

2024

Annual Security & Fire Safety Report



LAKE FOREST  
COLLEGE



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## SECTION 1. INTRODUCTION

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### INTRODUCTION

Lake Forest College publishes this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime and Statistics Act (Clery Act), the Higher Education Opportunity Act of 2008, and the Violence Against Women Reauthorization Act of 2013 (VAWA), which amended the Clery Act by, among other things, requiring certain policy statements and reporting regarding crimes of domestic violence, dating violence, and stalking. The Lake Forest College Department of Public Safety cooperates with numerous other College departments, including the office of the Title IX Coordinator, the Office of Campus Life, Residence Life, Facilities Management, and Athletics, as well as other Campus Security Authorities (CSA) and local law enforcement and emergency services agencies to compile the necessary information for this report.

The report includes policy statements and specific information regarding the College's procedures, practices, and programs concerning safety and security. It includes information about the services and programs of the Department of Public Safety and details the process by which persons can report and prevent crimes or suspicious activity. The report provides information about programs the College provides to prevent the abuse of drugs and alcohol as well as awareness, prevention, and response to all forms of sexual misconduct. The report also includes three years of statistics for particular types of crimes that were reported to have occurred on campus, fire safety data, policies, procedures, and systems. We encourage members of the Lake Forest College community to use this report as a guide for safe practices on and off campus.

Developing a safe and secure environment in an academic institution is a partnership. Within the Lake Forest College community, the Department of Public Safety is tasked with the primary responsibility of compiling and reporting those programs, methods and tactics necessary to assist the entire College community in achieving a safe and secure environment. To maintain such an environment, we encourage every member of the community to learn and demonstrate responsible personal security behaviors at all times and to immediately report crimes or suspicious activity.

A copy of this report will be provided to anyone upon request<sup>1</sup>. An electronic copy can be viewed at the following web address:

<https://foresternet.lakeforest.edu/offices-and->

[departments/public-safety/annual-security-and-fire-safety-report.](#)

We hope this report demonstrates that Lake Forest College is where students and their families can be confident of their safety and security and invite any questions or comments.

William C. King, Ph.D.  
Director of Public Safety

### The Department of Public Safety

Lake Forest College is committed to maintaining a safe and secure learning environment. The Department of Public Safety seeks to provide for the safety and protection of persons and property within our community; to educate the community about security and safety issues; to provide a highly visible, reassuring, and readily accessible presence; to maintain a professional, well-trained force of personnel capable of responding to any emergency, and to promote positive community relations.

Operating 24 hours a day, every day of the year, uniformed Public Safety Officers continually patrol all Lake Forest College buildings, parking lots and campus grounds by foot and vehicle patrol to deter crime and enforce all rules and regulations, including the proper use of buildings and facilities. When necessary, Officers will identify and detain persons unlawfully or illegally in the buildings or on College grounds. Other duties include, but are not limited to, rendering assistance in case of an emergency; responding to a request for service or access assistance; aiding in quelling any disturbances, and conducting investigations when appropriate and requested by the administration.

In addition to a network of asset protection devices, fire alarm systems, and video surveillance systems monitored by the department's Communications Officers, Public Safety Officers employ a community policing approach toward crime prevention. We also encourage individuals to take initial responsibility for their own property and personal security, as well as their neighbors'.

Public Safety Officers can provide a safety escort for individuals to a car, campus residence or other on-campus destination if requested, and will provide transport off-campus to Lake Forest or Highland Park

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<sup>1</sup> This report complies with regulations from the United States Department of Education, which implement the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") 20 U.S.C. 1092 (a) and (f); 34 CFR 668.46.



Hospital's Emergency Departments for students who require non-life threatening medical attention quickly.

Through a cooperative relationship with local law enforcement, Lake Forest College has effectively contributed toward a community-wide effort to deter criminal activity. The Department of Public Safety remains committed to facilitate this process with all its available resources. The result is a safe and secure environment in which to live, work and study.

### How to Report a Crime or Emergency

If members of the Lake Forest College community become victims of a crime, they should report it immediately to the Department of Public Safety or local police (911), regardless of how small the incident may seem. Member of the campus community are also encouraged to make reports even when the victim is unable to do so. Any suspicious persons or activities should always be reported immediately to Public Safety.

Alternatively, reports of criminal or suspicious activity can be made to designated persons, such as other Campus Security Authorities, some of whom are listed below. They in turn will immediately notify Public Safety of the incident or event.

Upon notice of such activity, the Public Safety Communications Officer will dispatch Public Safety personnel to the incident scene where they investigate the matter and take appropriate action. All calls and service requests are logged, and when appropriate they are documented in a case incident report.

To report a crime, emergency, or suspicious activity, members of the campus community can call Public Safety at 847-735-5555 from off-campus telephones or extension 5555 from campus telephones. The Department of Public Safety maintains direct contact with the Lake Forest Police and Fire Departments.

Below are additional ways to report a crime or emergency. The following persons are designated Campus Security Authorities to whom a crime can be reported.

- Vice President of Campus Life at 847-735-5200
- Dean of Students at 847-735-5207
- Director of Residence Life at 847-735-6234
- Assistant Dean of Students & Director of Health and Wellness at 847-735-5240
- Associate Dean of Students & Director of the Gates Center at 847-735-5210
- Title IX Coordinator at 847-735-6009 or (484) 245-4625;
- Associate Director of Residence Life at 847-735-6239

- Residence Directors of Residence Life at 847-735-6232

Other voluntary methods for reporting include:

- Anonymous Witness Submissions can be sent to Public Safety using a form at <https://foresternet.lakeforest.edu/offices-and-departments/public-safety/reporting-a-crime/anonymous-witness-submissions>
- Electronic complaints of sexual misconduct can be submitted at [https://cm.maxient.com/reportingform.php?LakeForestCollege&layout\\_id=5](https://cm.maxient.com/reportingform.php?LakeForestCollege&layout_id=5)
- Anonymous/confidential reports can be made through the Campus Conduct Hotline (866-943-5787) or [www.intouchwebsite.com/CCH1773](http://www.intouchwebsite.com/CCH1773)

The College encourages our professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The College does not have pastoral counselors.

Using these mechanisms for reporting can allow the College to investigate the incident without you having to identify yourself. If necessary, the College can also disclose the incident in its annual report of crime statistics.

### Timely Warning Alerts to The College Community

Public Safety may become aware of crimes on or around the campus that are threatening to the Lake Forest College community. This information may be received via a crime report, through Public Safety's monitoring of local police department frequencies, or other means. When, in the judgment of Public Safety, criminal activity occurring on or around the campus constitutes a serious or continuing threat to the campus community, it will coordinate with the Office of Communication and Marketing, Campus Life, and Residence Life, as necessary, in order to issue a campus-wide Timely Warning. Such warnings are sent to the College community via any or all of the following mediums: Lake Forest College website, mass e-mail, voice mail, and instant messaging technology, special bulletins, and campus publications such as the Stentor.

### Emergency Response, Notification and Evacuation

The Lake Forest College Emergency Operations Plan (EOP) governs the process by which the institution responds to critical situations and emergency response and evacuation protocols are contained within that document. Response plans and protocols are accessible through the College's website at



<https://foresternet.lakeforest.edu/offices-and-departments/public-safety/emergency-and-safety-response-plans>. Such emergency situations include, but are not necessarily limited to, tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc.

Members of the College community and visitors on campus are encouraged to notify Public Safety immediately of any emergency or potentially dangerous situations. Public Safety has also communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.

The Director of Public Safety (or designee) will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the Director of Public Safety (or designee) will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified.

The Director of Public Safety (or designee) in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. Communications and Marketing and Public Safety will collaborate on the notification content. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The primary emergency notification system administrators responsible for the issuance of emergency notifications are the Director of Communications and Marketing (or their designee), the Director of Public Safety (or their designee), and the ranking Public Safety Officer on duty. Lake Forest College's mass emergency notification system includes, but is not limited to, the College website, mass e-mail,

voice mail, and instant messaging through a contracted technology, special bulletins, and campus publications such as the Stentor, and use of social media networking sites. Methods may vary depending on the nature of the threat and the segment of the campus community being threatened. After an emergency notification has been issued, follow-up information will be provided to the community as needed.

If deemed necessary, the Director of Public Safety (or designee) will notify local law enforcement of the emergency if they are not already aware of it, and a member of the College's Communications and Marketing staff will notify local media outlets in order that the larger community outside the campus will be aware of the emergency.

## Testing and Documentation

The College tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times, the Crisis Management Team will meet to train and test and evaluate the College's emergency response plan.

The Department of Public Safety maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In addition with at least one such test each year, the College will distribute to its students and employees information to remind them of the College's emergency response and evacuation procedures. In addition, all students, faculty, and staff members are provided information on how to access the College's Emergency Response Quick Reference Guide, which is also available on the Public Safety website at <https://www.lakeforest.edu/emergency-information> and is posted in every building throughout the campus.

## CRIME REPORTS

### Incident Case Report

A record that documents pertinent information for each reported incident is generated by Public Safety.

The Department of Public Safety maintains statistics on crimes and other incidents reported to have occurred on campus. Representatives of Public Safety are available to discuss crime statistics and to answer questions about security on campus. Public Safety compiles these statistics and shares them with the community in the following ways:

### Daily Crime Log

A record of reported incidents is maintained minimally for a previous 12 month calendar period and current year. The log is accessible on the Public Safety website





at <https://foresternet.lakeforest.edu/offices-and-departments/public-safety/daily-crime-log>. It may also be viewed at the Department of Public Safety during normal business hours, 8:30 a.m. to 4:30 p.m.

## Annual Security Report

A comprehensive annual report of crime-related information and statistics is compiled and published. It is distributed to current students and employees. Full disclosure of the report and how to view it, or obtain a copy, is provided to prospective students and employees. Public Safety compiles the statistics from its own incident reports, from submissions from Campus Security Authorities, and from local law enforcement.

The report is made available online at <https://foresternet.lakeforest.edu/offices-and-departments/public-safety/annual-security-and-fire-safety-report>. A paper copy can be obtained at the Public Safety Center, located at on South Campus (between Buchanan and Halas Halls).

## “Stentor”

The student newspaper, which may publish at their discretion a "synopsis" summarizing criminal incidents from the recent past.

## SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Lake Forest College is a private, liberal arts college that restricts access to all facilities, including residence halls, to Lake Forest students, faculty, staff, and guests. Exterior doors to all campus residence halls are designed and equipped to remain locked 24 hours a day. Additionally, Public Safety Officers support the Residence Life staff who conduct rounds in the residence halls.

Administrative and academic buildings are secured after their scheduled use times. After that time, access is limited to persons with authorized keys or who have received permission for special use. Public Safety Officers patrol all facilities 24 hours a day, every day of the year.

All students, faculty, and staff are required to have and carry their Lake Forest College photo identification card while they are on campus and must be presented upon request from any College official.

Exterior lighting and landscape control are critical components of the College's efforts of crime prevention through environmental design (CPTED) principles. Facilities Management staff, in addition to Public Safety Officers patrolling campus, conducts regular surveillance of the campus to ensure lighting is adequate and that the landscape is appropriately

controlled. Public Safety initiates work orders to Facilities Management when lights are discovered in need or replacement. We encourage campus community members to also report any deficiency in lighting or to report and repair any inoperative locking mechanisms to the Facilities Management at 847-735-5040. Any campus community member who has a concern about physical security should contact the department the Department of Public Safety at 847-735-5555. Facilities Management is also available to respond to calls for service regarding unsafe facility conditions which may include unsafe steps or handrails, slippery or dangerous walkways or road conditions.

## RELATIONSHIP WITH LOCAL LAW ENFORCEMENT AND LEGAL AUTHORITY

The Department of Public Safety maintains a close working relationship with the Lake Forest Police Department, and all appropriate authorities of the criminal justice system. Regular meetings are held with all of these agencies, both on a formal and informal basis. Crime related reports, statistics and crime fighting strategies are exchanged routinely. Because Lake Forest College is an open campus, the Lake Forest Police Department includes the College as part of its normal patrol and emergency response obligation. They also provide assistance and support to the Department of Public Safety when requested. However, there are no written agreements with any law enforcement agencies regarding the investigation of alleged criminal offenses.

All criminal incidents and arrests made on College property are processed by the Lake Forest Police Department. Public Safety has the common-law authority to detain and investigate persons who commit crimes on campus. It then transfers the detained persons to local law enforcement.

## CRIME PREVENTION AND PERSONAL SECURITY PROGRAMS

It is the philosophy of Public Safety that it is better to prevent crimes rather than react to them. In order for crime to take place, three ingredients must be present: desire, motivation and opportunity. Lake Forest College's crime prevention and personal security programs are based on the concepts of eliminating or minimizing opportunities for crime. We encourage the members of the campus community to share in the responsibility for their own security and the safety of others by eliminating opportunities for crime. Following is a list of some of the crime prevention and personal security programs provided by the Public Safety Department:



## New Student Orientation

A crime prevention and personal security presentation, accompanied by related printed materials, is offered to new students at the beginning of each semester. This presentation includes a description of services provided by the Public Safety Department along with crime prevention and personal security strategies such as how to avoid being a target for criminals. It also informs students about campus security procedures and practices.

## Residence Hall Security Awareness

Crime prevention and personal security presentations are conducted periodically in the Residence Halls upon request. Additionally, brochures and other printed materials are available to residents of the Residence Halls, fraternities, and sororities. The materials include a description of services provided by the Public Safety Department, crime prevention and personal security strategies, residential safety, ATM safety, and how to avoid being a target for criminals.

## New Faculty and Staff Orientation

Crime prevention and personal security presentations are provided to new employees and include most of the same content as in the presentations provided to students.

## Active Shooter Response Options

This program is presented annually to Residence Life staff and made available to all campus community members on-line through [my.lakeforest.edu](https://my.lakeforest.edu). The program is also presented to any campus groups, student organizations, and faculty and staff departments upon their request.

## Other Crime Prevention and Personal Security Presentations

The presentations are made available upon request to other campus groups including commuter students, disabled students, international students, specific student organizations, faculty and staff members and staff members of affiliate organizations headquartered on campus. The presentations are accompanied by printed materials and include most of the same content as in the presentations mentioned above.

Upon request, a member of the Public Safety staff is available to speak to groups about crime prevention and personal security measures.

## A Commonsense Approach to Crime Prevention

A printed brochure is available to new students, faculty, and staff at orientation. It is also available to anyone

upon request. It provides useful information on how to “not be a target” when walking around on or off campus, taking public transportation, using a bicycle, driving around, or at home on or off campus. The information is also available at <https://foresternet.lakeforest.edu/offices-and-departments/public-safety/crime-prevention>.

## MONITORING OFF CAMPUS LOCATIONS OF RECOGNIZED STUDENT ORGANIZATIONS

The College does not have any officially recognized student organizations with off-campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

## DISCLOSURE OF THE OUTCOME OF CRIME(S) OF VIOLENCE OR NON-FORCIBLE SEX OFFENSE(S)

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.



## SECTION 2. POLICIES, PROCEDURES, AND PROGRAMS

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### ALCOHOL AND DRUG ABUSE PREVENTION: POLICIES, PROCEDURES, PROGRAMS

#### Alcohol and Other Drug Policy

Lake Forest College is committed to maintaining a healthy and safe learning environment, workplace, and community that is free from the adverse effects of alcohol and illegal drug use and abuse, and complies with applicable law, including:

- Drug-Free Schools and Communities Act (Federal)
- Drug-Free Schools and Campuses Regulations (EDGAR Part 86)
- Illinois Controlled Substances Act (State)
  - Illinois Cannabis Regulation and Tax Act Section 10-35, paragraph (d) (State)
  - Illinois Liquor Control Act of 1934 (State) Act 5, Article VI General Provisions, Section 5/6-16 Prohibited Sales and Possession
- City of Lake Forest Drug Ordinances (Local) §§ 135.029 through § 135.031
- City of Lake Forest Alcohol Ordinances (Local) § 111.076

The College is not a sanctuary protecting those who violate laws concerning illegal substances, and College officials will cooperate with legal authorities whenever necessary and deemed appropriate.

Members of the Lake Forest College community are expected to abide by all laws regarding the possession, distribution, and/or use of alcohol on campus or at College-sponsored events. The College expects students to make choices regarding alcohol in a manner that supports the College's values of responsible citizenship and mutual respect. Any items in violation that are found, observed, discovered, or surrendered will be confiscated and properly disposed of by College staff.

#### A. Responsible Use of Alcohol

##### 1. Prohibited Conduct Related to Alcohol

The College prohibits students from engaging in the following conduct, which is subject to discipline up to and including dismissal, termination, and/or referral for prosecution:

- a. Possession or consumption of alcoholic beverages by anyone under 21 years of age on College property or as part of any College activities
- b. Misrepresentation of age by anyone under 21 years of

age for the purpose of purchasing alcoholic beverages, including for purposes of bringing such alcohol on College property or into any College activities

c. Possession of alcoholic beverages by anyone over 21 years of age while on College property or as part of any College activities except as specifically articulated in the section titled Responsible Use of Alcohol

d. Consumption of alcoholic beverages by anyone over 21 years of age on College property or as part of any College activities except as specifically articulated in the section titled Responsible Use of Alcohol 9

e. In rooms or apartments where all residents are under the age of 21, possession or consumption of alcohol

f. In rooms or apartments where any resident is under the age of 21, collection of containers that contain or previously contained alcohol

g. Public intoxication (when a student is found to be under the influence of alcohol or any other substance in a public area; this may be further demonstrated by intoxication and/or impairment that can lead to the injury of the student and/or a bystander)

h. Abuse of alcohol (when a student drinking, intoxication, and/or other alcohol related behavior requires significant staff intervention, medical attention, and/or transport/admission to the hospital. Abuse can be demonstrated by a one-time incident or a series of events);

i. Possession and/or consumption of alcohol in open container(s) in public areas (i.e. outdoors, lounges, balconies, outdoor quad areas, etc.)

j. Use or possession of common containers and/or excessive amounts of alcohol (when a student possesses, uses, purchases, distributes, and/or consumes alcohol from containers such as but not limited to kegs, punch bowls, or garbage cans; and/or when a student possesses an excessive amount of alcohol as determined by College staff)

k. Participation in drinking games (when a student participates in a game/activity where drinking alcohol is a component; this can include but not be limited to beer-die, beerpong, century-club, etc.)

l. Use or possession of paraphernalia (when a student possesses, or uses items demonstrated to enhance and/or speed the consumption of alcohol or designed to provide alcohol to many people; this includes<sup>1</sup> beer bong, kegerators, drinking game paraphernalia)

m. In rooms or apartments where at least one roommate is 21 or older, alcoholic beverages may only be consumed by residents and their guests who are 21 years of age or older, in the privacy of their room or apartment with the door closed and in an atmosphere which does not foster excessive consumption or create significant noise or other disturbances.



The College acknowledges that some alcohol related behaviors and choices are more hazardous than others and could result in more significant harm to individuals and/or the community. The possibility of greater harm may also require a higher level of assistance from staff, such as Public Safety and Residence Life. As a result, violations of these standards require greater consideration. These violations include but are not limited to abuse of alcohol, common containers and/or excessive amounts, providing/purchasing alcohol for underage persons, drinking games, paraphernalia, and public intoxication. Corrective action may require completion of a rehabilitation program.

## 2. Campus Facilities

All campus facilities have individual policies and procedures in addition to the Alcohol Policy listed in the Student Handbook. Please consult with the manager of specific campus facilities for more information.

## 3. Student Organizations

Student organizations may only serve alcohol with the permission of the Gates Center. All alcohol policies in the Student Handbook and policies of the Gates Center must be followed.

## 4. Additional Provisions Involving Alcohol

All students must present their Lake Forest College ID and a state-issued photo ID to attend any event at which alcoholic beverages are served. All guests must be registered for the event and present a valid state-issued photo ID.

### B. Controlled Substances

Members of the Lake Forest College community are expected to abide by all laws regarding the possession, distribution, and/or use of drugs. This includes illegal drugs and the improper/unauthorized use of prescription medication. The College prohibits students and from engaging in the following conduct, which is subject to discipline including dismissal, termination, and/or referral for prosecution:

- a. Use or possession (use or possession of illegal drugs, drugs that are not legally prescribed to them, and/or uses of prescription drugs in excess or in a manner otherwise inconsistent with the prescription)
- b. Use and possession of cannabis; while Illinois state law legalized recreational cannabis use in January of 2020, federal law still prohibits use or possession on College property or as part of College activities
- c. Use or possession of paraphernalia (possessing items that have been used to store and/or consume illegal drugs such as pipes, bongs, one-hitters, grinders, baggies with

residue etc.)

d. Misuse of legal substances (inhaling or ingesting a substance—including but not limited to nitrous oxide, glue, paint, gasoline, solvent, etc.—or using the substance other than in its intended purpose for purposes of intoxication is a violation of College policy and is prohibited)

e. Manufacture of illegal substances (when a student is found to have manufactured and/or attempted to manufacture illegal drugs or controlled substances). Furthermore, students in possession of items found to be used for manufacturing drugs such as plant lamps, chemicals, etc., may also be considered)

f. Distribution, (distributing, attempting to distribute, and/or demonstrated intent to distribute illegal drugs or drugs not legally prescribed), regardless of whether money and/or other considerations are exchanged; possession of large quantities of drugs and/or articles found to be used for distribution (such as scales, baggies, etc., may also be considered) may be considered in determining distribution 11

g. Use, possession, distribution, manufacture, or dispensing of synthetic drugs that contain ingredients or mimic the effects of illegal drugs including but not limited to synthetic cannabis, products with illegal concentrations of THC, and salvia divinorum

As indicated above, drugs are often hazardous and could result in significant harm to individuals. In circumstances where information may indicate an effort(s) to provide drugs to the community, such a possibility requires a distinct level of attention from staff, such as Public Safety and Residence Life or even off-campus resources such as the Lake Forest Police Department. As a result, violations of these standards require greater consideration. These violations include but are not limited to: manufacture, distribution, and violations related to synthetic drugs. Corrective action may require completion of a rehabilitation program.

## Drug Law Sanctions and Penalties

### College Sanctions

All student violations will be referred to the conduct system.

Lake Forest College employees found in violation of the prohibitions set forth in the Staff Handbook will be subject to disciplinary action up to and including termination and possible referral for prosecution. Each case will be evaluated on an individual basis. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

### State Penalties



## Drugs, State Drug Penalties

### *Federal Penalties*

- See Section 5, Appendix A Legal Sanctions – Drugs, Federal Drug Penalties Alcohol

### Sanctions and Penalties *College*

#### *Sanctions*

All student violations will be referred to the conduct system.

Lake Forest College employees found in violation of the prohibitions set forth in the Staff Handbook will be subject to disciplinary action up to and including termination and possible referral for prosecution. Each case will be evaluated on an individual basis. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

#### *State Penalties*

- See Section 5, Appendix A, Legal Sanctions – Alcohol, State of Illinois Alcohol Sanctions

## Health Risks Associated with Substance Abuse

The use of illicit drugs and the abuse of alcohol may result in serious health consequences.

All students should be aware of the health risks caused by the use of alcohol, and controlled substances (drugs). Consumption of more than two servings of alcohol in several hours can impair coordination and reasoning and make driving unsafe. Consumption of alcohol by a pregnant woman can damage the unborn child. Regular and heavy alcohol consumption can cause serious damage to liver, nervous and circulatory systems, mental disorders, and other health problems. Drinking large amounts of alcohol in a short time may quickly produce unconsciousness, coma, and even death.

Use of controlled substances (drugs) can result in damage to health and impairment of physical condition, including: impaired short term memory or comprehension, anxiety, delusions, hallucinations, loss of appetite resulting in a general damage to the user's health over a long term, a drug-dependent newborn if the mother is a drug user during pregnancy, AIDS from "needle sharing" among drug users, and death from overdose.

## Health and Wellness Center

Students experiencing problems with drug and alcohol abuse are encouraged to seek assistance in the Health and Wellness Center. The Health and Wellness Center offers Alcohol and Other Drug (AOD) Intervention and Prevention Program offers AOD assessments, individual counseling, referrals to off-campus professionals, and drug and alcohol support groups for additional assistance.

## Biennial Policy Review

This policy will be biennially reviewed by the College to determine its effectiveness and to recommend changes to the program to the President if they are needed. Such a review will also determine that the College's disciplinary sanctions are consistently enforced.

## Tailgating

Tailgating is allowed by registered student organizations in conjunction with Saturday or Sunday outdoor varsity contests. Requests must be submitted no later than 7 days in advance via e-mail to Assistant Athletic Director Mike Raymond (mraymond@lakeforest.edu). Approved tailgating is only allowed during the following timeframes: Fall Semester - First Saturday after classes begin through second Saturday in November or end of fall outdoor Athletics, whichever is earlier. Spring Semester - First Saturday after Spring Break through end of spring outdoor Athletics. The following policies apply: Individual students will not be approved for tailgating; however Registered Student Organizations may request permission to tailgate. Tailgating is restricted to the Halas Hall Tailgate Lot (unless otherwise designated by the Director of Public Safety), on South Campus behind the Public Safety Center. Tailgating may begin two (2) hours prior to a game's start, vacated during the game, and may resume for 90 minutes after the contest. All College policies are in effect while tailgating, including the prohibition against underage consumption and possession of alcohol. No kegs, common containers, or drinking games are allowed. Tailgaters are expected to clean up individual areas after use. Tailgaters who fail to clean up may be prohibited from future tailgating. No oversized vehicles are allowed; passenger vehicles only. Public Safety reserves the right to monitor tailgating activities and remove or restrict individuals who display inappropriate behavior. Public Safety officers may verify the legal age of any persons consuming alcohol and to take whatever actions are necessary to address violations which may include notifying the Lake Forest Police Department.

## Educational Programming

Educational programming for all students regarding the alcohol policy and responsible alcohol use will be offered by Student Affairs staff at least once per semester.

The Gates Center will offer a social host training program as needed during the academic year, but no more than twice per semester. All recognized campus organizations that wish to sponsor social events with alcohol must have at least two representatives attend these sessions. Two representatives per semester must complete the social host-training program prior to the group's first social function with alcohol.



## SEX DISCRIMINATION AND SEXUAL MISCONDUCT POLICY

### I. TITLE IX SCOPE, APPLICABILITY, AND NOTICES

#### Policy Statement Against Discrimination on the Basis of Sex, Sexual Orientation Gender, and Gender Identity

Under this policy, Lake Forest College prohibits discrimination on the basis of sex, sexual orientation, gender, and/or gender identity in any College program or activity, consistent with Title IX of the Educational Amendments of 1972, Title VII of the Civil Rights Act of 1964, and other applicable state and federal laws. Sexual misconduct, including sexual harassment, non-consensual sexual penetration and/or contact, sexual exploitation, stalking, dating violence and domestic violence, are forms of sex discrimination that may deny or limit a College community member's ability to participate in the College's programs or activities.

The College provides awareness and prevention education and training programs regarding sex, sexual orientation, gender, and gender identity-based discrimination, encourages the reporting of discriminatory behavior, provides timely services to those who have been affected by discrimination, and utilizes prompt and equitable methods of investigation and resolution to stop discrimination, remedy harm caused by discrimination, and prevent recurrence of discrimination. Violations of this Policy may result in the imposition of sanctions up to and including termination or dismissal from the College.

The College provides awareness and prevention education and training programs regarding sex, sexual orientation, gender, and gender identity-based discrimination, encourages the reporting of discriminatory behavior, provides timely services to those who have been affected by discrimination, and utilizes prompt and equitable methods of investigation and resolution to stop discrimination, remedy harm caused by discrimination, and prevent recurrence of discrimination. Violations of this Policy may result in the imposition of sanctions up to and including termination or dismissal from the College.

#### Notice of Nondiscrimination

Lake Forest College does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, work authorization status, military or veteran status, unfavorable discharge from military service, order of protection status, arrest record, or any other classification protected by law in matters of admissions, employment, housing, or services or in the educational programs or activities it operates.

Lake Forest 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 prohibits discrimination based on sex (including sexual misconduct) in the College's educational programs and activities.

Lake Forest College provides reasonable accommodations to qualified applicants, students, and employees with disabilities and to individuals who are pregnant. Access the full Lake Forest College Notice of Nondiscrimination [here](#).

Any inquires or concerns with respect to sex discrimination, sexual misconduct, harassment,

Title IX, and the College's Title IX policies and procedures may be directed to:

- Erin Agidius, Title IX Coordinator; 555 North Sheridan Road, Lake Forest, IL 60045; (484) 245-4625; [eagidius@lakeforest.edu](mailto:eagidius@lakeforest.edu).

Any inquiries or concerns regarding Title VI (prohibiting discrimination based on race, color, or national origin), Section 504 of the Federal Rehabilitation Act of 1973 (prohibiting discrimination based on disability), or the College's Non-Discrimination Policy and Complaint Resolution Procedures may be directed to:

- Lauren Slipkowsky, Director of Human Resources, Lake Forest, IL 60045, 847-735-5036, [lsipkowsky@lakeforest.edu](mailto:lsipkowsky@lakeforest.edu)

Individuals may also contact the U.S. Department of Education's Office for Civil Right for information.

- Office for Civil Rights, U.S. Department of Education-Chicago Office, 550 W. Madison, St. Suite 1475, Chicago, IL 60661-4544, 312-730-1560, [ocr@ed.gov](mailto:ocr@ed.gov).

This Policy has been updated to reflect the requirements of the 2020 Title IX Regulations ("Title IX"), which became effective on August 14, 2020. (see Policy & Posting, Section XII);

Refer to the College website for the most recent version of this Policy and Procedures.

#### Statement of Commitment to Transgender Individuals

When a student or employee notifies the College that the student or employee's gender identity is different from previous representations or records, the College will begin treating that individual consistent with the individual's gender identity. To that end, the College will use pronouns and names as requested by the transgender individual in person and in student and employment records going forward. Requests to amend



previously existing student or employment records will be handled pursuant to the Family Educational Rights and Privacy Act and/or other relevant law and consistent with record amendment requests made by all other students and employees. Moreover, transgender individuals will be permitted access to sex segregated facilities (such as bathrooms, residence halls and/or locker rooms) consistent with their gender identity. Transgender students may participate in the College's single sex NCAA athletics programs as set forth in the NCAA guidelines regarding the same. Transgender students may participate in the College's single sex non- NCAA athletics programs consistent with their gender identity.

### Scope and Applicability of Policy

This Policy and the accompanying procedures address sex discrimination and sexual misconduct, including sexual harassment as prohibited by the 2020 Title IX Regulations. When considering sexual harassment as defined in the 2020 Title IX Regulations this Policy will be referred to as "Title IX Sexual Harassment" or "Policy". For allegations and complaints of Title IX Sexual Harassment, as defined in this Policy, the Policy applies only to sex discrimination, sexual harassment against a person in the United States within programs controlled by and in jurisdiction of the College, and the accompanying Interim Title IX Sexual Harassment Complaint Resolution Procedures for Title IX Sexual Harassment are as required by the 2020 Title IX regulations.

This Policy applies to all members of the College community, including students, faculty, staff, administrators, board members, contractors, vendors, applicants, volunteers, and visitors, regardless of their sex, sexual orientation, gender, or gender identity.

For allegations and complaints of sex discrimination and/or sexual misconduct other than Title IX Sexual Harassment, as defined in this Policy, the Policy applies to on-campus conduct and to off-campus conduct, including online or digital conduct, when the off-campus conduct: (i) occurs during a College sponsored employment or education activity or program; or (ii) adversely impacts the education, employment, or health and/or safety of a member of the College community or creates a hostile environment on campus.

- **Discrimination & Harassment.** Complaint resolution procedures for allegations and complaints of sex discrimination and/or sexual misconduct other than Title IX Sexual Harassment, as defined in this Policy, are managed under the Lake Forest College Discrimination and Harassment Policy. This includes sexual misconduct outside of the Title IX Sexual Harassment jurisdiction, and sexual misconduct, if proven, that does not reach the Title IX Sexual Harassment thresholds. Other types of misconduct including sexual harassment as defined by the Title VII of the Civil Rights Act will be processed under the Discrimination and

Harassment Policy and Procedures for Students, Faculty, and Staff. Sexual harassment under the Discrimination and Harassment Policy occurs when the harassing behavior is so severe, or pervasive that it unreasonably interferes with an employees work or a student's performance, or creates a hostile, intimidating, or offensive work or learning environment.

Students and employees are subject to local, state, and federal laws while at the College, and violations of those laws may also constitute violations of this Policy. In such instances, the College may proceed with investigations under this Policy and its corresponding complaint resolution procedures independently of any criminal or civil proceedings involving the same conduct. The College may impose sanctions for violations of this Policy even if criminal or civil proceedings regarding the same conduct are not yet resolved or are resolved in the accused's favor.

Where a student group or organization has engaged in behavior that violated this Policy or created a hostile environment under this Policy, the student group or organization is subject to discipline and sanctions.

The College may impose sanctions for sexual discrimination or misconduct that takes place from the time an individual applies for enrollment as a student, until such time as the student graduates or otherwise separates from the college. Additionally, the College may impose sanctions for sex discrimination or sexual misconduct that takes place from the time an individual applies for employment, until such time as the employee ceases employment. In reports involving allegations against individuals who are not affiliated with the College at the time of the complaint, the College will assess whether the individual may pose a risk to the safety or well-being of members of the College community and take measures it deems appropriate to mitigate this risk or as otherwise needed to achieve the goals of this Policy.

Conduct that does not meet the definition of Title IX Sexual Harassment may still violate other policies or expectations for appropriate/professional conduct and may result in discipline. Title IX sexual harassment regulations have a preemptive effect on state and local law, to the extent there is a conflict between the laws.

Further information about Title IX and sex discrimination in education is available from the College's Title IX Coordinator as set forth in the Nondiscrimination Section (see Policy Scope, Section-I above) and/or:

External:

- The Office for Civil Rights  
U.S. Department of Education-Chicago Office  
John C. Kluczynski Federal Building 230 S.  
Dearborn Street, 37th Floor Chicago, IL 60604 or  
550 W. Madison St. Suite 1475, 60661-4544  
312-730-1560, OCR.Chicago@ed.gov



- Illinois Sexual Harassment & Discrimination Helpline: 877-236-7703

## Academic Freedom

Lake Forest College is committed to the principles of academic freedom. Rigorous discussion and debate are fundamental to the College's educational mission, and this Policy is not intended to restrict teaching methods, course content, or the processes of intellectual inquiry and debate. The fact that speech or a particular expression is offensive is not, standing alone, a sufficient basis to establish a violation of this Policy. To constitute a violation of this Policy, speech or expression taking place in the teaching context must be severe or persistent, not germane to the subject matter, and must impair or impede the College's educational mission or be used to disguise, or as a vehicle for, prohibited misconduct.

## Role of Title IX Coordinator

The College has a designated Title IX Coordinator trained in the College's policies and procedures, state and federal law, and other issues related to sex discrimination and sexual misconduct to manage the College's compliance with Title IX. Specifically, the Title IX Coordinator is:

- Responsible for coordinating the College's efforts to comply with applicable federal and state law;
  - Responsible for coordinating the effective implementation of supportive measures and implementing remedies arising from this Policy and Procedures;
    - Oversees the assessment and review, investigation and/or resolution of all complaints of misconduct under this Policy and other relevant policies but does not serve as a decision-maker in the hearing or appeal processes;
    - Advises Complainants (individuals who are alleged to be the victim of misconduct), Respondents (individuals alleged to be the perpetrator of alleged misconduct), and/or third parties regarding support resources and options available through the College or off-campus, including options for resolving complaints of sex discrimination and sexual misconduct;
    - Provides training and assistance to faculty, staff, and student employees regarding how to appropriately respond to a report of misconduct under this Policy;
    - Develops and updates College policies, procedures, websites, and resources addressing sex discrimination and sexual misconduct;
    - Assesses campus climate, tracks and monitors sexual misconduct allegations, addresses any systemic issues, and reports findings to College officials and/or the campus community, where appropriate;
- Ensure Title IX professionals assisting with remedy and redress of Title IX Sexual Harassment and other misconduct are trained in response, support, and decision-making.
  - Prepares required federal and state compliance reports and;
  - Oversees sex discrimination and sexual misconduct education efforts for the campus community, including training in implementing this Policy and the corresponding Procedures.

The Title IX Coordinator can be reached as follows:  
Erin Agidius  
Title IX Coordinator  
Lake Forest College- Rosemary House  
555 N. Sheridan Rd.  
Lake Forest, IL 60045  
[eagidius@lakeforest.edu](mailto:eagidius@lakeforest.edu).

## PROHIBITED CONDUCT

In determining whether alleged misconduct constitutes a violation of this Policy, the College will consider the totality of the facts and circumstances of the incident, including the nature of the alleged misconduct and the context in which it occurred. Any of the prohibited misconduct set forth in this Policy can occur between strangers or acquaintances, individuals involved in intimate or sexual relationships, and individuals of any sex, gender, sexual orientation, and/or gender identity.

In addition, some of the prohibited misconduct also violates the criminal laws of the State of Illinois. For more information regarding Illinois' criminal laws, please consult the College's Annual Security Report available online or in print at the Department of Public Safety.

## Definitions

**Sexual Misconduct.** The following offenses are considered sexual misconduct and are prohibited by the College. Attempts to commit prohibited conduct listed below, or assisting or encouraging any such conduct, are also considered violations of this Policy.

**Sexual Harassment.** Title IX Sexual Harassment, as defined by the 2020 Title IX Regulations, is conduct on the basis of sex that is:

- Taken against a person in the United States;
- Occurs in an education program or activity; and
- Satisfies one or more of the following:
  - 1) Quid Pro Quo Harassment -- An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;





- 2) Hostile Environment – Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity;
- 3) "Sexual assault," "dating violence," "domestic violence," or "stalking," as defined by this Policy.

**Dating Violence.** Dating violence, as defined in 34 U.S.C. 12291(a)(10), is violence or the threat of violence (including but not limited to sexual or physical abuse) by another person with whom the individual is or has been in a social relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on a consideration of the following factors:

- the length of the relationship
- the type of relationship and
- the frequency of interaction between the persons involved in the relationship.

Sexual abuse includes sexual penetration without consent, sexual contact without consent, incest, and statutory rape. Physical abuse includes physical violence, which is the intentional use of physical force (e.g., shoving, choking, shaking, slapping, punching, burning, or use of a weapon, restraints, or one's size and strength against another person) with the potential for causing death, disability, injury, or substantial physical harm. Dating violence may include psychological/emotional abuse (e.g., isolating the victim from friends and family or denying access to money or other basic resources) if it is preceded by, or done in conjunction with, physical violence or the threat thereof.

**Domestic Violence.** Domestic Violence for purposes of this policy may also be referred to as Intimate Partner Violence (IPV). Domestic violence, as defined in 34 U.S.C. 12291(a)(8), is a felony or misdemeanor crime of violence or the threat of violence (including but not limited to sexual or physical abuse) committed by a current or former spouse or intimate partner of the individual, by someone with whom the individual shares a child in common, by someone who is cohabitating with or has cohabitated with the individual as a spouse or intimate partner, by a person similarly situated to a spouse of the victim, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Illinois or the laws of the jurisdiction in which the crime was committed.

- Complaints of violence between cohabitating individuals who do not meet this definition (i.e. roommates) are addressed under other applicable College policies.
- Sexual abuse includes sexual penetration without consent, sexual contact without consent, incest,

and statutory rape.

- Physical abuse includes physical violence, which is the intentional use of physical force (e.g., shoving, choking, shaking, slapping, punching, burning, or use of a weapon, restraints, or one's size and strength against another person) with the potential for causing death, disability, injury, or substantial physical harm. Domestic violence may include psychological/emotional abuse (e.g., isolating the victim from friends and family or denying access to money or other basic resources) if it is preceded by, or done in conjunction with, physical violence or the threat thereof.

**Sexual Assault.** Sexual assault as defined in 20 U.S.C. 1092(f)(6)(A)(v), is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (FBI). This includes forcible rape and forcible fondling.

- 1) Forcible rape. Forcible rape is defined as any sexual penetration, no matter how slight, of the vagina or anus or any bodily opening with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim and committed by force, threat, coercion, or through exploitation of another's condition of which Respondent was aware or which a reasonable person would have been aware.
- 2) Forcible fondling is defined as the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will, or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of their youth or because of their temporary or permanent mental or physical incapacity.
- 3) Incest. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by the laws of the state in which the incident occurred.

For purposes of this Policy, sexual assault also includes sexual battery, sexual abuse, and sexual coercion.

**Stalking.** Stalking is, as defined in 34 U.S.C. 12291(a)(30), a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety (or the safety of a third person) or suffer substantial emotional distress.

- A "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, communicates to or about a person, or interferes



with a person's property.

- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical treatment of professional counseling.

**Cyberstalking.** This definition incorporates the concept of cyber-stalking, which employs the use of the internet, social media, blogs, texts, cell phones, or other similar devices or forms of communication.

Examples of stalking behaviors that can contribute to a course of conduct include, but are not limited to:

- Following a person;
- Being or remaining in close proximity to a person;
- Entering or remaining on or near a person's property, residence, or place of employment.
- Monitoring, observing or conducting surveillance of a person;
- Threatening (directly or indirectly) a person;
- Communicating to or about a person;
- Giving gifts or objects to, or leaving items for, a person;
- Interfering with or damaging a person's property (including pets); or
- Repeated electronic communications, including via social media (i.e., cyberstalking).

**Gender-Based Harassment.** Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, sex, or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Use of the term "sexual harassment" throughout this Policy includes gender-based harassment.

**Sex Discrimination.** Sex discrimination is adverse treatment of an individual based on sex, sexual orientation, gender, gender expression, or gender identity. Sex discrimination encompasses sexual misconduct, as defined below, but also includes other behavior that does not constitute sexual misconduct. Use of the terms "sex discrimination" and/or "gender discrimination" throughout this Policy includes sexual orientation-based and gender identity-based discrimination as well as discrimination based on sex-stereotyping.

**Sexual Exploitation.** Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another individual(s) for personal benefit, or to benefit anyone other than the individual being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses

in this Policy. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person or otherwise recruiting, providing, or obtaining another person for purpose of sexual exploitation;
- Non-consensual photographing, video or audio-taping of sexual activity;
- Distributing intimate or sexual information, images, or recordings about another person without that person's consent (applies even if the videos were obtained with consent);
- Observing or permitting others to observe sexual activity of another person without that person's consent;
- Knowingly transmitting a sexually transmitted infection (STI) to another without disclosing STI status;
- Exposing one's genitals in non-consensual circumstances and/or inducing another to expose their genitals; or
- Inducing incapacitation in another person with the intent to engage in sexual activity.

**Sexual Orientation-Based/Gender Identity-Based Harassment.** Sexual orientation-based or gender identity-based harassment includes verbal, non-verbal, and physical acts of aggression, intimidation, or hostility based on an individual's actual or perceived sexual orientation or gender identity (gender, gender identity, and gender expression). Use of the term "sexual harassment" throughout this Policy includes sexual orientation-based and gender identity-based harassment.

#### Related Definitions and Elements

**Consent.** Lack of consent is a critical factor in determining whether sexual assault has occurred. Consent is informed, freely given, and a mutually understood agreement to sexual activity. Consent requires an affirmative act or statement by each participant.

Consent is:

- Expressed through affirmative and voluntary words or actions that are mutually understandable to all parties involved;
- Freely given for a specific sexual act at a specific time; and
- Can be withdrawn at any time.

Consent cannot be:

- Coerced or compelled by duress, threat, or force, or fraudulently obtained through misrepresentation;



- Given, nature, extent or implications of the sexual situation occurring, including, but not limited to, those who are under the legal age of consent (17 years in Illinois ), asleep, unconscious, mentally or physically incapacitated through the effects of drugs or alcohol, or mentally impaired due to an intellectual or other disability;
- Assumed based on silence, the absence of verbal or physical resistance, an individual's manner of dress, the existence of a prior or current relationship, consent to prior sexual activity, or consent to sexual activity with another individual; and/or
- Given by a third party.
- A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent, a person's manner of dress does not constitute consent, consent in prior situations does not constitute consent to future sexual activity, and a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

**Coercion.** When coercion exists, an individual's consent to sexual activity is not voluntary. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Means of coercion may include, but are not limited to, severe or persistent pressure, direct or implied threats of force, retribution, or significant harm, or emotional intimidation.

Coercion is evaluated based on the intensity, frequency, and duration of the comments or actions.

**Incapacitation.** Incapacitation means the physical, mental, or legal inability to make informed, rational judgments. An individual may be incapacitated due to alcohol or drug use, sleep, lack of consciousness, age under the legal age of consent, intellectual or other disability, or other factors that impair their ability to understand the "who, what, why, when, where, or how" about specific sexual activity. Where alcohol or other drugs are involved, incapacitation is determined by how the alcohol or drugs consumed impact a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. No single factor alone is determinative of incapacitation. Some common signs that someone is incapacitated may include:

- Slurred speech
- Smell of alcohol on breath
- Confusion
- Shaky balance
- Stumbling or falling down

- Vomiting
- Combativeness or emotional volatility
- Outrageous or unusual behavior
- Unconsciousness

When determining whether consent was present, the College will consider whether the Respondent knew, or a sober, reasonable person in the position of the Respondent, knew or should have known that the Complainant was incapacitated. Because incapacitation may be difficult to discern (for example, an individual may experience a blackout state in which they appear to give consent, but do not have the ability to make an informed rational decision about sexual activity), individuals are strongly encouraged to err on the side of caution, (i.e., when in doubt, assume that another person is incapacitated and therefore unable to give consent). Being intoxicated or under the influence of drugs is never a defense to a complaint of sexual misconduct under this Policy.

Under Illinois law someone is unable to give consent when intoxicated, even when the accused Respondent didn't provide the substance that intoxicated them.

See page 23, Interim Title IX Sexual Harassment Complaint Resolution, for other definitions related to the procedures.

## II. COMPLAINANT AND RESPONDENT POLICY INFORMATION

### *Important Policy and Procedural Rights*

Upon receiving a report of sexual misconduct, the College will provide the Complainant with a concise written guide of on and off-campus resources and important information on Complainant's rights, options, and available resources, victim advocacy, confidential advisors, and a description of the College's complaint resolution. Other available resources are accessible on the website: <http://www.lakeforest.edu/title-ix/support-and-help> and will be included in the digital response to complainant if report is submitted online or shared directly if informed via email or in-person..

The College will provide written information to Complainants and Respondents about rights, counseling, health, mental health, legal assistance, visa and immigration assistance, student financial aid, and other relevant college and community resources.

### *Amnesty*

***Amnesty for Sexual Misconduct Complainants and Witnesses.*** The College encourages the reporting of sexual misconduct and seeks to remove barriers to an individual making a report. The College recognizes that a student who has been drinking or using drugs at the



time of the incident may be hesitant to make a report because of the potential disciplinary consequences. Therefore, a student who reports sexual misconduct, either as a Complainant or witness, will not be subject to disciplinary action by the College for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that such consumption did not or does not place the health or safety of any other person at risk.

## False Reporting

*False Reporting or Testimony.* Reports of sexual misconduct that are found to be intentionally false or made maliciously without regard for truth shall constitute a violation of this Policy. This provision does not apply to reports made in good faith, even if the allegations in the report are not substantiated through an investigation. Likewise, a Party or witness who intentionally provides false or misleading testimony may be subject to disciplinary action under this or other relevant College Policy.

## Reporting Time Frame

There is no explicit time limit for filing a report. However, Complainants are encouraged to report behavior as soon as possible to maximize the College's ability to respond promptly and effectively to provide remedies.

## Supportive Measures

*Supportive measures* are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent, before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other Party, including measures designed to protect the safety of all parties or the college's educational environment, or deter discrimination or harassment. Supportive measures may include:

- Referral to the Health and Wellness Center (students) or the Employee Assistance Program (employees)
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services and/or changes to campus transportation arrangements
- Dining accommodations
- Mutual restrictions on contact between the parties,

(Campus No Contact Order-NCO)

- Changes in work or housing locations
- Campus "No-Trespass Orders" against employees, students, and third parties
- Assistance in obtaining and/or enforcing a court- issued Stalking No Contact or other Orders of Protection
- Leaves of absence
- Increased security and monitoring of certain areas of the campus, and/or
- Other similar measures.

The College must maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. Requests for supportive measures may be made to the Title IX Coordinator. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Where a disclosure has been shared with a Confidential Advisor, the Confidential Advisor will assist with supportive measures, but may need to confer with Title IX for certain supportive or interim measures.

## Confidentiality Requests

*Complainant's Request for Confidentiality or to Not Proceed With Formal Resolution.* When individuals report sexual misconduct but do not consent to the disclosure of their names and/or do not disclose information about the alleged perpetrators, the College's ability to respond to the complaints may be limited. In most cases, the College can honor an individual's request that a formal resolution process not be conducted. The College's Title IX Coordinator, or designee, will evaluate a request for confidentiality or no action on a complaint in the context of the College's obligations to provide a safe and nondiscriminatory environment for all community members, and to remain true to the principle of fundamental fairness which requires that a Respondent be provided with notice of the allegations and an opportunity to respond before any action is taken against a Respondent. The Title IX Coordinator, or designee, will make this determination consistent with the following considerations: 1) the seriousness of the conduct; 2) the respective ages and roles of the Complainant and the Respondent; 3) whether there have been other complaints against the Respondent; and 4) the right of the Respondent to receive notice and relevant information before disciplinary action is sought.

## Presumption of Not Responsible

The College recognizes, and will advise the Parties, that there is a presumption that the Respondent is not responsible for the alleged conduct until a



determination regarding responsibility is made at the conclusion of the investigation and resolution process.

### III. ON CAMPUS REPORTING OPTIONS AND AVAILABLE RESOURCES

#### Electronic, Confidential, and Anonymous Reporting

There are various reporting options available at the College for someone to disclose or report a concern. Reports are received electronically, anonymously, and confidentially and may be received in person, via online reporting forms, and hotlines. See reporting forms below.

The resources available to the College community include both on and off-campus resources. The College encourages those who have experienced sex discrimination or sexual misconduct to talk to one or more of the below individuals or agencies.

#### A. Confidential Advisor and Confidential Resources

1. General Confidential Counselors in Health and Wellness (H &W) provides counseling and support for students. If you need support or ongoing care, you may schedule an appointment with a counselor at any time by following H & W scheduling guidelines. All Health and Wellness counselors and confidential advisors discuss information in confidence, and generally only report to the College that an incident occurred without revealing any personally identifying information, as required by law and policy.
  - For example, an individual may opt to engage a counselor in Health and Wellness to cope with life stressors or general emotional support. Or an individual may have experienced an act sexual or domestic violence in nature prior to enrolling at the college and you would like to talk with someone to process it.
2. On-Campus Confidential Advisors Confidential Advisors (CA) are designated counselors employed by Lake Forest College Health and Wellness Center who receive additional training for responding to incidents of sexual assault, dating violence, domestic violence and stalking. This role is different than the general counseling staff in Health and Wellness as explained below. Individuals wishing to obtain confidential assistance without making a report to the College involving one of the forementioned areas may do so by requesting to speak with one of the College's Confidential Advisors (CA).
  - For example, if since enrolling at the College, and an act of sexual misconduct or sexual violence occurs you may opt to engage a confidential advisor either immediately after an

incident occurs or anytime after. Or you may be considering if you would like the institution to know about the incident, yet looking to receive information about the Title IX process, rights, or options etc.

In addition to providing confidential counseling, Confidential Advisors also, according to the Illinois Preventing Sexual Violence in Higher Education Act, provide emergency and ongoing support to individuals who have experienced sexual misconduct, including:

- Providing information regarding the individual's reporting options, rights, and possible outcomes;
- Providing referrals to on-campus and community- based resources, such as sexual assault crisis centers, medical treatment facilities, counseling services, legal resources, medical forensic services, and mental health services;
- Providing information regarding orders of protection, no contact orders, or similar orders issued by the College or a criminal or civil court;
- Explaining the individual's right to have privileged, confidential communications with the Confidential Advisor;
- Assisting in contacting campus officials, and/or local law enforcement upon request; and/or
- Assist with securing supportive measures and accommodations upon request.
- Engaging with a Confidential Advisor is not the same as engaging for a counseling appointment.

Confidential Advisors' Contact Information:  
After hours number: 847-735-5300

Mary Grigar, PhD  
Assistant Dean of Students and Director of Health and Wellness Buchanan Hall, Room 137  
Main office number: 847-735-5242  
mgrigar@lakeforest.edu

Edward Neumann, PsyD  
Assistant Director of Counseling Services,  
Community Wellness Coordinator  
Buchanan Hall, Room 137  
Main office number: 847-735-5243  
neumann@lakeforest.edu

Kasey Schultz-Saindon, Ph.D  
Assistant Director of Counseling Services,  
Coordinator of Clinical Training Buchanan Hall,  
Room 137



Main office number: 847-735-5243  
schultzsaindon@lakeforest.edu

- On-Campus Medical Services: Lake Forest College Health Services, Buchanan Hall; 847-735-5050 (students only)
- Off-Campus Confidential Resources. The following off-campus agencies also employ individuals available to discuss incidents of misconduct in confidence. Disclosures to these entities will not trigger the College's obligation to respond to an incident. Please note that limitations of confidentiality may exist for individuals under the age of 18. Unlike the campus Confidential Advisors, most off-campus confidential resources are not as familiar with our campus processes, but they would have knowledge about legal, community, and other resources. They will only contact the College if you give them permission.
  - Employee EAP Perspectives: 800-456-6327, available 24/7 (for employees only).
  - The Zacharias Sexual Abuse Center: 847-872-7799.
  - A Safe Place Domestic Violence Center: 800-600-7233 (SAFE).
  - The Chicago Rape Crisis Hotline: 888-293-2080.
  - National Sexual Assault Telephone Hotline: 800-656-HOPE (4673).
  - State of Illinois Domestic Violence Hotline: 877-863-6338.
  - Center on Halsted LGBTQ Violence Resource Line: 773-871-CARE (2273).

*On and off-campus confidential resources will provide to the Title IX Coordinator aggregate numbers, with no personally identifying information of individuals they have supported.*

## B. Filing a Report with the College

Reporting Forms: Landing Page-All Reporting Forms

- Electronic reports may be filed by completing the online sex discrimination or sexual misconduct reporting form. A response with available local and campus recourses will be provided within 12-24 hours of receipt of the report, a direct response may take longer depending on when a report is submitted. Sexual Misconduct: [www.lakeforest.edu/titleixreport](http://www.lakeforest.edu/titleixreport)
- Anonymous incidents may be shared via the Confidential and Independent Campus Conduct Hotline at 866-943-5787 or submitted online via our third-party anonymous site, Lighthouse-Syntrio: Anonymous Reporting Form.

Responsible Employees:

- Lake Forest College responsible employees are obligated to share information with the college once they become aware of it. Sharing information with a responsible employee, while they cannot provide resolution as an Official With Authority (OWA), is another avenue for Complainants to disclose information to receive support and or an administrative response from the College.

## C. Reporting to Campus Officials with Authority (OWA)

*Reporting Prohibited Conduct to the College.* The College strongly encourages individuals, including third parties, to report incidents of sex discrimination and sexual misconduct to the Title IX Coordinator or other College designated employees. With the exception of the Confidential Advisors listed above and other employees in the College's Health and Wellness Center, all other College employees, including student employees, who receive a report of sex discrimination and/or sexual misconduct in the context of their employment are required to promptly report all known details of the incident (including the identities of both the Complainant and alleged Respondent) to the Title IX Coordinator.

Alleged violations of this Policy may be reported to On-campus Officials:

- The Title IX Coordinator: 847-735-6009; (484) 245-4625; [eagidius@lakeforest.edu](mailto:eagidius@lakeforest.edu).
- Public Safety: 847-735-5555; [www.u.edu/about/ourcampus/safety/](http://www.u.edu/about/ourcampus/safety/)
- Office of Campus Life: 847-735-5200;
- Human Resources: 847-735-5036; Human Resources Office

The College will review, respond to, and or investigate anonymous reports made electronically, by phone, or otherwise to the extent possible based on the information provided. The College's ability to take disciplinary action against an accused Respondent may be limited in the case of anonymous or confidential reports.

If you are in immediate danger, call 911 for the Lake Forest Police Department. The nonemergency number for the Lake Forest Police Department is 847-234-2601. The Lake Forest College Department of Public Safety can also connect you to the Lake Forest Police Department.

### OFF-CAMPUS REPORTING AND ASSISTANCE

## D. Reporting to Law Enforcement.

The College encourages Complainants to report to the



police any allegation of sexual misconduct that could be a crime and will assist individuals wishing to do so. A police report must be made before a criminal prosecution can be considered by the local State's Attorney's Office. The chances of successful prosecution are greater if the report to the police is timely.

If an incident occurred on campus, the Lake Forest Police Department has jurisdiction and may be contacted at:

Lake Forest Police Department  
255 W. Deerpath Rd., Lake Forest, IL 60045; Lobby Hrs.  
Monday-Saturday, 8am-6pm  
847-234-2601 (non-emergency)  
911 (emergency)

For incidents in Chicago, contact:

Chicago Police Department  
1718 South State Street, Chicago, IL 60616  
Non-Emergency: 312-745-4290; 312-746-6000  
(outside city limits) 311 (within city limits)  
911 (emergency)

1. Survivors/Complainants have extended access of 180 days to seek services, extending access to those unable to receive care in the first few months after an incident.
2. Emergency and Protective Orders. Complainants have the right to request that law enforcement implement emergency protective or restraining orders or to pursue such orders through the civil court process, and the College can assist Complainants who wish to do so. Complainants who receive protective or restraining orders through a criminal or civil process should notify the Title IX Coordinator so that the College can manage compliance with the order on campus.
3. Criminal vs. Campus Process. Whether or not criminal charges are filed, the College may investigate and resolve complaints of sexual misconduct under this Policy where appropriate. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy, criminal investigations or reports are not determinative of whether sexual misconduct, for purposes of this Policy, has occurred. In other words, conduct may constitute sexual misconduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to investigate or prosecute.

The College's investigation of a complaint of sexual misconduct shall proceed simultaneously with any law enforcement investigation, except that the College may, in some circumstances, defer the fact-finding portion of its investigation for a limited time while law enforcement gathers evidence. During this time period, the College will take any additional measures necessary

to protect the Complainant and the College community.

## E. Hospitals and Medical Assistance.

Whether or not an individual who has experienced sexual misconduct decides to report an incident to the College or law enforcement, the individual is encouraged to seek immediate medical attention from one of the resources listed below in order to treat physical injuries, test for and treat sexually transmitted infections and pregnancy, and access emergency contraception (if requested).

Under Illinois law, certain medical personnel are required to alert police when the individual requesting treatment appears to have sustained injury as a victim of a criminal offense, including sexual assault. However, the individual may choose whether to speak to the police and is not required to do so;

- Survivors have extended access of 180 days to seek services, extending access to those unable to receive care in the first few months after an incident; and
1. To provide confidentiality for those seeking treatment after abuse from partners or family members, Complainants may decline to bill their health insurance provider for the cost of emergency care if they themselves are not the primary policy holder. Local medical assistance can be obtained at:
    - Advocate Condell Medical Center Emergency Room, 801 S. Milwaukee Ave., Libertyville, IL; 847-990-5300 (Sexual Assault Nurse Examiners are available 24/7 to assist victims and collect physical evidence)
    - Highland Park Hospital Emergency Room, 777 Park Avenue West, Highland Park, IL, 60035; 847-432-8000 (Sexual Assault Nurse Examiners are available to assist victims and collect physical evidence)
    - Lake Forest Hospital Emergency Room, 660 N. Westmoreland Rd., Lake Forest, IL 60045; 847-535-6150

## 2. Evidence Preservation

Even if an individual has not been physically hurt, a timely medical examination is recommended so that forensic evidence can be collected and preserved. An individual may choose to allow the collection of evidence by medical personnel even if they choose not to make a report to the police. In order to best preserve forensic evidence, it is suggested that an individual who has been sexually assaulted and wishes to preserve evidence should, if possible, not shower, bathe, douche, smoke, brush teeth, use the bathroom, eat, drink, or change clothes or bedding before seeking medical attention, and that medical



attention be sought as soon as possible. Unwashed clothes worn during the incident can be transported to the hospital or medical facility in a paper bag. If an individual suspects that they may have been drugged, they should inform the hospital or law enforcement as soon as possible so that they can attempt to collect evidence.

- Under Illinois law, the cost of emergency medical or forensic examinations for sexual assault survivors not covered by private insurance or Illinois Public Aid will be covered by the Illinois Department of Healthcare and Family Services. The Title IX Coordinator can provide more information regarding the procedure for obtaining this financial assistance.
- Individuals who have experienced sexual misconduct are also encouraged to preserve evidence by saving text messages, instant messages, social networking pages, or other communications and by keeping pictures, logs, or other copies of documents.

#### IV. DISABILITY ACCOMMODATIONS

The College is committed to providing individuals with disabilities reasonable accommodations needed in order to have full and equal access to the procedures under this Policy. Requests for accommodations or support should be directed to the Title IX Coordinator, who will review the request with the Disability Services (for students) and Human Resources (for staff and faculty), to determine whether and what accommodations are appropriate.

#### V. PRIVACY

The privacy of all parties and participating witnesses involved in reports of misconduct under this Policy will be respected to the extent permitted under relevant law. Information related to a report will be shared only with those College employees who need to know to assist in the investigation and/or resolution of the matter pursuant to this Policy and the accompanying Complaint procedures.

The College will, to the extent permitted by law, keep confidential 1) the identity of any individual who has made a report or filed a complaint under this Policy, 2) any Complainant, 3) any individual who has been reported to be the perpetrator (Respondent) of a Policy violation, 4) and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, to carry out the purposes of any arising investigation, hearing, or judicial proceeding. The College will also keep confidential any supportive measures provided to a Complainant or Respondent except as necessary to implement the supportive measure(s).

#### VI. RETALIATION

Retaliation against individuals engaging in protected activity under this Policy is prohibited. Retaliation is an adverse action taken by the College, a Respondent, a Complainant, another student, and/or friends, family and acquaintances against an individual for the purpose of interfering with any right or privilege secured by Title IX or other applicable state or federal law or this Policy or as reprisal for filing a complaint or report, supporting a Complainant, and/or otherwise participating or refusing to participate in a proceeding pursuant to this Policy.

Protected activity includes, but is not limited to, making a good-faith complaint of sex discrimination or sexual misconduct, cooperating in good faith in the investigation of a complaint of sexual discrimination or misconduct, and/or testifying as a witness to any report of sexual discrimination or misconduct. An action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy or participating in the reporting, investigation, or resolution processes under this Policy or related Policies.

Retaliation includes intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve discrimination or harassment, but arise out of the same facts or circumstances as a report or complaint of prohibited conduct, or a report or complaint of prohibited conduct, for the purpose of interfering with any right or privilege secured by this Policy.

Retaliation does not include the exercise of rights protected under the First Amendment, or charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a proceeding under this Policy, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any Party made a materially false statement in bad faith.

Retaliation can be committed by or against any individual or group of individuals, including a Respondent or Complainant. Retaliation is still prohibited even when there is a finding of no responsibility for the allegation.

Alleged retaliation should be reported promptly to the Title IX Coordinator, the Dean of Students, the Dean of Faculty, or the Director of Human Resources. Retaliation will result in investigation and discipline independent of any finding on the underlying allegations of sex discrimination/sexual misconduct.





## VII. OTHER RELATED POLICIES

### Child Abuse and Neglect

#### *Mandatory Reporting of Child Abuse, Child Sexual Abuse, and Child Neglect*

All College employees are mandated reporters under the Illinois Abused and Neglected Children's Reporting Act. Mandated reporters are required to immediately report to the Illinois Department of Children and Family Services (DCFS) suspected child abuse and/or neglect when they have "reasonable cause to believe" that a child known to them in their professional or official capacity may be an abused or neglected child. This is done by calling the DCFS Hotline at 1-800-252-2873 or 1-800-25ABUSE.

"Abused child" means a child (under 18 unless legally emancipated) whose parent or immediate family member, any person responsible for the child's welfare, any individual residing in the same home as the child, or a paramour of the child's parent:

- Inflicts, causes to be inflicted, or allows to be inflicted upon such child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health or loss or impairment of any bodily function;
- Creates a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health or loss or impairment of any bodily function;
- Commits or allows to be committed any sex offense, act of torture, excessive corporal punishment, female genital mutilation, involuntary servitude, involuntary sexual servitude, or trafficking in persons against such child; or
- Causes to be sold, transferred, distributed or given to such child under 18 years of age, a controlled substance, except for controlled substances that are prescribed and dispensed to such child in a manner that substantially complies with the prescription.

There is no option for confidentiality in the case of suspected child abuse, child sexual abuse and/or child neglect. In other words, all mandated reporters with reasonable cause to believe that a child known to them in their professional capacities may be abused, sexually abused or neglected are required to contact DCFS. Mandated reporters must also promptly notify the Title IX Coordinator that a DCFS report has been made.

### Minors on Campus Policy

The College has a policy regulating engagement with minors on campus. If you will be leading or sponsoring a program involving a minor child, you must review and comply with the requirements of the Lake Forest College

Minors on Campus checklist, training, and other requirements. You may access the Minors on Campus Policy here and webpages here.

### Consensual Relationship

Consensual Romantic or Sexual Relationship Policy which governs how employees engage with consensual relationships and any power dynamics to consider is available here.

### Discrimination and Harassment Policy

Policy to address other acts of sex discrimination, harassment, sexual misconduct, or may not meet the Title IX sexual harassment definition, but may require a campus response based on the alleged conduct.

## I. EDUCATIONAL PROGRAMMING AND TRAINING

The College provides educational programming and training relating to this Policy and the accompanying Procedures including:

*Training for Officials Responsible for Investigation or Adjudication of Complaints.* The College will ensure that all officials responsible for the investigation or adjudication of sex discrimination and sexual misconduct receive annual training as required by applicable state and federal laws. These individuals will include, but not be limited to, the College's Title IX Coordinator, Deputy Title IX Coordinator, investigators, hearing officers, appeal decision-makers, confidential advisors, and Informal Resolution facilitators. The training materials will not rely on sex stereotypes and will promote impartial investigations and adjudications of complaints of sexual harassment. The training materials will be posted on the College's website. The functions of the listed individuals may be performed by a college employee or other individual engaged by the College to provide a service.

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*Primary Prevention and Awareness Programs.* The College provides annual primary prevention and awareness programs for all students and training programs for all employees that include information on the definitions of sexual misconduct offenses, college policy, consent, bystander intervention, warning signs of abusive behavior, risk reduction, on-campus and off-campus-confidential and other resources, procedures and options for reporting sexual misconduct, the College sexual misconduct complaint resolution process, available sanctions and supportive measures, and confidentiality.

*Ongoing Prevention and Awareness Campaigns.* The College also provides ongoing prevention and awareness campaigns for students and employees that provide additional information regarding the subjects covered in the primary prevention and awareness programs.

## II. INSTITUTIONAL CRIME REPORTING

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") requires institutions of higher education to compile and publish statistics on certain criminal offenses including sexual assault, domestic and dating violence, and stalking that occur on or adjacent to school properties. The Clery Act requires that certain crimes reported to certain campus employees, called Campus Security Authorities, be included in those annual statistics. All crimes reported and documented under the Clery Act will be recorded in the aggregate, absent personally identifying information.

The College will also issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to the community. A Complainant will not be identified in a timely warning. For more details about institutional crime reporting, including information about which employees are designated Campus Security Authorities required to report crimes under the Clery Act, please see the College's Annual Security & Fire Safety Report.

## Annual Reports

The College prepares an annual report on the previous calendar year's sexual violence complaints, responsive actions, and prevention education in accordance with the Illinois Preventing Sexual Violence in Higher Education Act and the Illinois Department of Human Rights. The report does not mention the name of any individuals or identify details of any complaint. The report is posted on the College's website at <https://www.lakeforest.edu/title-ix/about-title-ix/campus-culture-and-climate>. Other state and federal reports are submitted accordingly. The Title IX Coordinator may create additional periodic reports for submission to the College President, who shall publicize them to the College community, as appropriate.

## III. POLICY APPROVAL AND POSTINGS

This Policy will be reviewed regularly for compliance with federal, state, and local laws and best practices. This Policy is approved annually by the President of Lake Forest College. The Policy, along with its related materials, is available on the College's website at: <https://www.lakeforest.edu/title-ix/policies>. We reserve the right to revise and adjust the Policy to align with state or local statutes, as necessary.

Policy Enacted: August 28, 2015

Amended: August 14, 2020; Updates: January 2023 and September 5, 2023; College website may be referred to for the most recent version of this Policy and Procedure

## INTERIM TITLE IX SEXUAL HARASSMENT COMPLAINT RESOLUTION PROCEDURES

### COMPLAINT RESOLUTION PROCESS

The College provides a prompt and impartial resolution of alleged violations of the College's Sex Discrimination and Sexual Misconduct Policy ("The Title IX Policy").

Under this policy, Lake Forest College does not discriminate the basis of sex, sexual orientation, gender, and/or gender identity in any college program or activity, consistent with Title IX of the Educational Amendments of 1972, Title VII of the Civil Rights Act of 1964, and other applicable state and federal laws.



When the college has actual knowledge of an allegation or complaint of Title IX Sexual Harassment, as defined in the Policy, in an education program or activity of the recipient against a person in the United States, the college will respond promptly in a manner that is not deliberately indifferent. In this process, the College will treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility has been made against the Respondent, and by following the investigation and resolution process described in these procedures before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a Respondent.

### Complaint Resolution Time Frame

The college will make a good faith effort to resolve all Title IX Sexual Harassment reports and appeals (where applicable) as expeditiously as possible. The College strives to complete all investigations, hearings, and appeals under this process within ninety (90) - one hundred twenty (120) calendar days. The Title IX coordinator or designee will regularly update the parties on the status of the proceedings throughout their duration. If an Informal Resolution process is used, the college strives to resolve the matter through that process within similar timeframes. These processes may be temporarily delayed or extended for a limited timeframe for good cause. Good cause may include considerations such as the absence of a party, a Party's Advisor or witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities. The Title IX coordinator will provide written notice of any delays and/or extensions to the parties and describe the reason(s) for the delays and/or extension.

### Key Definitions for Complaint Resolution

**Actual knowledge** means notice of Title IX Sexual Harassment or allegations of Title IX sexual harassment to the College's Title IX coordinator or any college official who has authority to institute corrective measures on behalf of college. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the college with actual knowledge is the Respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the college.

**Advisor.** An individual chosen by either Party to accompany the party to meetings, interviews regarding the investigation or hearing. An Advisor has different roles depending on the applicable Sex Discrimination policy or the procedural steps during a Title IX process. For more information on advisor, including decorum, see Complaint Resolution, Formal Resolution, Section- IV.

**Authority to take corrective measures.** A college official designated by the college as having the authority to take corrective measures on behalf of the college in response to reports and complaints under this Policy.

These officials include Title IX coordinator, the Deputy Title IX coordinator, or any other college Designee.

**Complainant.** Complainant is the Party who is alleged to be the harmed party or victim of Title IX Sexual Harassment conduct that could constitute sexual harassment.

**Complaint Resolution Flowchart.** The Full and Simplified flowcharts are aimed to supplement and further explain the campus resolution process for Title IX Sexual Harassment violations. Any conflict or differences outlined in the flowchart; the Policy is the governing document.

**Education program or activity.** means any location, event, or circumstance over which the college exercises substantial control over both the Respondent and the context in which the alleged violation of this policy occurs, and includes any building owned or controlled by a student organization that is officially recognized by the college.

**Formal Complaint.** A Formal Complaint is a written document filed by a Complainant or signed by the Title IX coordinator or designee alleging Title IX Sexual Harassment against a Respondent and requesting that the college initiate the formal process for the allegation of sexual harassment. Both formal and informal resolution processes require a signed complaint to initiate the process. At the time of filing a complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the college. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by college) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint. Where the Title IX coordinator signs a complaint, the Title IX coordinator is not a complainant or otherwise a party under this Policy.

**Remedies.** Remedies are measures taken by the college that are intended and designed to restore



access or preserves equal access to the college's programs and activities. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent when there has been a finding of responsibility.

**Reporting Party.** Under this Policy, an individual who reports Title IX Sexual Harassment occurring between other persons are considered the reporting party (peer, community member, responsible employee, etc.).

**Receiving Reports.** Any person may report a violation or alleged violation of this policy in person, by mail, by telephone, or by electronic mail or online portal, using the contact information listed for the Title IX coordinator, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. Any person may report a violation or alleged violation of this policy whether or not the person reporting is the person alleged to be the victim of conduct that could constitute prohibited conduct. A report may also be made to any college official designated as having the authority to take corrective action on behalf of the college. A report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX coordinator. Officials with the authority (OWA) to take corrective measures, including as defined above (see Policy, OWA, Section-IV. C), college supervisors or managers, who receive a report or complaint must promptly refer the report or complaint to the Title IX office.

**Respondent.** Respondent is the Party accused of conduct that may constitute a violate Title IX Sexual Harassment or sexual misconduct.

**Standard of Proof.** Standard used to determine whether sufficient information exists to establish, by preponderance of the evidence, violation of the College's Sex Discrimination and Sexual Misconduct Policy and Complaint Resolution Procedures. A preponderance of evidence is established when information provided during investigation and or resolution supports a determination that "it is more likely than not" that violation of the Policy occurred.

**Title IX Sexual Harassment** as defined by the 2020 Title IX regulations of the Department of Education to address incidents under this Policy involving sexual harassment, sexual assault, dating violence, domestic violence or stalking. Based on the type of incident, other acts of sexual misconduct may be addressed according to campus Policies, as appropriate.

## I. PROCESS - COMPLAINANT'S REPORT

### Initial Review and Assessment

Upon receipt of a report of Title IX Sexual Harassment, the Title IX coordinator will assess the nature of the allegations, the safety of the involved individuals and the college community, the Complainant's expressed preference for resolution and/or request for confidentiality, and the necessity for any protective measures to maintain the safety of the Complainant or the college community. During the initial review, the Title IX coordinator will provide the Complainant with a written statement of rights and options under the college's policy, information about these complaint procedures, and information relating to support resources. The College's Title IX coordinator, or Designee, will evaluate a request for confidentiality and/or no action on a complaint in accordance with the factors described above (see Policy-Confidentiality Requests, Section-III).

For information on how to file a report or access the reporting form(s), please see the Policy-Reporting to the College, Section-IV-B above.

### Emergency Removal and/or Administrative Leave

On an emergency basis, the College may place a student on interim suspension, impose administrative leave for an employee (including student employees), or otherwise remove a student or employee Respondent from or deny access to campus facilities, and/or all or part of the College's programs or activities during the pendency of the College's Procedures under this Policy. Except for administrative leave for an employee, prior to such removal the College must undertake an individualized safety and risk analysis to determine whether there is an immediate threat to the physical health or safety of any student, employee, or other individual arising from the allegations of conduct prohibited by this Policy that would justify a Respondent's removal.

The College will provide the Respondent with written notice of an opportunity to appeal the removal decision immediately following the removal. The written appeal request should state the reasons why the Respondent believes the removal should be overturned. The appeal request must be received by the Title IX Coordinator within five (5) calendar days of the notification of the issuance of a temporary suspension. The Title IX Coordinator will ensure the relevant College official reviews the appeal to determine whether the decision was supported. The appeal determination shall be sent to the Respondent within five (5) calendar days of receipt of the initial appeal request, and the appeal determination is final. During a temporary suspension, a student Respondent may be denied access to the campus, facilities, or events. As determined by Title IX Coordinator, this restriction includes classes, access to



campus housing or dining facilities, and/or all other activities or privileges for which the student might otherwise be eligible. Similarly, alternative coursework option may be pursued to ensure as minimal impact as possible on the Respondent and Complainant. A temporary suspension of a student Respondent may be enforced until the final disposition of the allegation has been made by the appropriate College official or hearing entity.

## Supportive and Interim Measures

The Title IX coordinator or designee will offer supportive measures, as described in the policy, as appropriate, without fee or charge, to the Complainant or Respondent upon notice of possible Title IX Sexual Harassment. The Title IX coordinator will promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a complaint and explain to the Complainant the process for filing a complaint.

In cases where the Respondent is a student or student organization and considered a threat to persons or property, the dean of students may impose interim measures such as suspension and/or loss/cancellation of other privileges prior to or during the resolution of Title IX sexual harassment allegations. In cases where the alleged Respondent is an employee and considered a threat to persons or property, the director of human resources and/or the dean of the faculty may impose interim measures such as suspension (with or without pay) during the resolution of Title IX Sexual Harassment allegations. The college will keep supportive measures confidential and will share information only with those needed in order to implement the measures.

Violation(s) of a directive and/or supportive measure may result in disciplinary action separate from any sanctions issued for a determination of Title IX Sexual Harassment.

Supportive measures are available regardless of whether formal resolution is sought by the Complainant and may be provided on an interim basis pending resolution.

Where the College determines that the process will move forward, the College will proceed as set forth below.

## II. FORMAL COMPLAINT

As Complainant evaluates what they would like to do (move forward, do nothing, supportive measures, rights and options only etc.), there may be a gap of time from report to formal complaint submission. Complainant completes signed, written document and submits to the Title IX office. (Complainants may file formally without having an initial meeting but are encouraged to do so).

At the time of filing a complaint, a Complainant must be participating in or attempting to participate in the

education program or activity of the college. The Formal Complaint is what triggers the Title IX Sexual Harassment procedures (Formal Resolution or Informal Resolution) as outlined in Complaint Resolution- Procedures, Sections-III & IV. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

## Dismissal of Claim

1. The College must dismiss a formal complaint or any allegations therein if, at any time, it is determined that:
  - The conduct alleged in the formal complaint would not constitute Title IX Sexual Harassment as defined in the Policy even if proven; and/or
  - The conduct did not occur in a College educational program or activity; and/or
  - The conduct did not occur against a person in the United States; and/or
  - At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the College.
2. The College may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:
  - A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to \*withdraw the formal complaint or any allegations therein; or
  - The Respondent is no longer enrolled in or employed by the College; or
  - Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the College will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the Parties. This dismissal decision is appealable by any Party under the procedures for Complaint Resolution-Formal Resolution Procedural Steps, Appeals Section IV-G.

## III. INFORMAL RESOLUTION

Complainants have the option of formal or informal dispute resolution procedures. Under both options, the investigator(s) will meet with the Complainant and the Respondent separately to discuss the complaint and the process. The Complainant must file a written formal complaint to initiate the Informal Resolution



#### Process.

- At any time prior to reaching a determination regarding responsibility and after the filing of a complaint, the College may offer and facilitate an Informal Resolution process, such as mediation, that does not involve a full investigation and adjudication.
- Informal Resolution is a voluntary, structured interaction between or among the Parties that is designed to reach an effective resolution to a complaint made under this Policy.
- These informal procedures may include, but are not limited to, mediation, counseling, and/or any other means of resolving a complaint other than a formal resolution process.
- The Informal Resolution process attempts to resolve the issue with the Complainant and Respondent by mutual agreement.
- The College recognizes that Informal Resolution options may, if implemented in concert with institutional values and legal obligations, be an appropriate means of addressing some forms of possible Prohibited Conduct reported under this Policy.
- If an Informal Resolution Process is used, the College strives to resolve the matter through that process within 90-120\* calendar days.

Informal Resolution is not appropriate for all forms of possible Prohibited Conduct under the Policy and the Title IX Coordinator retains the discretion to determine which cases are appropriate for Informal Resolution. The Title IX Coordinator will determine if Informal Resolution is appropriate based upon: 1) the willingness of the parties to participate in Informal Resolution; 2) the nature of the conduct at issue; and 3) the susceptibility of the conduct to Informal Resolution.

Informal Resolution is not an available option for complaints of Title IX Sexual Harassment made by an employee against a student or students against an employee.

#### A. Voluntary Process

Participation in the Informal Resolution process is voluntary, and the College will not require the Parties to participate in an Informal Resolution process to resolve allegations of Prohibited Conduct under this Policy. Both a Complainant and a Respondent can request to end this type of resolution and pursue an investigation at any time. The College does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of complaints of Title IX Sexual Harassment under this Policy.

- B. The College must obtain the Parties' voluntary, written consent to the Informal Resolution process. The College will provide the Parties with written notice disclosing:
  1. the allegations;
  2. the requirements of the Informal Resolution process, including the circumstances under which it precludes the Parties from resuming an investigation arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the formal resolution process; and
  3. any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.
- C. Individuals may be accompanied by an Advisor at any meetings related to the Informal Resolution process. Information shared or obtained during Informal Resolution will be treated as confidential to the extent permitted by law and will not result in subsequent disciplinary actions by the College, unless additional action is deemed necessary to fulfill the College's legal obligations.
- D. Informal Resolution Outcome
  1. Written notification will promptly be sent by the Title IX Coordinator to the Complainant and the Respondent of the conclusion of the Informal Resolution process. The notification will describe the terms of the approved resolution, if any.  
\*Resolution time frame above is usually shorter than time frame listed. The timeframe allows for consideration of parties' rights to engage the full process, including parties potentially ending Informal Resolution should this process fail and to initiate the Formal Process.

The Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the resolution may result in appropriate responsive actions.

## IV. FORMAL RESOLUTION

When Informal Resolution is not requested or inappropriate, or when a report of Title IX Sexual Harassment cannot be informally resolved, a formal resolution process will be initiated. Formal resolutions will be prompt, adequate, thorough, reliable, impartial and equitable, incorporating applicable investigation techniques, including, but not limited to, interviewing relevant Parties and witnesses, and obtaining available evidence.



## General Principles:

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the College and not on the parties provided that the College cannot access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the College obtains that Party's voluntary, written consent to do so for a complaint resolution process under this section (if a Party is not an "eligible student," as defined in 34 CFR 99.3, then the College must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

1. In all investigations and determinations of responsibility, the College will conduct an objective evaluation of all relevant evidence - including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.
2. The College will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence\*;
3. The College will provide the Parties with the same opportunities to have others present during any complaint resolution proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the Advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of Advisor for either the Complainant or Respondent in any meeting or complaint resolution proceeding; however, the recipient may establish restrictions regarding the extent to which the Advisor may participate in the proceedings, as long as the restrictions apply equally to both Parties (see Complaint Resolution-Advisor Section below).
4. The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
5. The College will provide, to a Party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Party to prepare to participate.

\*Dissemination, copying, printing of materials as part of grievance process is prohibited.

## Consolidation of Claims

The College may consolidate for investigation and resolution multiple complaints alleging Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances.

## Concurrent Criminal Investigation

Some instances of Title IX Sexual Harassment may also constitute criminal conduct. In such instances, the Complainant is also encouraged to file a report with the appropriate law enforcement authorities and, if requested, the College will assist the Complainant in doing so (see Policy, Reporting to Off Campus Officials, Section-V.-A-3). The pendency of a criminal investigation, however, does not relieve the College of its responsibilities under Title IX. Therefore, to the extent doing so does not interfere with any criminal investigation, the College will not delay, and will proceed with its own investigation and resolution of the complaint as provided in these Procedures.

## Admission of Wrongdoing

If at any time during the formal process, a Respondent wishes to admit responsibility for a Policy violation, the Title IX Coordinator may conclude the investigation and refer the matter to the appropriate sanctioning official, as identified below.

## Advisor

### Decorum

The Advisor may be a friend, professor, mentor, family member, attorney, or any other person a Party chooses, except that an individual who will be serving as a witness in the matter may not also serve as an advisor in the same matter without express prior permission from the Title IX Coordinator.

Advisors are expected to maintain the privacy of any information shared during the Title IX Sexual Harassment complaint investigation and resolution process. Such information may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may restrict the role of any Advisor who fails to abide by these privacy expectations.

An advisor who disrupts or otherwise fails to observe these limits will be asked to leave the meeting/interview, and the meeting/interview may continue without the advisor present. In cases of disruption in the hearing, the Hearing Chair or Title IX Coordinator will manage. Subsequently, the Title IX Coordinator will determine whether the Advisor may be reinstated or replaced.



1. **Advisor of Choice:** The Complainant and Respondent are both permitted to bring an advisor of their choice, at their expense (except for cross-examination at the hearing as outlined below in Hearing Formal Resolution, Section D), to any meeting or interview in connection with a report of Title IX Sexual Harassment or other sexual misconduct or sex discrimination. Both Parties will be provided with timely written notification of meetings or interviews at which they may/must be present. The College reserves the right to proceed with a pre-arranged meeting or interview regardless of an Advisor's availability.
2. **Hearing Advisor.** The College cannot guarantee the equal advisory rights or representation. Meaning, if one Party selects an attorney as an advisor, but the other Party does not, or cannot afford an attorney, the College is not obligated to provide an attorney to that Party. In situations listed below where the College provides a Hearing Advisor for hearing, the College cannot guarantee the equality of an Advisor's representation for the party (see Complaint Resolution-Formal, Pre-hearing procedures, Section-IV.-D.2c.).

\*The advisors in this section are distinctly different from confidential advisors in Policy-Section, IV-A. An advisor for the Harassment and Discrimination procedures also has a few differences.

## FORMAL RESOLUTION-PROCEDURAL STEPS:

### A. Notice to the Parties:

The Title IX Coordinator will notify the Complainant and Respondent, in writing and simultaneously, of its decision to proceed to investigation of any alleged violation of this Policy. Where a Complainant chooses to not participate in an investigation that is moving forward regardless, the Title IX Coordinator will prepare a writing of the specific allegations as well as the scope of the investigation prior to the start of the investigation. The written notification to the Complainant and to the Respondent will include the following, where known at that time:

- A description of this Policy and the Procedures, including the Informal Resolution process.
- A description of the allegations potentially constituting a violation of this Policy, including sufficient details known at the time. Sufficient details include the identities of the Parties involved in the incident, if known, the conduct allegedly constituting a violation of this Policy, and the date and location of the alleged incident, if known.
- Notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Procedures in this Policy.
- Notice to the Parties that they may have an Advisor of

their choice, who may be, but is not required being an attorney.

- Notice to the Parties of the College's student or employee Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information under this Policy.
- Notice to the Parties that they may, as described below in this Policy, inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in a complaint.

The College will provide the Parties with sufficient time to review the written notice and prepare a response before any initial interview.

The notice will be amended and sent to both Parties if clarifying information is provided related to the alleged violation(s) of this policy, or if additional information is alleged to have occurred that constitutes additional violations of this policy.

### B. Investigation

In the course of the investigation, the College will provide written notice of any additional allegations to the Parties if the College decides to investigate allegations about the Complainant or the Respondent that are not otherwise provided in the initial written notice.

1. *Investigator.* Investigations will be conducted by the Title IX Coordinator and/or other internal or external investigator(s) designated by the Title IX Coordinator.
2. Timely notice will be provided to Complainants and Respondents of all interviews or meetings at which they may/must be present, and both Parties will be provided with timely and equitable access to information.
3. *Interviews.* Investigations may include one or more interviews with the Complainant, Respondent, and fact witnesses.
  - Character witnesses, and expert witnesses without factual information about the allegations, are generally not relevant or permitted. Interviews may take place in person, by phone, or through electronic means.

The College will provide an equal opportunity for the Parties to present witnesses, including fact witnesses and expert witnesses with factual information about the allegations, and other inculpatory and exculpatory evidence.

- Complainants and Respondents may provide written statements, identify fact witnesses, or submit other evidence to the Investigator.
- The Parties may also provide the investigator





with questions they request that the investigator ask the other Party or witnesses.

- It is in the investigator's discretion whether to interview all witnesses identified by the Parties, whether to interview additional witnesses not identified by the Parties, and whether to ask the parties and witnesses the questions requested by the parties.
4. **Evidence.** The College will provide both Parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source, so that each Party can meaningfully respond to the evidence prior to conclusion of the investigation.
- In addition, prior to completion of the Investigative Report, the College must send to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy.
  - The College must also make all such evidence subject to the Parties' inspection and review available at any hearing to give each Party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
  - Interviews are not electronically recorded by the College and may not be recorded by any participant. Investigations may also include the gathering and analysis of physical, documentary, and/or other relevant evidence.

#### Sexual Predisposition and Prior Sexual Behavior

In general, the Complainant's or potential Complainant's sexual predisposition and prior sexual behavior are generally not relevant and will not be considered as evidence. However, either Party's prior sexual behavior may be offered as evidence under the following limited circumstances:

- To provide that someone other than the Respondent committed the conduct alleged by the Complainant; and To prove consent by offering specific incidents of the Complainant's prior sexual behavior with respect to the Respondent. The mere fact of a current or previous dating or sexual relationship, by itself, is insufficient to constitute consent.

### C. Investigative Report

#### Draft Investigation Report

After the investigation has been completed, the

investigator will prepare a Draft Investigation Report that fairly summarizes relevant evidence gathered during the course of the investigation. The Draft Investigation Report will state specific factual findings and will not include any preliminary determination as to whether the evidence supports that Respondent has violated the Policy.

The Draft Investigation Report will be provided in electronic format or in a hard copy to the Parties and their Advisors, if any, for review. The Parties must respond to the Draft Investigation Report within ten (10) calendar days of receipt. The Parties may provide: 1) a written response to the information in the Draft Investigation Report, including the provision of additional clarifying information; 2) identification of new witnesses; and/or 3) submission of new evidence. The Investigator or the Title IX Coordinator will review any responses provided and consider whether the responses establish a basis for additional investigation and/or for altering any information in the Draft Investigation Report.

#### Final Investigation Report

The final Investigative Report will be shared with the Title IX coordinator by the Investigator. The Title IX coordinator who will issue a Final Investigation Report that will include: the Draft Investigation Report; the Parties' responses to the Draft Investigation Report (if applicable); and the Investigator or Title IX Coordinator's determinations regarding the Parties' responses (if applicable); The Final Investigation Report will be simultaneously provided to both Parties at least (10) calendar days prior to the live hearing.

### D. Hearing and Disciplinary

#### Procedures Live Hearing

- The College will provide a live hearing for both Parties. This may be conducted with all Parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.



- The Title IX Coordinator will provide the Hearing Panel with the Final Investigation Report.
- The Hearing Panel is responsible for making the determination of responsibility for violations of the Sex Discrimination and Sexual Misconduct Policy and, if applicable, sanctions and/or other disciplinary actions.
- Members of the Hearing Panel cannot be the same person(s) as the Title IX Coordinator or the Investigator(s).
- Restricted Communications. The Hearing Panel shall not initiate, permit, or consider communications made to any member of the Hearing Panel outside the proceedings concerning a pending or impending hearing, except as follows:
  - 1) Communications necessary to perform their responsibilities and duties; and/or
  - 2) Communication for scheduling, administrative, or emergency purposes, which does not address substantive matters.

## 1. Pre-Hearing Procedures.

- a. The Title IX Coordinator will notify both Parties in writing of the date, time, and location of the hearing at least five (5) calendar days prior to the hearing. The Title IX Coordinator will be available to discuss with the Complainant and Respondent the hearing process.
- b. The Complainant and Respondent shall submit to the Chair of the Hearing Panel any information they wish to present at the hearing, the name of their Advisor, a list of questions, if desired, and a list of possible witnesses at least three (3) calendar days prior to the hearing. This may be done during a pre-hearing meeting.
- c. Prior to the hearing, a Respondent or Complainant may submit a request to the Hearing Panel to postpone the hearing for good cause no later than three (3) calendar days prior to the scheduled hearing unless an unforeseen circumstance occurs. The written request must include the reason(s) for the request. The Hearing Panel may accept or deny the request after considering the nature of the request and the incident at issue.

## 2. Hearing Procedures.

All hearings will be held in accordance with the following procedures:

- a. Both the Complainant and the Respondent may choose to request that the live hearing occur with the Parties located in separate rooms with technology enabling the participants simultaneously see and hear the Party or the witness answering questions each as one another.
- b. The Title IX Coordinator and/or Investigator may be called as the first witness(es) and will testify as to

the preliminary findings of the investigation, if necessary.

- c. Both the Complainant and the Respondent are entitled to have one Advisor present, who may be an attorney. If a Party does not have an Advisor present at the live hearing, the College will provide without fee or charge to that Party, an Advisor of the College's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that Party.
- d. The Chair of the Hearing Panel will provide each Party with an opportunity for Cross-Examination:
  - i. Each Party's Advisor must be permitted to ask the other Party and any witnesses all relevant questions and follow up questions, including those challenging credibility.
  - ii. Cross-examination must be conducted directly, orally, and in real time by the Party's Advisor and never by a Party personally, notwithstanding the discretion of the College to otherwise restrict the extent to which Advisors may participate in the proceedings.
  - iii. Only relevant cross-examination and other questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Chair of the Hearing Panel must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The questions may be reviewed during the pre-hearing meeting prior to being asked during the hearing.
  - iv. A determination of responsibility will not be made based solely on the absence of a Party or witness from the hearing or refusal to answer cross-examination or other questions.
  - v. Both the Complainant and the Respondent may provide an impact statement to the Hearing Panel Chair at the beginning of the hearing for consideration at the time of sanctioning, if applicable.
  - vi. The College will create an audio or audiovisual recording of the hearing and make it available to the Parties, upon request, for inspection and review.

## E. Sanctions and Disciplinary Procedures

If the Hearing Panel finds, based on a preponderance of the evidence, that the Respondent violated the Policy, the Hearing Panel will prepare the written determination. For any sanctions determinations, the



Hearing Panel Chair will consult with the following College officials:

- The Dean of Students when the Respondent is a student.
- The Dean of the Faculty when the Respondent is a faculty member, serves as the sanctioning official.
- The Director of Human Resources when the Respondent is a staff member.

Disciplinary sanctions for violation of the College's Title IX Policy may include:

- Verbal or written warning;
- Mandatory training, programming, or educational assignments;
- Required psychological assessments;
- Revocation of offer of employment or admission;
- Community service;
- Disciplinary hold on academic and/or financial records;
- Probation;
- Removal from housing or other campus programs/activities/leadership positions;
- Restrictions regarding entering certain buildings or areas of campus;
- Loss of privileges;
- No-contact directive (with respect to individuals) or no-trespass order (with respect to campus locations);
- Performance improvement/management process (employees only);
- Transfer (of employment);
- Demotion or loss of pay increase;
- Loss of oversight, teaching, or supervisory responsibility;
- Suspension from school or employment (with or without pay, in the case of employees);
- Degree revocation;
- Termination of contract (contractors); and/or
- Termination, expulsion, or other separation from the College.

Other corrective action may also be taken, including those remedies set forth in the supportive measures section and any other appropriate targeted or broad-based remedial action.

Not all acts of Title IX Sexual Harassment are equally serious offenses. Therefore, the Hearing Panel may impose such sanctions as the Hearing Panel believes are fair and

proportionate to the finding of violation. The Hearing Panel may consider the Respondent's record of past violations of the College's Policy or other policies, as well as the nature and severity of such past violation(s) and any other aggravating or mitigating factors in determining the appropriate sanctions. The Hearing Panel will also determine whether to implement the sanctions immediately or to stay the sanctions if a Party appeals the determination.

## F. Written Determination

1. Both the Complainant and the Respondent shall be simultaneously provided with a written determination/ outcome notice, which will include:
  - a. Identification of the allegations, names of the Parties, and name of the Investigator;
  - b. Description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  - c. Applicable policies and procedures;
  - d. Information considered during the investigation and hearing (witnesses questioned, documents and other evidence);
  - e. Supportive measures requested/provided;
  - f. Responses from either the Complainant or Respondent to the Investigator's Draft Investigation Report;
  - g. Findings of fact to support the determination;
  - h. Conclusions, using the preponderance of evidence standard, regarding the application of the College's Policy to the facts; statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the College's programs and activities will be provided by the College to the Complainant.
  - i. The College's appeal procedures and the permissible bases for the Complainant and Respondent to appeal.
  - j. The determination regarding responsibility becomes final either on the date that the College provides the Parties with the written determination of the result of the appeal, if an



appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### Respondent Withdrawal While Complaints Are Pending

Should a Respondent decide to leave the College and not participate in the investigation and other portions of the Procedures set forth herein, the process will nonetheless proceed to a reasonable resolution in the Respondent's absence, if the Respondent is a student. The Respondent will not be permitted to return to the College until any sanctions or disciplinary actions issued have been satisfied. Sanctions of suspension or separation from the College will be permanently recorded on a student's transcript.

### Failure to Complete Sanctions

Respondents who fail to complete issued sanctions or disciplinary actions may be disciplined or placed on academic hold and prohibited from registering for classes, acquiring transcripts, and accessing student accounts and/or grade reviews.

## G. Appeals

The Respondent and/or the Complainant may appeal at various times throughout this process:

- after an emergency removal
- after the College's dismissal of a complaint or allegations therein; the dismissal process is outlined in the Complaint Resolution Dismissal section above.
- after the Hearing Panel's written determination of responsibility and imposition of sanctions; the appeal process is outlined below.

Either Party may appeal the outcome or sanctions by the Hearing Panel by submitting a written request for appeal to the Appeal Decision-maker (the Dean of Students when the Respondent is a student; the Dean of the Faculty when the Respondent is a faculty member; the Director of Human Resources when the Respondent is a staff member). The appeal must be sent within five (5) calendar days of the date of receipt of the written notice of the outcome of the hearing. The appeal must be in writing and contain a detailed statement of the basis for the appeal including the specific facts, circumstances, and argument in support of the appeal.

The College will implement the appeal procedures equally for both Parties and will use the preponderance of the evidence standard for its determination.

### Grounds For Appeal

Appeals will be considered on the following four grounds:

1. The existence of procedural error(s) that affected

- the outcome;
2. Existence of new evidence which was not reasonably available at the time that the determination of responsibility was made and that could affect the outcome, including the findings and/or sanctions. Information that was known to the Complainant or Respondent during the investigation, but which he or she chose not to present, is not new;
3. Conflict of Interest or Bias: The Title IX Coordinator, Investigator(s), or a member of the Hearing Panel had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and/or
4. The sanctions imposed are substantially disproportionate to the violation.

Mere disagreement with the decision is not grounds for appeal.

- *Notice to Non-Appealing Party and Other Relevant Officials.*

Upon receipt of an appeal, the Appeal Decision-maker will forward the appeal and its supporting documentation to the non-appealing Party.

Additionally, the Appeal Decision-maker will forward a copy of the appeal and supporting documentation to the Title IX Coordinator and other appropriate College officials.

- *Non-Appealing Party Response.*

The non-appealing Party may submit a written response and supporting documentation to Appeal Decision-maker within five (5) calendar days from the date of the Party's receipt of the appeal. In cases where the appeal is based upon procedural error or the existence of additional evidence not available at the time of the investigation, the Title IX Coordinator may submit to the Appeal Decision-maker any relevant clarifying information within the same timeline. In cases where the appeal is based upon disproportionality of the sanctions, the Chair of the Hearing Panel may submit to the Appeal Decision-maker any clarifying information within the same timeline.

*Burden of Proof.* In any request for an appeal, the burden to demonstrate procedural error, new evidence, or disproportionate sanction lies with the Party requesting the appeal.

### Appellate Decision-Maker Options:

1. After considering all the relevant documentation, the Appeal Decision-maker may:



- a. Deny the appeal because the reason for appeal does not fall within the stated ground for appeal, (i.e., procedural error, new evidence, or disproportionate sanctions);
  - b. Uphold the original finding and/or sanction;
  - c. Remand the case to the Hearing Panel for reconsideration of the findings in light of new evidence or procedural error;
  - d. Request appointment of a new Investigator to conduct a new investigation where significant procedural error occurred during the course of the original investigation; or
  - e. Refer the case back to the Hearing Panel for reconsideration of the sanction (with or without recommendations).
2. Final Decision.

The Appeal Decision-maker will notify the parties simultaneously in writing of the outcome of the appeal, including the result of the appeal and the rationale for the result. Appeal decisions are final.

All appellate time periods set forth in this section can be extended as necessary for good cause by the Appeal Decision-maker with notice to the Parties.

## H. Records

The College will maintain records relating to allegations of Prohibited Conduct under this Policy for a period of seven years. Records will be retained in accordance with the Illinois Personnel Record Review Act and all other state and federal requirements. Complaints and information gathered in the course of an investigation will be kept private to the extent permitted by law.

The records shall include:

- a. Each investigation of Title IX Sexual Harassment under this Policy including any determination regarding responsibility and any audio or audiovisual recording of the hearing, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant;
- b. Any appeal and the result therefrom;
- c. Any Informal Resolution and the result therefrom; and
- d. All materials used to train Title IX Coordinators, Investigators, Hearing Panel Members, others decision-makers, and any person who facilitates an Informal Resolution process.

Records of any actions, including any supportive measures, taken in response to a report or complaint of "Title IX Sexual Harassment," as defined in this Policy. The College will, in each

instance, document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If College decides not to provide a Complainant with supportive measures, then the College will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken.

## I. Non-Disclosure Agreements

The College will not require a Party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the disclosure of information related to the outcome of the proceeding.

Enacted: August 28, 2015

Last Amended: August 14, 2020; Updated January 2023; September 5, 2023

## MISSING STUDENT NOTIFICATION

If a member of the College community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Department of Public Safety at 847- 735-5555. Any College employee receiving a missing student report should immediately notify the Department of Public Safety so that an investigation can be initiated.

Students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the College only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the College will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the student is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student's confidential contact information will be accessible only by authorized campus officials, and it will only be disclosed to law enforcement personnel in furtherance of a missing student investigation.

A student who wishes to designate a confidential contact may do so during the housing contract process.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the College will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not



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emancipated, the College will also notify that student's custodial parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.



## SECTION 3. DISCLOSURE OF ANNUAL CRIME STATISTICS

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### DEFINITION OF GEOGRAPHY

#### On-Campus

Any College owned or controlled property or building within the contiguous geographical area of the campus;

#### Residential Facilities

A Subset of reported On-Campus Crimes. These crimes will be reported for both On-Campus and Residential Facilities locations. For example, if a crime is reported for Residential Facilities, it will also be reported as an On-Campus location.

#### Non-Campus Building or Property

Those owned or controlled by Lake Forest College, used in relation to the College's educational purposes and frequented by students but that are not contiguous to the geographic area of a College campus. Any statistics related to the "Lake Forest in the Loop Program" are reflected as a non-campus location.

#### Public Property

Streets, sidewalks and thoroughfares within the campus or immediately adjacent to and accessible from the campus.

### CAMPUS GEOGRAPHY

For purposes of the "Clery Act," Lake Forest College either owns or controls these locations and therefore reports its security procedures and crime statistics for the following locations.

#### Main Campus

Lake Forest College, 555 North Sheridan Road, Lake Forest, Illinois 60045.

- *North Campus* is located between Deerpath Road to the north, Sheridan Road to the west, and Witchhazel Ravines to the east and south.
- *Middle Campus* is located between Witchhazel Ravines to the north and east, Sheridan Road to the west, and Bloodroot Ravine to the south.
- *South Campus* is located between Rosemary Road to the north, Sheridan Road to the east, Washington Road to the west, and Illinois Road to the south.

#### Lake Forest College in the Loop Program

829 South Wabash Avenue, Chicago IL 60605.

Students reside on the 14th & 15th floors at The Flats College Student Housing Apartments. The Lake Forest

College Public Safety Department does not patrol or respond to this location. Security of the property is maintained and managed by the building's on-site management team.

### CRIME DEFINITIONS

Definitions obtained from

\* FBI's Uniform Crime Reporting Program's Summary Reporting System (SRS) User Manual

\*\* 2021.1 National Incident-Based Reporting System User Manual

#### Aggravated Assault

\*An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

#### Arson

\*Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

#### Burglary

\*The unlawful entry of a structure to commit a felony or a theft.

#### Motor Vehicle Theft

\*The theft or attempted theft of a motor vehicle.

#### Manslaughter by Negligence

\*The killing of another person through gross negligence.

#### Murder/Non-Negligent Manslaughter

\*The willful (non-negligent) killing of one human being by another.

#### Robbery

\*Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

#### Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- *Rape:* \*The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- **Fondling:** \*\*The touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** \*\*Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** \*\*Non-forcible sexual intercourse with a person who is under the statutory age of consent.

### Domestic Violence

Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

### Dating Violence

Violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

### Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

### Hate Crimes

A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, gender identity, ethnicity, or national origin. This includes all of the crimes listed above (except negligent manslaughter), plus larceny/theft, simple assault, intimidation and destruction/damage/vandalism of property.

- **Larceny-Theft:** the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- **Simple Assault:** an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property:** to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### Arrest

- **Arrest - Drug Abuse Violations:** persons processed by arrest, citation or summons.
- **Arrest - Liquor Law Violations:** persons processed by arrest, citation or summons.
- **Arrest - Weapons Violations (Carrying, Possessing, etc.):** persons processed by arrest, citation or summons.

### Referral for Disciplinary Action

- **Referral for Disciplinary Action - Drug Abuse Violations:** the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
- **Referral for Disciplinary Action - Liquor Law Violations:** the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
- **Referral for Disciplinary Action - Weapons Violations (Carrying, Possessing, etc.):** the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.





## CRIME STATISTICS

Offense	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Murder / Non-Negligent Manslaughter	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Negligent Manslaughter	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Sex Offense - Rape * ~	2023	0	0	0	0	0
	2022	3	0	0	3	1
	2021	4	0	0	4	4
Sex Offense - Fondling	2023	4	0	0	4	3
	2022	1	0	0	1	0
	2021	2	0	0	2	2
Sex Offense - Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Sex Offense - Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Burglary	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

\* One (1) 2022 Sex Offense - Rape report was received in 2022 of a non-consensual sexual incident that was alleged to have occurred in 2021 but the location was not known.

~ The College received a report in 2022 of a non-consensual sexual relationship involving two parties from 28 years ago and that the College does not know the actual number of sexual assaults that took place within Clery Act geography based on what was reported.

Arrests	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
<i>&gt; Source - Local Law Enforcement</i>						
Drug Law Arrests	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Liquor Law Arrests	2023	0	3	0	3	0
	2022	3	0	0	3	0
	2021	1	0	0	1	0
Weapons Law Arrests	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

Disciplinary Action Referrals	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
<i>&gt; Source - Residence Life</i>						
Drug Law Violations / Disciplinary Action	2023	22	0	0	22	19
	2022	22	0	0	22	22
	2021	58	0	0	58	58
Liquor Law Violations / Disciplinary Action	2023	34	0	0	34	34
	2022	30	0	0	30	30
	2021	157	0	0	157	111
Weapon Law Violations / Disciplinary Action	2023	0	0	0	0	0
	2022	1	0	0	1	0
	2021	1	0	0	1	1

VAWA	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Domestic Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Dating Violence	2023	3	0	0	3	2
	2022	1	0	0	1	1
	2021	0	0	0	0	0
Stalking	2023	2	1	0	3	1
	2022	1	0	0	1	1
	2021	1	0	0	1	1

Incidents reported in these categories may also be included in a crime "Offense" category.

Incidents may also be reflected in more than one of the above categories (i.e. if the incident involved both dating violence and stalking would be reflected as one incident in each category)



### Hate Crime Statistics

Federal law requires colleges to summarize and publish the reports received of hate crimes on their campuses. Colleges must separately identify which of the reported crimes listed in the above chart involve victims who were intentionally selected because of their actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.

	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
<b>Murder / Non-Negligent Manslaughter</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offense - Rape</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offense - Fondling</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offense - Incest</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offense - Statutory Rape</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Negligent Manslaughter</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Robbery</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arson</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Simple Assault</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Larceny/Theft</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	2	0	0	2	0	2	0	0	0	0	0	0	0
<b>Intimidation</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Property Damage</b>	<b>2023</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	4	0	0	4	4	0	0	4	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0

2022: 1 Destruction / Damage / Vandalism of Property incident characterized by sexual orientation in the form of graffiti occurred in an on-campus student housing facility room door where 4 students reside.

2021: 2 Larceny/Theft incidents characterized by race occurred with the theft of lawn signs near staff housing.

2023 - 0 unfounded crimes / 2022 - 0 unfounded crimes / 2021 - 0 unfounded crime



## SECTION 4. FIRE SAFETY

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### INTRODUCTION

The Higher Education Opportunity Act requires all institutions of higher education that maintain on-campus housing to publish an annual Fire Safety Report. This report contains the information required by the HEOA for Lake Forest College including fire safety practices and a fire log with statistics regarding residential facility fires.

### Fire Safety Information/Policies (as printed in Student Handbook)

#### Fire Safety

##### To Report a Fire, Call 911

Fire safety is of paramount importance to everyone in the College community. To adequately safeguard lives, when there is a fire alarm all individuals are required to evacuate the building, closing room doors on the way out. Failure to evacuate will result in a \$150 fine. Once outside, all individuals must move to an area designated by Residence Life staff. All fire alarms are presumed to be real. In the event of smoke or fire, immediately sound the nearest fire alarm to alert and evacuate other residents. Dial 911 or call the Department of Public Safety at ext. 5555, and give your name, building, and specific information about the fire.

If you are in a room and the fire alarm has sounded, do not open the door until you check for smoke around the cracks and feel the surface of the door. If it is hot, do not open it. Seal up the cracks around the door with sheets or towels. Open the window slightly and hang a visible object to alert fire safety officials and identify your location and presence. If the door seems cool, open it cautiously and proceed rapidly to a clear exit, closing all doors behind you.

All residents must leave the building immediately. Residents are not to re-enter the building until instructed to do so by the Fire Department, a Public Safety Officer or a member of Residence Life staff. Residents who refuse or fail to vacate or return to the building before they are told to do so will be issued a Notice of Alleged Violation and are subject to disciplinary action.

In compliance with all local and state fire ordinances, all residents should be aware of the following safety guidelines:

#### Room Decorations

Tapestries should be set against the wall and well away from all outlets. Room furnishings must not impede quick access to corridors from the sleeping areas, especially in the quad rooms in Gregory, McClure, and

Roberts. Fire retardant sprays are suggested for all wall coverings.

#### Smoke Detectors

Smoke detectors are furnished in each residence room and must not be tampered with or disconnected. Covering or disconnecting smoke detectors is prohibited. \$50 fine will be assessed for each disabled smoke detector, in addition to the cost of repair or reconnection. Additional smoke detectors and approved extension cords are available at local hardware stores.

#### *Prohibited Items*

The following are prohibited in residence halls, including lounges:

- 1) Storage of flammable materials (including charcoal and lighter fluids)
- 2) Storage of newspapers in large quantities
- 3) Storage of motor-driven vehicles
- 4) Storage that impedes access to rooms
- 5) Live cut trees
- 6) Storage of/discharging of fireworks
- 7) Halogen lamps
- 8) Candles (even for decoration), incense, and potpourri burners
- 9) Fog or smoke machines

#### *False Alarms or Tampering with Fire Safety Equipment*

False alarms or tampering with fire safety equipment violates Illinois law and will be severely dealt with through the student conduct process. Tampering with fire safety equipment (e.g., fire extinguishers, smoke detectors, sprinkler heads, fire evacuation stickers) is prohibited and will result in a minimum \$100 fine and disciplinary action. The mishandling of fire extinguishers and fire alarms is prohibited. The inappropriate discharge of a fire extinguisher will result in a \$100 fine plus refilling costs in addition to disciplinary action. Sounding a false fire alarm is a felony and will be treated as such. Additionally, a \$500 fine will be charged. Individuals mishandling safety equipment will be dealt with severely and be issued the fines.

#### *Fire Escapes and Fire Doors*

Fire escapes and fire doors are to be used only when the alarm sounds. Use of fire escapes or fire doors is strictly prohibited at all other times.

#### *Automatic Sprinkler Systems*

Some of our residence halls are equipped with automatic sprinkler systems. These systems are effective, secure, and designed to only react to heat. Tampering with the individual sprinkler heads, such as



knocking it or hanging something on it, can cause the sprinkler head to discharge water. If a sprinkler head discharges because of tampering, the student may be held responsible for any and all costs associated with damage to personal and College property and any resulting costs associated with the ensuing cleanup.

### Fire Education and Training Programs

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the College's fire safety policies. Information distributed includes maps of each facility's evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a "buddy" assigned to assist him or her.

### Reporting Fires

The College is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency, ensure your own safety and then call 911.

There may also be instances when a fire is extinguished quickly, and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the Department of Public Safety at 847-735-5555. When providing notification of a fire, give as much information as possible about the location, date, time and cause of the fire.

### Plans for Future Improvements

The College periodically reviews its fire safety protections and procedures. At this time, the College does not perceive a need for other immediate improvements but will continue to remain vigilant.

## 2023

### Fire Statistics

### Fire Safety Systems

Building	# of Fires	Date	Cause	Injuries	Deaths	Property	Report #	Supervised		Fire		# of Supervised	Evacuation
				Requiring	Related to	Damage		Alarm	Sprinkler	Smoke	Extinguishers		
				Treatment	Fire	Value		System	System	Detection	in Building	Calendar Yr	Plans
Blackstone Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Cleveland-Young	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Deerpath Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Gregory Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Harlan Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Lois Durand Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
McClure Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Moore Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Nollen Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Roberts Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Vail House	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes

All building addresses are designated as 555 N. Sheridan Road, Lake Forest, IL

## 2022

### Fire Statistics

### Fire Safety Systems

Building	# of Fires	Date	Cause	Injuries	Deaths	Property	Report #	Supervised		Fire		# of Supervised	Evacuation
				Requiring	Related to	Damage		Alarm	Sprinkler	Smoke	Extinguishers		
				Treatment	Fire	Value		System	System	Detection	in Building	Calendar Yr	Plans
Blackstone Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Cleveland-Young	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Deerpath Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Gregory Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Harlan Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Lois Durand Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
McClure Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Moore Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Nollen Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes
Roberts Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	1	Yes

All building addresses are designated as 555 N. Sheridan Road, Lake Forest, IL



**2021**

**Fire Statistics**

**Fire Safety Systems**

Building	# of Fires	Date	Cause	Fire Statistics			Report #	Fire Safety Systems					
				Injuries Requiring Treatment	Deaths Related to Fire	Property Damage Value		Supervised Alarm System	Supervised Sprinkler System	Supervised Smoke Detection	Fire Extinguishers in Building	# of Supervised Drills Per Yr	Evacuation Plans
Blackstone Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Cleveland-Young	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Deerpath Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Gregory Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Harlan Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Lois Durand Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
McClure Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Moore Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Nollen Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes
Roberts Hall	0	n/a		0	0	0	n/a	Yes	Yes	Yes	Yes	0	Yes

All building addresses are designated as 555 N. Sheridan Road, Lake Forest, IL

## SECTION 5. APPENDIX A

### LEGAL SANCTIONS - DRUGS

#### Federal Drug Penalties

Federal law penalizes the manufacture, distribution, possession with intent to manufacture or distribute, and simple possession of drugs (“controlled substances”). Federal penalties and sanctions for the simple possession of a controlled substance are quite severe. The law sets forth sentences and fines that include the following:

- First conviction: Up to one-year imprisonment, a fine of at least \$1,000, or both.
- After one prior drug conviction: At least 15 days in prison, not to exceed two years, and a fine of at least \$2,500.
- After two or more prior drug convictions: At least 90 days in prison, not to exceed three years, and a fine of at least \$5,000. Note: A special, harsher sentencing provision applies for possession of flunitrazepam (Rohypnol) and crack cocaine. (21 U.S.C. §844(a))
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment, as well as forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance. (21 U.S.C. §§853(a) & 881(a))
- Suspension of eligibility for federal financial aid for students convicted under federal or state law for the sale or possession of drugs, including, but not limited to, federal grants, loans, and federal work study programs. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can seek to regain eligibility by successfully completing an approved drug rehabilitation program. (20 U.S.C. §1091(r))
- Denial and/or revocation of federal benefits, such as grants, contracts, loans and professional and commercial licenses, up to five years for the first offense, up to 10 years for the second offense, and permanently upon the third offense. (21 U.S.C. §862) (Authority to deny or revoke federal licenses and benefits is generally vested within the granting federal agencies.)
- Ineligibility to receive or purchase a firearm. (18 U.S.C. §922(g))

Penalties may be doubled, however, when a person at least 18 years old: (1) distributes a controlled substance to a person under 21 years of age (a term of imprisonment for this offense shall not be less than one year), and/or (2) distributes, possesses with intent to distribute, or manufactures a controlled substance in or on, or within 1,000 feet of, the real property comprising a public or private elementary or secondary school, or a public or private college. (21 U.S.C. §§859 & 860)

Federal penalties and sanctions for trafficking in controlled substances are considerably more severe than those outlined previously for simple possession.

#### Federal Trafficking Penalties

FEDERAL TRAFFICKING PENALTIES				
DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Ana-logue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture	100 gm or more pure or 1 kg or more mixture		



PENALTIES		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Flunitrazepam (Schedule IV)	1 gram	
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

Source: [https://www.dea.gov/sites/default/files/2018-06/drug\\_of\\_abuse.pdf](https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf)

### Federal Trafficking Penalties – Marijuana

FEDERAL TRAFFICKING PENALTIES—MARIJUANA			
DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	1 to 49 marijuana plants;		
Hashish Oil (Schedule I)	10 kg or less		
	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

Source: [https://www.dea.gov/sites/default/files/2018-06/drug\\_of\\_abuse.pdf](https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf)

### State Drug Penalties

The Illinois Criminal Code classifies drug-related offenses (for example, manufacture or delivery of a controlled substance, engaging in a calculated criminal drug conspiracy, drug trafficking, unauthorized possession, etc.) as either Class A misdemeanors or Class 1, 2, 3, 4, or X felonies depending on the severity and nature of the conduct. The following criminal penalties are applicable to the identified categories of offenses:

STATE PENALTIES		
CATEGORY OF OFFENSE	MONETARY FINES	IMPRISONMENT
Class A Misdemeanor	\$1,000	Up to 1 year
Class X Felony	Up to \$500,000	6 to 60 years
Class 1 Felony	Up to \$250,000	4 to 15 years
Class 2 Felony	Up to \$200,000	3 to 7 years
Class 3 Felony	Up to \$150,000	2 to 4 years
Class 4 Felony	Up to \$15,000	1 to 3 years

Illinois statutes cover a wide range of drug offenses. See 720 ILCS 550/1, et seq. (cannabis); 720 ILCS 570/401, et seq. (other controlled substances). Sentences and fines for simple possession of various controlled substances are summarized below. (Penalties may include prison terms and/or fines.



Under Illinois law, conviction of a drug possession offense results in a fine of no less than full street value of the substance seized, in addition to all other penalties.)

Any substance containing HEROIN

Amount	Felony Status	Prison Term	Fine
15-<100 gm	Class 1	4-15 years	Up to \$200,000
100-<400 gm	Class 1	6-30 years	Up to greater of \$200,000 or full street value
400-<900 gm	Class 1	8-40 years	Up to greater of \$200,000 or full street value
900+ gm	Class 1	10-50 years	Up to greater of \$200,000 or full street value

Any substance containing COCAINE

Amount	Felony Status	Prison Term	Fine
15-<100 gm	Class 1	4-15 years	Up to \$200,000
100-<400 gm	Class 1	6-30 years	Up to greater of \$200,000 or full street value
400-<900 gm	Class 1	8-40 years	Up to greater of \$200,000 or full street value
900+ gm	Class 1	10-50 years	Up to greater of \$200,000 or full street value

Any substance containing MORPHINE

Amount	Felony Status	Prison Term	Fine
15-<100 gm	Class 1	4-15 years	Up to \$200,000
100-<400 gm	Class 1	6-30 years	Up to greater of \$200,000 or full street value
400-<900 gm	Class 1	6-40 years	Up to greater of \$200,000 or full street value
900+ gm	Class 1	10-50 years	Up to greater of \$200,000 or full street value

Any substance containing PEYOTE

Amount	Felony Status	Prison Term	Fine
200+ gm	Class 1	4-15 years	Up to \$200,000

Any substance containing a derivative of BARBITURIC ACID

Amount	Felony Status	Prison Term	Fine
200+ gm	Class 1	4-15 years	Up to \$200,000

Any substance containing AMPHETAMINE

Amount	Felony Status	Prison Term	Fine
200+ gm	Class 1	4-15 years	Up to \$200,000

Any substance containing METHAMPHETAMINE

Amount	Felony Status	Prison Term	Fine
<5 gm	Class 3	2-5 years	Up to \$25,000
5-<15 gm	Class 2	3-7 years	Up to \$25,000
15-<100 gm	Class 1	4-15 years	Up to \$25,000
100-<400 gm	Class X	6-30 years	Up to \$100,00
400-<900 gm	Class X	8-40 years	Up to \$200,000
900+ gm	Class X	10-50 years	Up to \$300,000

Any substance containing LSD

Amount	Felony Status	Prison Term	Fine
15-<100 gm or 15-199 objects/parts	Class 1	4-15 years	Up to \$200,000
100-<400 gm or 200-599 objects/parts	Class 1	6-30 years	Up to greater of \$200,000 or full street value
400-<900 gm or 600-1499 objects/parts	Class 1	8-40 years	Up to greater of \$200,000 or full street value
900+ gm or 1500+ objects/parts	Class 1	10-50 years	Up to greater of \$200,000 or full street value

Any substance containing PENTAZOCINE, KETAMINE, METHAQUALONE, or PCP

Amount	Felony Status	Prison Term	Fine
30+ gm	Class 1	4-15 years	Up to \$200,000

Any other substance classified in Schedule I or II as a narcotic drug

Amount	Felony Status	Prison Term	Fine
200+ gm	Class 1	4-15 years	Up to \$200,000

Any controlled substance other than METHAMPHETAMINE and ANABOLIC STEROID

Amount	Felony Status	Prison Term	Fine
Any other amount	Class 4	1-3 years	Up to \$25,000

Illinois Penalties for Possession of MARIJUANA (includes HASHISH)

Amount	Classification	Prison Term	Fine
Up to 10.0 gm	City Violation	None	Up to \$1,500
>10.0 - 30.0 gm	Class A Misdemeanor	Less than 1 year	Up to \$2,500
	Class 4 Felony for 2nd and subsequent offenses	1-3 years	Up to \$25,000
>30.0 - 500.0 gm	Class 4 Felony	1-3 years	Up to \$25,000
	Class 3 Felony for 2nd and subsequent offenses	2-5 years	Up to \$25,000





>500.0 - 2,000.0 gm	Class 3 Felony	2-5 years	Up to \$25,000
>2,000.0 - 5,000.0 gm	Class 2 Felony	3-7 years	Up to \$25,000
>5,000.0 gm	Class 1 Felony	4-15 years	Up to \$25,000

Illinois Penalties for Possession of ANABOLIC STEROIDS

Amount	Classification	Prison Term	Fine
Any	Class C Misdemeanor	Up to 30 days	Up to \$1,500
Any	Class B Misdemeanor for 2nd and subsequent offense within 2 years	Up to 6 months	Up to \$1,500

In addition to the sanctions listed above, the following additional penalties for possession of an illegal substance are prescribed by Illinois law.

- Possession of cannabis plants may result, depending on the number of plants, in prison terms of up to 15 years and fines of up to \$25,000 plus costs.
- Conviction of a drug-related offense involving possession or delivery under the Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act, in addition to all other penalties, results in a fine of no less than full street value of the substance seized.
- As with federal law, Illinois law provides much stiffer penalties for trafficking in a controlled substance. ("Trafficking" means the manufacture of, delivery of, or possession with intent to deliver controlled substances or marijuana.) Sentences and fines for trafficking in controlled substances are summarized in the chart below. (Under Illinois law, conviction of a drug delivery offense results in a fine of no less than full street value of the substance seized, in addition to all other penalties imposed.)

Any substance containing HEROIN or analog thereof

Amount	Felony Status	Prison Term	Fine
1-<15 gm	Class 1	4-15 years	Up to \$250,000
15-<100 gm	Class X	6-30 years	Up to \$500,000
100-<400 gm	Class X	9-40 years	Up to greater of \$500,000 or full street value
400-<900 gm	Class X	12-50 years	Up to greater of \$500,000 or full street value
900+ gm	Class X	15-60 years	Up to greater of \$500,000 or full street value

Any substance containing FENTANYL or analog thereof

Amount	Felony Status	Prison Term	Fine
1-<15 gm	Class 1	4-15 years	Up to \$250,000 15-
<100 gm	Class X	6-30 years	Up to \$500,000
100-<400 gm	Class X	9-40 years	Up to \$500,000
400-<900 gm	Class X	12-50 years	Up to \$500,000
900+ gm	Class X	15-60 years	Up to \$500,000

\* If any amount of FENTANYL is combined with another controlled substance, 3 years are added to the prison term.

Any substance containing COCAINE or analog thereof

Amount	Felony Status	Prison Term	Fine
1-<15 gm	Class 1	4-15 years	Up to \$250,000
15-<100 gm	Class X	6-30 years	Up to \$500,000
100-<400 gm	Class X	9-40 years	Up to greater of \$500,000 or full street value
400-<900 gm	Class X	12-50 years	Up to greater of \$500,000 or full street value
900+ gm	Class X	15-60 years	Up to greater of \$500,000 or full street value

Any substance containing MORPHINE or analog thereof

Amount	Felony Status	Prison Term	Fine
10-<15 gm	Class 1	4-15 years	Up to \$250,000
15-<100 gm	Class X	6-30 years	Up to \$500,000
100-<400 gm	Class X	9-40 years	Up to greater of \$500,000 or full street value
400-<900 gm	Class X	12-50 years	Up to greater of \$500,000 or full street value
900+ gm	Class X	15-60 years	Up to greater of \$500,000 or full street value

Any substance containing PEYOTE or analog thereof

Amount	Felony Status	Prison Term	Fine
50-<200 gm	Class 1	4-15 years	Up to \$250,000
200+ gm	Class X	6-30 years	Up to \$500,000

Any substance containing BARBITURIC ACID or analog thereof

Amount	Felony Status	Prison Term	Fine
50-<200 gm	Class 1	4-15 years	Up to \$250,000
200+ gm	Class X	6-30 years	Up to \$500,000



Any substance containing AMPHETAMINE or analog thereof

Amount	Felony Status	Prison Term	Fine
50-<200 gm	Class 1	4-15 years	Up to \$250,000
200+ gm	Class X	6-30 years	Up to \$500,000

Any substance containing LSD or analog thereof

Amount	Felony Status	Prison Term	Fine
5-<15 gm or >10 but <15 objects/parts	Class 1	4-15 years	Up to \$250,000
15-<100 gm or 15-199 objects/parts	Class X	6-30 years	Up to \$500,000
100-<400 gm or 200-599 objects/parts	Class X	9-40 years	Up to greater of \$500,000 or full street value
400-<900 gm or 600-1499 objects/parts	Class X	12-50 years	Up to greater of \$500,000 or full street value
900+ gm or 1500+ objects/parts	Class X	15-60 years	Up to greater of \$500,000 or full street value

Any substance containing METHAMPHETAMINE

Amount	Felony Status	Prison Term	Fine
<5 gm	Class 2	3-7 years	Up to \$25,000
5-<15 gm	Class 1	4-15 years	Up to \$25,000
15-<100 gm	Class X	6-30 years	Up to greater of \$100,000 or street value
100-<400 gm	Class X	9-40 years	Up to greater of \$200,000 or street value
400-<900 gm	Class X	12-50 years	Up to greater of \$300,000 or street value
900+ gm	Class X	15-60 years	Up to greater of \$400,000 or street value

\* Manufacture of methamphetamine is subject to harsher penalties as set forth in 720 ILCS 646/15(a) (2015).

Any substance containing PENTAZOCINE, KETAMINE, METHAQUALONE, PCP or analog thereof

Amount	Felony Status	Prison Term	Fine
10-<30 gm	Class 1	4-15 years	Up to \$250,000
30+ gm	Class X	6-30 years	Up to \$500,000

Any substance containing HYDROCODONE, DIHYDROCODEINONE, DIHYDROCODEINE, OXYCODONE or analog thereof

Amount	Felony Status	Prison Term	Fine
50-<100 gm	Class 1	4-15 years	Up to \$250,000
100+ gm	Class X	6-30 years	Up to \$500,000
Any amount not listed above	Class 2	3-7 years	Up to \$200,000

Any other substance or analog classified in Schedule I or II, but not listed here

Amount	Felony Status	Prison Term	Fine
50-<200 gm	Class 1	4-15 years	Up to \$250,000
200+ gm	Class X	6-30 years	Up to \$500,000

Any substance or analog classified in Schedule I or II that is a narcotic drug or contains LSD, AMPHETAMINE, FENTANYL, or BZP

Amount	Felony Status	Prison Term	Fine
Any amount not listed above	Class 2	3-7 years	Up to \$200,000

Any substance or analog classified in Schedule I or II that is not METHAMPHETAMINE

Amount	Felony Status	Prison Term	Fine
Any amount not listed above	Class 3	2-5 years	Up to \$150,000

Any substance classified in Schedule III

Amount	Felony Status	Prison Term	Fine
Any amount not listed above	Class 3	2-5 years	Up to \$125,000

Any substance classified in Schedule IV

Amount	Felony Status	Prison Term	Fine
Any amount not listed above	Class 3	2-5 years	Up to \$100,000

Any substance classified in Schedule V

Amount	Felony Status	Prison Term	Fine
Any amount not listed above	Class 3	2-5 years	Up to \$75,000

\* Schedules I-V may be found in 720 ILCS §§ 570/204, 570/206, 570/208, and 570/212 (2012).

Illinois Penalties for MARIJUANA Trafficking (includes HASHISH)

Amount	Classification	Prison Term	Fine
Up to 2.5 gm	Class B Misdemeanor	Up to 6 months	\$1,500
>2.5-10.0 gm	Class A Misdemeanor	Less than 1 year	\$2,500
>10-30.0 gm	Class 4 Felony	1-3 years	\$25,000
>30-500.0 gm	Class 3 Felony	2-5 year	Up to \$50,000
>500-2,000.0 gm	Class 2 Felony	3-7 years	Up to \$100,000
>2,000-5,000.0 gm	Class 1 Felony	4-15 years	Up to \$150,000
>5,000.0 gm	Class X Felony	6-30 years	Up to \$200,000

In addition to these sanctions, the following additional penalties are prescribed by Illinois law. Conviction for the following may result in imprisonment, a fine, or both up to double the maximum otherwise authorized:



- Conviction for a second or subsequent offense under the Controlled Substances Act. A prior conviction under federal law or the law of any other state makes a conviction under Illinois law a second offense.
- Conviction for “cannabis trafficking” of 2,500 grams or more or for “controlled substances trafficking” (i.e., bringing these items into Illinois for purposes of manufacture or delivery).
- Conviction for delivery of a controlled substance by a person over 18 to a person under 18.
- Conviction for delivery of cannabis (marijuana or hashish) by a person over 18 to a person under 18 who is at least three years younger.
- Conviction for delivery of a controlled substance to a woman known to be pregnant.
- A person over 18 who uses another person under 18 to deliver controlled substances may be sentenced to imprisonment for a term up to three times the maximum otherwise authorized.

Violation of provisions of the Controlled Substances Act in or on the grounds of any school or public housing complex, or within 1,000 feet of the same, will increase the felony status (and prison term) and the applicable fine.

Participation in any conspiracy with respect to cannabis may result in imprisonment for two to five years and a fine of up to \$200,000 plus certain forfeitures.

### Relevant City of Lake Forest Drug Ordinances

#### § 135.028 ILLEGAL CONTROLLED SUBSTANCE.

It shall be unlawful except as authorized by state statute, for any person knowingly to possess, sell, offer for sale, give, produce, manufacture, deliver or possess with intent to deliver or manufacture any controlled substance as listed in Ill. Rev. Stat. Ch. 56, §§ 1204, 1206, 1208 and 1210.

(Prior Code, § 47-7.15) Penalty, see § 135.999

#### § 135.029 ILLEGAL CONTROL OF CANNABIS.

(A) Cannabis includes marijuana, hashish and other substances which are identified as including any parts of the plant Cannabis Sativa, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, sale, derivative, mixture or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination).

(B) It shall be unlawful to possess, sell, offer to sell, give produce, manufacture, deliver or possess with intent to deliver or manufacture, cannabis which includes marijuana, hashish or other derivatives from any part of the plant Cannabis Sativa.

(Prior Code, § 47-7.16) Penalty, see § 135.999

#### § 135.999 PENALTY.

(A) Whoever violates any provisions of §§ 135.001 through 135.009, 135.025 through 135.029, 135.055 through 135.059, 135.075 through 135.076 and 135.090 through 135.092 shall, upon conviction be fined not less than \$25, nor more than \$750, for each offense. In addition, any cost of collection of fines or other amounts due to the city hereunder may be assessed in accordance with § 10.99 of this code.

(Prior Code, § 47-7.25)

(B) (1) Whoever violates any provisions of §§ 135.010 through 135.013, 135.040 through 135.042, 135.060 and 135.061, 135.093, 135.105 through 135.108 and 135.120 through 135.121, except where another penalty is specifically provided, shall be punished by a fine of not less than \$10, nor more than \$750 for each offense.

(Prior Code, § 26-18)

(2) Any person who damages, defaces or otherwise interferes with public property shall reimburse the city for all costs of repairs to such public property within 30 days after receipt of invoice therefor from the city.

(3) In addition, any costs of collection of fines, charges or payments due under §§ 135.010 through 135.013, 135.040 through 135.042, 135.060 and 135.061, 135.093, 135.105 through 135.108, 135.120 and 135.121 may be assessed in accordance with § 10.99(B) of this code.

(C) (1) Any minor who violates any provision of §§ 135.135 through 135.139 shall be punished by a fine not to exceed \$100 for the first offense, \$150 for the second offense and \$200 each for the third and subsequent offenses.

(2) Any person, other than a minor, who violates any provision of §§ 135.135 through 135.139 shall be punished by a fine not to exceed \$200 for the first offense, \$400 for the second offense and \$600 each for the third and subsequent offenses.

(3) In addition to, or in lieu of, the above penalties, any minor who violates any provision of §§ 135.135 through 135.139 may be required to fulfill a term of community service of not less than ten hours for the first offense, 20 hours for the second offense, and 30 hours each for the third and subsequent offenses. This service may include service in the pulmonary unit of a community hospital, or the like.

(4) Any person, corporation, or other legal entity, whether public or private, who is determined to be in violation of § 135.135(C) as a first offense, during a calendar year, shall be subject to suspension of their license to sell tobacco products for seven consecutive days when said business is open for business, in addition to the fine as specified in §§ 135.135 through 135.139.



(5) Any person, corporation, or other legal entity, whether public or private, who is determined to be in violation of § 135.135(C) as a second offense, during a calendar year, shall be subject to suspension of their license to sell tobacco products for 30 consecutive days, when said business is open for business, in addition to the fine as specified in §§ 135.135 through 135.139.

(6) Any person, corporation or other legal entity, whether public or private, who is determined to be in violation of § 135.135(C) as a third offense, during a calendar year, shall be subject to suspension of their license to sell tobacco products for 180 days when said business is open for business, in addition to the fine as specified in §§ 135.135 through 135.139

(7) Any person, corporation or other legal entity, whether public or private, who is determined to be in violation of § 135.135(C) as more than three offenses, during a calendar year, or any sale or delivery of tobacco products of any kind whatsoever that is deemed to have taken place during a term of suspension will result in permanent revocation of the offender's license to sell tobacco products.

(Prior Code, § 26-101)

(Ord. 97-39, passed 1-15-1998; Ord. 00-14, passed 4-3-2000; Ord. 03-37, passed 7-7-2003)

## LEGAL SANCTIONS - ALCOHOL

### State of Illinois Alcohol Sanctions

Providing alcohol to an individual under the age of 21: Maximum \$2,500 fine and up to a year in jail for a misdemeanor offense. Felony offense can result in a prison sentence of a year or more and fines up to \$25,000.

NEW SOCIAL HOST LAW! It is a \$500 minimum fine (with a maximum \$2,500 fine and up to one year in jail) to knowingly allow underage drinking to occur at a private residence. If serious injury or death occurs because of this activity, individuals are subject to a Class 4 felony (up to three years in prison and fines up to \$25,000).

Possession, consumption, purchase, or receipt of alcohol by an individual under the age of 21 years of age: 3-month suspension of driving privileges for court supervision, 6 mos. for first conviction, 1 year for second conviction, and license revocation for subsequent convictions.

Illegal transportation of alcohol in an automobile by an individual under the age of 21: Transporting alcohol is illegal, and anyone in the vehicle can be charged with a maximum \$1,000 fine. For the driver, the penalty is mandatory driver's license suspension for one year on the first offense, and mandatory one-year revocation for subsequent offenses.

<https://www2.illinois.gov/ilcc/Education/Pages/Under21Laws.aspx>

#### "USE IT AND LOSE IT" — ZERO TOLERANCE

(Blood Alcohol Content over 0.0 while driving a vehicle)

- 1st OFFENSE: Three-month suspension of driving privileges; six-month suspension with refusal of alcohol testing.
- 2nd OFFENSE (before age 21): One-year suspension of driver's license; two-year suspension with refusal of testing.

NEW LAW! To obtain driving relief, you MUST be 18+ years old, serve 30 days of "hard" suspension, and drive a Breath Alcohol Ignition Interlock Device (BAIID) equipped vehicle. Driving without a BAIID is a Class 4 felony. Penalties include a minimum of 30 days in jail (or 300 hours community service), up to three years in prison, and fines up to \$25,000.

#### D.U.I. ARREST DRIVING SANCTIONS

(BAC of at least .08%, a showing of other drugs, or refusing to submit to alcohol or drug testing)

- 1st OFFENSE: Six-month suspension of driving privileges; one-year suspension with refusal of testing.
- 2nd OFFENSE: (within 5 years): One-year suspension of driving privileges; three-year suspension with refusal of testing. No driving relief possible.

#### UNDERAGE D.U.I. CONVICTIONS

- 1st CONVICTION: Up to one year in jail and fines up to \$2,500. Two-year minimum revocation of driver's license. Not eligible for driving relief until the second year.
- 2nd CONVICTION: Up to one year in jail and fines up to \$2,500. Revocation of driver's license for minimum five years or until age 21, whichever is longer. Mandatory minimum imprisonment of five days (or 240 hours of community service).
- AGGRAVATED DUI (any DUI resulting in a felony charge, including a DUI resulting in great bodily harm or death; a third or subsequent DUI conviction; or committing a DUI without a valid license, permit, or insurance). Penalties include: Imprisonment of up to 14 years for DUI resulting in the loss of life; Imprisonment of up to 28 years for multiple fatalities; Felony charges vary for offense from a Class 4 felony (one to three years imprisonment) to a Class X felony (6-30 years); Minimum revocation periods vary for offense from a minimum of one year to mandatory life.

### Relevant City of Lake Forest Alcohol Ordinances

§ 111.076 PROHIBITIONS REGARDING MINORS.



(B) Consumption, purchase and possession prohibited. No minor shall consume alcoholic liquor, purchase alcoholic liquor, accept a gift of alcoholic liquor or have alcoholic liquor in his or her possession; provided, however, that, this division (B) shall not prohibit the consumption of alcoholic liquor by a minor in the performance of a religious ceremony or service or in a home pursuant to the direct supervision and approval of the parent or legal guardian of such minor.

(Prior Code, § 4-22) (Ord. 2013-26, passed 5-20-2013) Penalty, see § 111.999

§ 111.999 PENALTY.

(A) Each day on which or during which any person violates any of the provisions of this chapter, and each separate act or transaction in violation of this chapter, shall constitute a separate offense.

(C) Except where higher minimum penalties are established by statute, and in addition to the penalties provided in § 111.105 of this chapter, any person who violates any provision of this chapter may be fined not less than \$50, nor more than \$750, for the first such violation and not less than \$100, nor more than \$750, for the second and each subsequent violation. Each day on which a violation occurs shall constitute a separate violation.

(Prior Code, § 4-26)

(Ord. 2013-26, passed 5-20-2013)

### FEDERAL AND STATE FAKE ID PENALTIES

Under federal law, the use, transfer, or production of identification that is false, altered, tampered with, or fraudulently obtained is punishable by up to 15 years imprisonment and a fine of up to \$250,000. Possession of such identification is punishable in some cases by up to five years imprisonment and a fine of up to \$250,000.

Under Illinois law, possession, advertisement, manufacture, distribution, or sale of a driver’s license or identification card that is “fraudulent” (i.e., produced by someone other than a government office) is a Class 4 felony punishable by one to three years imprisonment and up to \$25,000. Possession, transfer, or use of “fictitious” identification (a genuine identification with false information), lending or using the identification of another, or altering an identification is punishable by up to one year imprisonment and a fine of up to \$2,500. Persons under 21 who present or offer false evidence for purposes of obtaining or purchasing alcohol shall be fined between \$500 and \$2,500, must perform at least 25 hours of community service, and may be jailed for up to one year.

## SECTION 6. APPENDIX B

### RELEVANT ILLINOIS CRIMINAL CODE DEFINITIONS

Crime Type (Illinois Compiled Statutes)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Illinois law does not define the term dating violence.
Domestic Violence	<p>Illinois’ Domestic Violence Act indicates that “domestic violence” means “abuse”, which means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis. (750 Ill. Comp. Stat. § 60/103).</p> <p>In addition, Illinois law includes the following:</p> <ul style="list-style-type: none"> <li>• Domestic Battery (720 Ill. Comp. Stat. § 5/12-3.2): A person commits domestic battery if he or she knowingly without legal justification: (1) Causes bodily harm to any family or household member; (2) Makes physical contact of an insulting or provoking nature with any family or household member.</li> <li>• Aggravated Domestic Battery (720 Ill. Comp. Stat. § 5/12-3.3): (a) A person who, in committing a domestic battery, knowingly causes great bodily harm, or permanent</li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>disability or disfigurement commits aggravated domestic battery. (a-5) A person who, in committing a domestic battery, strangles another individual commits aggravated domestic battery. For the purposes of this subsection (a-5), "strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.</p> <ul style="list-style-type: none"> <li>• For purposes of the above crimes, "family or household members" is defined at 750 Ill. Comp. Stat. § 5/12-0.1 as: "Family or household members" include spouses, former spouses, parents, children, stepchildren, and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of this Code. For purposes of this Article, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship.</li> </ul>
Stalking	<ul style="list-style-type: none"> <li>• Stalking (720 Ill. Comp. Stat. § 5/12-7.3): <ul style="list-style-type: none"> <li>▪ A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress.</li> <li>▪ A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or (2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.</li> <li>▪ A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion: (1) follows that same person or places that same person under surveillance; and (2) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person. <ul style="list-style-type: none"> <li>• Aggravated Stalking (720 Ill. Comp. Stat. § 5/12-7.4): A person commits aggravated stalking when he or she commits stalking and: (1) causes bodily harm to the victim; (2) confines or restrains the victim; or (3) violates a</li> </ul> </li> </ul> </li> </ul>

Crime Type (Illinois Compiled Statutes)	Definitions
	<p>temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986.</p> <ul style="list-style-type: none"> <li>• Cyberstalking (720 Ill. Stat. § 5/12-7.5):           <ul style="list-style-type: none"> <li>▪ A person commits cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person, and he or she knows or should know that would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress.</li> <li>▪ A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; or (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</li> <li>▪ A person commits cyberstalking when he or she, knowingly and without lawful justification, creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours, and which contains statements harassing another person and: (1) which communicates a threat of immediate or future bodily harm, sexual assault, confinement, or restraint, where the threat is directed towards that person or a family member of that person, or (2) which places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint, or (3) which knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</li> <li>▪ A person commits cyberstalking when he or she knowingly, surreptitiously, and without lawful justification, installs or otherwise places electronic monitoring software or spyware on an electronic communication device as a means to harass another person and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</li> </ul> </li> </ul>
Sexual Assault	<ul style="list-style-type: none"> <li>• Criminal Sexual Assault (720 Ill. Comp. Stat. § 5/11-1.20) A person commits criminal sexual assault if that person commits an act of sexual</li> </ul>

<p>Crime Type (Illinois Compiled Statutes)</p>	<p>Definitions</p>
	<p>penetration and: (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.</p> <ul style="list-style-type: none"> <li>• Aggravated Criminal Sexual Assault (720 Ill. Comp. Stat. § 5/11-1.30): <ul style="list-style-type: none"> <li>a) A person commits aggravated criminal sexual assault if that person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense: (1) the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon; (2) the person causes bodily harm to the victim, except as provided in paragraph (10); (3) the person acts in a manner that threatens or endangers the life of the victim or any other person; (4) the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony; (5) the victim is 60 years of age or older; (6) the victim is a person with a physical disability; (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes; (8) the person is armed with a firearm; (9) the person personally discharges a firearm during the commission of the offense; or (10) the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.</li> <li>b) A person commits aggravated criminal sexual assault if that person is under 17 years of age and: (i) commits an act of sexual penetration with a victim who is under 9 years of age; or (ii) commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act.</li> <li>c) A person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is a person with a severe or profound intellectual disability.</li> </ul> </li> <li>• Predatory Criminal Sexual Assault of a Child (720 Ill. Comp. Stat. § 5/11-1.40): A person commits predatory criminal sexual assault of a child if that person is 17 years of age or older, and commits an act of contact, however slight, between the sex organ or anus of one person and the part of the body of another for the purpose of sexual gratification or arousal of the victim or the accused, or an act of sexual penetration, and: (1) the victim is under 13 years of age; or (2) the victim is under 13 years of age and that person: (A) is armed with a firearm; (B) personally discharges a firearm during the commission of the offense; (C) causes great bodily harm to the victim that: (i) results in permanent disability; or (ii) is life threatening; or (D) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.</li> </ul>





Crime Type (Illinois Compiled Statutes)		Definitions
Rape, Fondling, Incest, Statutory Rape	For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. The institution has determined, based on good-faith research, that Illinois law does not define these terms.	
Other “sexual assault” crimes	<p>Other crimes under Illinois law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> <li>• Criminal Sexual Abuse (720 Ill. Comp. Stat. § 5/11-1.50):               <ul style="list-style-type: none"> <li>a) A person commits criminal sexual abuse if that person: (1) commits an act of sexual conduct by the use of force or threat of force; or (2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent.</li> <li>b) A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age.</li> <li>c) A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.</li> </ul> </li> <li>• Aggravated Criminal Sexual Abuse (720 Ill. Comp. Stat. § 5/11-1.60):               <ul style="list-style-type: none"> <li>a) A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense: (1) the person displays, threatens to use, or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon; (2) the person causes bodily harm to the victim; (3) the victim is 60 years of age or older; (4) the victim is a person with a physical disability; (5) the person acts in a manner that threatens or endangers the life of the victim or any other person; (6) the person commits the criminal sexual abuse during the course of committing or attempting to commit any other felony; or (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim’s consent or by threat or deception.</li> <li>b) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member.</li> <li>c) A person commits aggravated criminal sexual abuse if: (1) that person is 17 years of age or over and: (i) commits an act of sexual conduct with a victim who is under 13 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or (2) that person is under 17 years of age and: (i) commits an act of sexual conduct with a victim who is under 9 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 9 years of age but under 17 years of age and the person uses force or threat of force to commit the act.</li> <li>d) A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim.</li> </ul> </li> </ul>	

Crime Type (Illinois Compiled Statutes)	Definitions
	<ul style="list-style-type: none"> <li>e) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a person with a severe or profound intellectual disability.</li> <li>f) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.</li> <li>• Sexual Relations Within Families (720 Ill. Comp. Stat. § 5/11-11): A person commits sexual relations within families if he or she: (1) Commits an act of sexual penetration as defined in Section 11-0.1 of this Code; and (2) The person knows that he or she is related to the other person as follows: (i) Brother or sister, either of the whole blood or the half blood; or (ii) Father or mother, when the child, regardless of legitimacy and regardless of whether the child was of the whole blood or half-blood or was adopted, was 18 years of age or over when the act was committed; or (iii) Stepfather or stepmother, when the stepchild was 18 years of age or over when the act was committed; or (iv) Aunt or uncle, when the niece or nephew was 18 years of age or over when the act was committed; or (v) Great-aunt or great-uncle, when the grand-niece or grand-nephew was 18 years of age or over when the act was committed; or (vi) Grandparent or step-grandparent, when the grandchild or step-grandchild was 18 years of age or over when the act was committed.</li> </ul>
<p>Consent (as it relates to sexual activity) (720 Ill. Comp. Stat. §5/11-1.70)</p>	<p>"Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.</p> <p>A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.</p>