacting with others, use careful judgment in your words & actions. Pay attention to how questionable words or actions are perceived by others. If words or actions could be perceived as offensive, they might be unlawful harassment.

Try to always practice professionalism. Be courteous, respectful, pleasant, & non-coercive.

- ✓ Understand. Know school policies. Pay attention to others.

- ✓ Observe. Be aware.
- ✓ Reflect. Don't assume. Think about anything that may be uncomfortable & ensure that others are not negatively affected.
- ✓ Confront. Feel free to confront others about your feelings.
- ✓ Resolve. Try to resolve matters before they get out of hand.
- ✓ Support. Try to help others.

REPORTING RIGHTS

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

EMERGENCY REPORTING

1. CALL 911
2. Go to a safe place following the attack.
3. Do not take a shower or bath or destroy any of the clothing you were wearing at the time of the attack. In other words, do not destroy any evidence.
4. Go to the hospital or emergency room for a medical examination.
5. Call someone so you will not be alone.
6. Report the sexual offense to the police & to the Title IX Official at your campus. If you need an employee's assistance to file a police report, an employee will assist you.

NON-EMERGENCY REPORTING

All Educators & Staff are "responsible employees." Title IX requires that when a responsible employee learns of sex discrimination; including sexual or relationship violence, that individual is required to promptly advise the Title IX Coordinator or other appropriate designees.

Survivor confidentiality cannot be guaranteed unless the responsible employee has been designated as a confidential resource.

Campus	Campus Title IX Official	Telephone	email
Wicker Park Campus	Jennifer Guarano	773.635.0141	jguarnero@uofac.edu
Downers Grove Campus	Emily Dykema	773.635.7700	edykema@uofac.edu
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SEXUAL HARASSMENT GRIEVANCE PROCEDURE

RIGHTS & PRIVACY

The University is committed to protecting the privacy of all individuals involved in a report of prohibited conduct. In any report, investigation or resolution of a report, every effort will be made to protect the privacy interests of all individuals involved. Information will be limited on a "need to know" basis to assist with any investigation.

Information shared with the University cannot be revealed without permission unless permitted by law.

INVESTIGATION OF GRIEVANCES

1. The Title IX Official, in consultation with the Title IX Coordinator, will investigate, in a timely fashion, all incidents of sexual harassment upon receipt of a report.
2. All investigations will be as confidential as possible.
3. The complaint will be put into a written allegation & verified by the complainant.
4. All parties will be informed that retaliation is not acceptable.
5. The offender will be interviewed.
6. Corroborating evidence & witnesses will be collected if possible.
7. If a criminal report was filed, that report may be included in our investigation if permissible.
8. Any party who feels uncomfortable within the presence of an offender, may request an accommodation; including that the offender be suspended during the investigation.
9. At the conclusion of the investigation, all information will be provided to the Title IX Coordinator who will review the information & may interview any party to make an informed decision regarding the allegation & any appropriate action.
10. Both parties will be informed & can request a decision in writing.

APPEALS

If a party does not agree with the decision, that individual(s) may submit a written appeal for review. Appeals must be in writing within 7 calendar days of receipt of the decision.

Any additional information may be provided or if there is an error that occurred during the investigation.

Appeals will be reviewed by the Director of Schools & the President.

RIGHTS & RESPONSE PROCEDURE FOR REPORTS OF ALLEGED INCIDENTS

The following represents the procedure for responding to a report of an alleged incident of sexual violence, domestic violence, dating violence, or stalking.

SURVIVOR'S RIGHTS. Upon being notified of an alleged violation of the comprehensive policy by or on behalf of a student, the following:

- ✓ right to report or not report the alleged incident to the higher education institution, law enforcement, or both, including information about the survivor's right to privacy and which reporting methods are confidential;
- ✓ the contact information for the higher education institution's Title IX coordinator or coordinators, confidential advisors, a community-based sexual assault crisis center, campus law enforcement, and local law enforcement;
- ✓ right to request and receive assistance from campus authorities in notifying law enforcement;
- ✓ ability to request interim protective measures and accommodations for survivors, including honoring an order of protection or no contact order in State court;
- ✓ a summary of the higher education institution's complaint resolution procedures, if the survivor reports a violation of the comprehensive policy.

WITNESSES. Identifying and locating witnesses,

INTERVIEWING. Contacting and interviewing the respondent,

AMNESTY. We will provide immunity to any student who reports, in good faith, an alleged incident to a responsible employee, as defined by federal law, so that the reporting student will not receive a disciplinary sanction for a student conduct violation, such as underage drinking, that is revealed in the course of such a report, unless the institution determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

LAW ENFORCEMENT. Contacting and cooperating with law enforcement, when applicable, and

RESOURCES. Providing information regarding the importance of preserving physical evidence of the sexual violence and the availability of a medical forensic examination at no charge to the survivor.

PROHIBITION ON RETALIATION & OTHER SANCTIONS. Each campus may impose sanctions that may include, but are not limited to, suspension, expulsion, or removal of the student found, after complaint resolution procedures, to be in violation of the comprehensive policy of the higher education institution

alleged perpetrators; and

individuals who engage in retaliatory conduct against those who, in good faith, report or disclose an alleged violation of the comprehensive policy, file a complaint, or otherwise participate in the complaint resolution procedure.

CONFIDENTIAL ADVISORS

Students have access to confidential advisors to provide emergency and ongoing support to survivors of sexual violence.

Campus	Confidential Advisor
Wicker Park Campus	Chicago Rape Crisis Hotline 1 N. LaSalle St #1150 (888) 293-2080 Chicago, IL 60602 ywcachicago.org/our-work/sexual-violence-support-services/rape-crisis-hotline
Downers Grove Campus	Community Crisis Center (847) 697-2380 DuPage County Children's Center (630) 407-2750
El Dorado Campus	Turning Point 900 E 1st St El Dorado, AR 71730 (870) 862-3672

VICTIM'S ASSISTANCE

RAAIN Rape Abuse & Incest National Network www.rainn.org 1.800.656.HOPE	Planned Parenthood www.plannedparenthood.org 1.800.230.7526
DuPage County CRIS	NDVH

Community Resource Information System www.dupagecris.org/	National Domestic Violence Hotline www.ndvh.org 1.800.799.7233
1.800.942.9412 NMHA National Mental Health Association www.nmha.org 1.800.969.6642	

- ✓ Any employee, student, or guest who believes they are a victim or a witness to sexual harassment by another should bring it to the attention of the Title IX Official.
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COMPLAINT RESOLUTION PROCEDURE

- ✓ In matters of violations, the Title IX Official or other administrative staff will involve the local authorities best able to investigate the matter; however, if the campus does conduct an investigation and hearing, the following applies.
- ✓ Complainants alleging student shall have the opportunity to request that the complaint resolution procedure begin promptly and proceed in a timely manner.
- ✓ The complainant and respondent shall receive notice of the individual or individuals with authority to make a finding or impose a sanction in their proceeding before the individual or individuals initiate contact with either party and have the opportunity to request a substitution if the participation of an individual with authority to make a finding or impose a sanction poses a conflict of interest.
- ✓ Campus administration will determine interim protective measures and accommodations available pending the resolution of the complaint.
- ✓ Any proceeding, meeting, or hearing held to resolve complaints of alleged student violations of the comprehensive policy shall protect the privacy of the participating parties and witnesses.
- ✓ The complainant, regardless of this person's level of involvement in the complaint resolution procedure, and the respondent shall have the opportunity to provide or present evidence and witnesses on their behalf during the complaint resolution procedure.
- ✓ The complainant and the respondent may not directly cross examine one another, but may, at the discretion and direction of the individual or individuals resolving the complaint, suggest questions to be posed by the individual or individuals resolving the complaint and respond to the other party.
- ✓ Both parties may request and must be allowed to have an advisor of their choice accompany them to any meeting or proceeding related to an alleged violation of the comprehensive policy, provided that the involvement of the advisor does not result in undue delay of the meeting or proceeding. The advisor must comply with any rules in the institution's complaint resolution procedure regarding the advisor's role. If the advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or an individual resolving the complaint, that advisor may be prohibited from further participation.

- ✓ The complainant and the respondent may not be compelled to testify, if the complaint resolution procedure involves a hearing, in the presence of the other party. If a party invokes this right, the higher education institution shall provide a procedure by which each party can, at a minimum, hear the other party's testimony.
- ✓ The complainant and the respondent are entitled to simultaneous, written notification of the results of the complaint resolution procedure, including information regarding appeal rights, within 7 days of a decision or sooner if required by State or federal law.
- ✓ The complainant and the respondent shall, at a minimum, have the right to timely appeal the complaint resolution procedure's findings or imposed sanctions if the party alleges (i) a procedural error occurred, (ii) new information exists that would substantially change the outcome of the finding, or (iii) the sanction is disproportionate with the violation. The individual or individuals reviewing the findings or imposed sanctions shall not have participated previously in the complaint resolution procedure and shall not have a conflict of interest with either party. The complainant and the respondent shall receive the appeal decision in writing within 7 days after the conclusion of the review of findings or sanctions or sooner if required by federal or State law.
- ✓ The higher education institution shall not disclose the identity of the survivor or the respondent, except as necessary to resolve the complaint or to implement interim protective measures and accommodations or when provided by State or federal law.