

Illinois Preventing Sexual Violence in Higher Education Act Compliance Report

October 31, 2018

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LAKE FOREST Illinois Preventing Sexual Violence in Higher Education Act Compliance Report

Introduction

Lake Forest College is a residential liberal arts college located in the suburban town of Lake Forest, Illinois, a half mile from Lake Michigan and 30 miles north of downtown Chicago. Lake Forest College currently serves 1,477 undergraduate students, 21 master's degree students, and 41 non-degree-seeking students. Founded in 1857, Lake Forest College has a long tradition of academic excellence. At the heart of the College is the close-knit community of teachers, scholars, students, and staff representing cultures from around the globe who live and learn together in an environment of mutual respect and collaboration. Committed to teaching undergraduates, the distinguished faculty share a fundamental goal of preparing students to become independent thinkers and responsible citizens of global communities. Lake Forest College affirms that education ennobles the individual, and celebrates the personal growth that accompanies the quest for excellence.

Lake Forest College does not discriminate on the basis of sex or other protected characteristics, and strives to provide a living, learning, and working environment that is free from sexual misconduct and discrimination. Lake Forest College's Policy on Sexual Discrimination and Misconduct prohibits sexual misconduct, including sexual assault, stalking, dating violence, and domestic violence. The College's Sexual Misconduct Complaint Resolution Procedures set forth the process the College uses to respond to and adjudicate complaints of sexual misconduct involving members of its community. Pursuant to these procedures, the College handles complaints of sexual misconduct promptly and equitably, with respect for all parties involved.

Pursuant to the Illinois Preventing Sexual Violence in Higher Education Act, Lake Forest College submits the following annual compliance report covering the period from January 1, 2017 through December 31, 2017. Part A of this report includes information about and links to the College's sexual misconduct policy and procedures and the College's notification guide on rights, options, and resources for individuals experiencing sexual misconduct. Part B provides information about the training and awareness programming the College provided to students and employees in 2017. Part C discusses the processes the College uses to respond to reports of sexual misconduct. Part D provides data required by the Act. The College urges readers to read this report in its entirety, including the footnotes on the data provided, as well as the discussion of Lake Forest College's complaint resolution process.

Part A

College Policy Prohibiting Sexual Misconduct

The College's comprehensive Policy on Sexual Discrimination and Misconduct, which has been developed in accordance with applicable federal and state law, including the Illinois Preventing Sexual Violence in Higher Education Act, is located here and is provided with this report. The College's Sexual Misconduct Complaint Resolution Procedures, which explain how the College responds to and adjudicates reports of sexual misconduct, are located here and are also provided with this report. The policy and the procedures, last revised in July 2018, apply to all members of the Lake Forest College community, including students, faculty, staff, administrators, board members, contractors, vendors and visitors.

Notification of Rights, Options, and Resources

The College publishes a Campus Guide to Sexual Misconduct Policies and Resources, which contains concise information about the rights, options, and resources available to members of the College community who may have experienced sexual misconduct. The Guide, last revised in October 2017, is available on the College's sexual misconduct website here and as a print brochure from the Title IX Coordinator and other campus offices. The current Guide is provided with this report.

PART B

Campus Training, Education, and Awareness

Lake Forest College provides programming for students, faculty, and staff, intended to prevent sexual violence, raise awareness, and provide information about resources and reporting sexual misconduct. The College also trains employees who receive complaints of sexual violence, refer or provide services to survivors, and participate in complaint resolution procedure. The following chart identifies sexual misconduct prevention programming, including primary prevention training and ongoing awareness programming and campaigns, held at the College during the 2017 calendar year.

Program	Date Held	Location	Audience/Attendance	Program Content
Haven Online Student Sexual Misconduct Prevention Training	Various dates in spring 2017	Various online through Health and Wellness Center	Spring admits, 2 nd , 3 rd , and 4 th year students (25 transfer students and 577 upper class students completed)	Prevention of stalking, domestic/dating violence, stalking sexual assault; elements of consent; bystander behaviors; and College policies and resources.
Haven Online Student Sexual Misconduct Prevention Training	Various dates in fall 2017	Various online through Health and Wellness Center	All new transfer and first year students (62 transfer students and 352 first year students completed)	Prevention of stalking, domestic/dating violence, stalking sexual assault; elements of consent; bystander behaviors; and College policies and resources.
LawRoom Online Prevention of Workplace Sexual Harassment	Various dates online throughout year	Online through Human Resources	All New Employees (79 employees completed)	College policies regarding sexual discrimination and misconduct, behavioral expectations and reporting obligations of employees.
Resident Assistant Training	January 16, 2017	Rosemary House Conference Room	6 New Resident Assistants and Residence Director	Title IX Coordinator presented on responsible employee reporting requirements, sex



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				discrimination and misconduct policies and procedures, on and off campus reporting options, process and resources.
Needs of LGBTQ student survivors of sexual violence	January 25, 2017	Library 002	Approx. 12-15 Sexual Misconduct Appeal Board members, sanctioning officials, and investigators	Jessica Punzo, Director of Anti- Violence Prevention at Center on Halsted, presented on needs of LGBTQ student survivors of sexual violence.
Recognizing Dating Violence on Campus	March 14, 2017	Library 002	Approx. 12-15 Sexual Misconduct Appeal Board members, sanctioning officials, and investigators	Wendy Dickson, Director of Domestic Violence Services from YWCA North Shore, presented on dating violence on campus and how to recognize and respond to it.
Man Up: Reimagining Modern Manhood	March 28, 2017	Chapel	Lunch with students (approx. 10 students and 3 faculty and staff attended) Dinner (3 students and 3 faculty/staff attended) Poetry Slam and Keynote (approx. 60 attendees)	Speaker Carlos Andres Gomez led sessions focused on masculinity and interpersonal violence.
Call to Action Week	April 1, 2017	Mohr Student Center	Students	It's On Us student group hosted tables with information on consent and policies.
Coalition Against Sexual Misconduct Resource Fair	April 5, 2017	Mohr Student Center	Approx. 100 students	Health and Wellness, Title IX, It's On Us, Athletic Council, Lake Forest Police, Zacharias Center, and A Safe Place held resource fair for students.
Relationship and Consent Tabling	April 12, 2017	Mohr Student Center	Approx. 22 students	Wellness Peer Educators conducted



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				awareness event on relationships and consent.
Presentation by Title IX Coordinator on policy and procedure to Theta Sorority	April 12, 2017	Gregory Hall	Approx. 20 students	Overview and discussion of College sexual misconduct policy and procedures.
Title IX Training for Athletic Staff	April 13, 2017	Halas Hall	Approximately 20 staff	Health and Wellness and Title IX Coordinator conducted training with information on sexual misconduct and response.
Cookies and Consent	April 26, 2017	Skybox	10 students	Program by Health and Wellness and Ethics Center about consent.
Presentation by Title IX Coordinator to J. Robinson's Dialogue: Gender Identity class	April 2017	Buchanan Hall	Approximately 15 students	Overview of policy and procedure, rape culture, and evolution of consent.
Obligations to Underage students on campus for summer programming	May 15, 2017	Sports and Recreation Center	8 Summer Camp Staff	Interim Title IX Coordinator presented on reporting requirements under both Title IX and Illinois Abused and Neglected Children's Act.
Resident Assistant Training		Nollen Hall Lounge	48 Resident Assistants, Residence Directors, and Loop Program Coordinator	Interim Title IX Coordinator presented on responsible employee reporting requirements, sex discrimination and misconduct policies and procedures, on and off campus reporting options, process and resources.
Resident Assistant Training "Behind Closed Doors" Role Play	August 14, 2017	Vail Commons and Deerpath Residence Hall	42 Resident Assistants	Residence Life and Health and Wellness Staff led Resident Assistants



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				of common resident reports of potential stalking, dating violence and sexual assault with guidance as to how to respond, report and refer.
International Student training	August 19, 2017	Meyer Auditorium	Approx. 23 new international and exchange students	Interim Title IX Coordinator presented on College sexual discrimination and misconduct policies, behavioral expectations, cultural and legal differences, on and off campus resources and reporting options.
Drunk Sex or Date Rape	August 20, 2017	Mohr Student Center	Over 350 new students	NCHERM interactive presentation exploring consent, incapacitation, and sexual misconduct policies using case study.
It's On Us	Various times throughout year	On-line and in Mohr Student Center	Students, faculty and staff	Public awareness and education campaign to engage the College community in issues surrounding sexual violence on campus.
Email to community from Title IX Coordinator	September 14, 2017	Email	All Students, Staff, and Faculty	Introduction of new Title IX Coordinator and information on College's policies, procedures, and resources.
Sexual Misconduct Appeal Board, Sanctioning Officials, Investigator Training	October 10, 2017	Library	Approx. 12 Investigators, adjudicators, sanctioning officials, appellate board members	Training session for investigators, adjudicators, sanctioning officials, and appeal board on policy, procedures, consent, trauma



Presentation for SWAN (Students for Women's Awareness Network)	October 11, 2017	Pierson Rooms	Approx. 10 students	informed investigations, sanctioning consistency, appeal standards, and developments in the law. Title IX Coordinator presented on status of Title IX law, role of Title IX Coordinator and
Presentation for Tracy McCabe's Gender Studies class	November 6, 2017	Carnegie 208	Approx. 25 students	available services. Title IX Coordinator presented on College policies and laws.
Training for Athletics Department staff	November 16, 2017	Sports and Rec Center, Tiernan Trophy Room	Approx. 28 staff	Title IX Coordinator presented on laws, policies, sexual misconduct, consent, incapacitation, how to respond to disclosures, resources, and how College responds to reports. Director of Health and Wellness Center presented on confidential resources and how to respond to disclosures.
Hot Topic Tuesday: Sexual Assault: Hollywood and Breaking the Silence	November 21, 2017	Deerpath Hall	Approx. 18 staff and students	Office of Intercultural Relations facilitated discussion on sexual assault and breaking the silence.
Sexual Misconduct Prevention for Athletic Trainers	December 5, 2017	Rosemary House	2 Athletic Training staff	Title IX Coordinator reviewed specific pointers for sexual harassment prevention developed for athletic trainers.



Presentation to Faculty	December 6, 2017	Reid Hall	Approx. 80 faculty	Title IX Coordinator presented training for faculty on sexual misconduct policy, reporting, responding to disclosures, resources, academic accommodations, and faculty behavior danger zones.
Sexual Misconduct Appeal Board, Sanctioning Officials, Investigator Training	December 13, 2017	Pierson Room C	Approx. 12 Investigators, adjudicators, sanctioning officials, appellate board members	Training session included a webinar by Jackson, Lewis law firm on Title IX Investigations, and a presentation by Title IX Coordinator on College Sexual Misconduct Complaint Resolution Procedure.
My Playbook Online Training for Student Athletes and Coaches	December 1, 2017-February 15, 2018	Online	361 student athletes, 16 coaches, and 9 staff completed	Sexual misconduct prevention training and bystander intervention training module for student athletes developed in accordance with new NCAA training policy.

PART C

Reporting, Response, and Resolution Process

The sections below explain how students, faculty, staff, and third parties may make reports of sexual misconduct to the College, how the College responds to sexual misconduct reports, and how the College investigates and resolves complaints of sexual misconduct.

Reporting Sexual Misconduct

All staff and faculty at the College, with the exception of the staff in the Health and Wellness Center, are "responsible employees" for purposes of reporting sexual misconduct. Responsible employees are required to promptly provide information about sexual misconduct that they become aware of to the Title IX Coordinator. Individuals, including third parties and witnesses, may also make complaints anonymously and electronically through the sexual misconduct website, or anonymously through a telephone reporting hotline.

<u>Outreach to Potential Victims</u>

When a report is made directly to the Title IX Coordinator or conveyed to the Title IX Coordinator by a responsible employee or other individual, the Title IX Coordinator promptly follows up with outreach to the person who may have experienced sexual misconduct. The initial outreach, usually through email, contains information about options and resources and an invitation to meet with the Title IX Coordinator to discuss the situation. At the initial meeting, the Title IX Coordinator discusses detailed information about resources and protective measures available through the College and outside the College and potential options for resolution.

Initial Inquiry and Options for Resolution

The Title IX Coordinator conducts an initial inquiry and assessment of all sexual misconduct reports. The initial inquiry involves consideration of the nature of the allegations, the safety of the involved individuals and the College community, the complainant's expressed preference for resolution, and the necessity for protective measures.

After conducting the preliminary inquiry, and in consultation with the complainant, the College determines the appropriate course of action. Although the specific nature of the action taken by the College varies from case-to-case, available responses include:

 Voluntary informal resolution, such as targeted and broad-based training, conflict resolution, no-contact orders, and other measures to stop the misconduct, remedy its effects and prevent recurrence;



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- 2. Formal resolution, i.e., an investigation and determination by the Title IX Coordinator or other assigned investigator as to whether a sexual misconduct policy violation has occurred, and if so, issuance of the appropriate sanctions; or
- Determination that the allegations, even if true, do not constitute sexual misconduct, in which case the matter may be closed or referred to the appropriate campus office for resolution (e.g. allegation of non-sexual harassment).

Protective Measures

Regardless of the type of resolution pursued and the status of the parties involved, the College offers reporting parties reasonable protective measures to support them and prevent further acts of misconduct or retaliation. Protective measures are determined on a case-by-case basis and depend upon the needs of the parties involved and the nature of the sexual misconduct allegations. Respondents may also request protective measures, if needed. Examples of protective measures the College uses include: no-contact orders, modified academic and dining schedules and plans, academic flexibility, revised College housing and employment arrangements, access to medical and counseling services though on and off-campus resources, employee improvement plans, and assistance with law enforcement processes. Protective measures are available to reporting parties whether or not they elect to pursue the complaint resolution process.

Referrals to Law Enforcement

The College does not automatically contact law enforcement when it receives a report of sexual misconduct. Rather, consistent with federal and state law, the College makes complainants aware of their right to contact law enforcement, and facilitates a referral when requested.

Complainant Requests Not to Proceed

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. However, the College reserves the right to initiate an investigation despite a complainant's request for confidentiality or that no investigation be conducted in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the College community. In weighing such requests, the College considers whether it possesses other means to obtain the relevant information, as well as whether: there have been other sexual misconduct complaints about the accused individual; the accused has threatened additional violence; the sexual misconduct was alleged to have been committed by multiple persons; a weapon was alleged to have been used; the alleged victim was a minor; and/or



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a possible pattern of perpetration (e.g. via use of drugs or alcohol) at a particular location or by a particular group. The presence of one or more of the above factors may require the College to pursue the formal resolution process in order to ensure a safe, non-discriminatory environment.

Informal Resolution

In appropriate situations, the College works to resolve informally complaints of sexual misconduct by taking immediate action designed to stop the alleged sexual misconduct, address its effects, and prevent recurrence without a formal investigation and disciplinary action. Informal resolution does not result in findings related to responsibility or disciplinary sanctions. Participation in informal resolution is voluntary and either party can request to end informal resolution at any time.

Informal resolution may include the range of protective measures discussed above, as well as targeted and or broad-based training for relevant individuals and groups and/or any other remedy that will achieve the goals of the College's Policy on Sexual Discrimination and Misconduct.

In student-to-student misconduct complaints, the most common forms of informal resolution include issuance of no-contact orders and targeted training. Reports of sexual misconduct involving non-campus third parties may be resolved through issuance of a no-trespass letter to keep the non-campus individual off campus. In circumstances where a respondent is a contractor, the College may terminate a business relationship as a means of informal resolution.

Formal Resolution

When a complaint proceeds to formal resolution, the Title IX Coordinator or other trained investigator conducts a prompt and thorough investigation. Investigations include interviews with the complainant, respondent and any other identified witnesses, as well the gathering of physical, documentary and/or other relevant evidence. Additionally, complainants and respondents may draft written statements, identify and/or present statements from fact witnesses, and submit any other relevant evidence. The parties may have an advisor, including an attorney, present during interviews and other meetings that occur during the investigation.

After collecting the evidence, the investigator provides a preliminary report summarizing the evidence for the parties to review. After considering any comments from the parties on the preliminary report, the investigator prepares a final report summarizing the evidence, the findings of fact, and an analysis of whether there is sufficient information to establish, by a preponderance of the evidence, a violation of the College's Policy on Sexual Discrimination and Misconduct. The Title IX Coordinator provides the report to the parties simultaneously upon its completion.



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<u>Outcomes in Adjudicated Matters</u>

When an investigation concludes that a respondent has violated the College's Policy on Sexual Discrimination and Misconduct, the Title IX Coordinator forwards the investigation report to the appropriate Sanctioning Official for a determination of sanction. When the Respondent is a student, the Dean of Students serves as the Sanctioning Official. When the Respondent is a faculty member, the Dean of the Faculty serves as the Sanctioning Official. When the Respondent is a staff member, the Director of Human Resources serves as the Sanctioning Official.

The Sanctioning Official considers various factors in determining what sanctions are fair and proportionate to the findings, including the nature of the violation and any past violations of the College's Policy on Sexual Discrimination and Misconduct by the respondent. Sanctions may include, but are not limited to, warnings, educational programming, access restrictions, probation, suspension, expulsion and/or termination of employment.

Either party may appeal the findings and/or sanctions to the College's Sexual Misconduct Appeal Board on the following grounds: significant procedural error, existence of new and significant evidence, and sanctions that are substantially disproportionate to the violation.



Part D

Reports of Sexual Misconduct

The charts below provide data in the format requested by the State of Illinois. Please read the footnotes and text accompanying each chart for important context and an explanation of the data. Part C above provides a detailed discussion of the College's processes for handling reports of sexual misconduct.

Chart 1

Chart 1 indicates the number of reports during the 2017 calendar year of sexual violence, dating violence, domestic violence, and stalking received by: 1) the Title IX Coordinator and responsible employees; and by 2) confidential and anonymous resources. The College's Health and Wellness Center is the College's on-campus confidential resource that provides students with health and counseling services. Counselors in the Health and Wellness Center also serve as trained confidential advisors under the Act who provide survivors of sexual misconduct with emergency and ongoing support. The Health and Wellness Center provides the Title IX Coordinator with aggregate data on the number of sexual violence, domestic violence, dating violence, and stalking reports made confidentially to the Center but does not share information on the identity of the parties or specifics of incidents reported confidentially.

This Report uses the definition of sexual violence provided in the Act, and, since other violations are not defined in the Act, uses the definitions of dating violence, domestic violence, and stalking provided in the College's Policy on Sexual Discrimination and Sexual Misconduct. Reports of sexual harassment or sexual exploitation that do not also qualify as sexual violence, dating violence, domestic violence, and stalking also violate the College's Policy on Sexual Discrimination and Sexual Misconduct, and the College responds to such reports pursuant to its Sexual Misconduct Complaint Resolution Procedures. Reports of such incidents go beyond the scope of this report and are therefore not included.

The Illinois Attorney General's Preventing Sexual Violence in Higher Education Act Frequently Asked Questions Regarding Reporting Requirements ("Attorney General's FAQ's") provide that this Report should include only data related to complaints of incidents that occurred "within the geographic areas" defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery geography") or for which the location of the incident alleged was unknown. This Report is therefore limited as such. The College's Clery geography, including "on-campus," "non-campus building or property," and "public property immediately adjacent to the campus," is explained in the College's Annual Security and Fire Safety Report. The College occasionally receives and responds to reports from students, staff, and faculty involving incidents that occur in locations not within the College's Clery geography, and



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handles these reports pursuant to its Complaint Resolution Procedures. The College offers protective measures regardless of where an incident occurred.

Number of Reports Received in 2017

	Reports to Title IX Coordinator/Responsible Employees ¹	Reports to Confidential and Anonymous Resources ²
Sexual Violence	7	8
Domestic Violence	0	0
Dating Violence	4	1
Stalking	7	2

The number of reports listed here is greater than the number reported in the College's Annual Security and Fire Safety Report due to the inclusion in this chart (per the Attorney General's FAQ's) of two additional reports of sexual violence for which the complainant did not articulate a location of the alleged incident. Incidents reported in the Annual Security and Fire Safety Report are limited to those reported to have occurred within the College's defined geography under the Clery Act.

¹ There were 17 reports of sexual violence, dating violence, domestic violence, or stalking, collectively, alleged to have occurred within the College's Clery geography or at an unknown location that may have been in the Clery geography received by the College's Title IX Coordinator and responsible employees in 2017. One report alleged both stalking and dating violence, and per the Attorney General's FAQ's, each infraction is counted separately in these charts, so the total number of reported offenses listed is 18.

² As a confidential resource, the Health and Wellness Center does not share information with the Title IX Coordinator about the identity of parties or specifics of incidents reported confidentially; therefore some incidents may have been reported to both the Health and Wellness Center and to the Title IX Coordinator, and would thus be counted in both columns in Chart 1.



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Chart 2

This chart indicates the number of reports: 1) in which the complainant requested not to proceed with the formal resolution process; 2) that the College investigated (including preliminary inquiries); 3) that were referred to law enforcement; 4) in which informal resolution was used; and 5) that were adjudicated through formal resolution. Part C above provides a detailed discussion of the College's processes for handling reports of sexual misconduct.

Responses to Reports Made to the Title IX Coordinator or Responsible Employees

	Complainant elected not to proceed with formal complaint resolution process ³	College investigated allegation (includes preliminary inquiries) ⁴	College provided referral information for local or state law enforcement ⁵	College resolved matter using voluntary informal resolution ⁶	College adjudicated matter using formal complaint resolution process
Sexual Violence	6	4	7	2	1
Domestic Violence	0	0	0	0	0
Dating Violence	3	4	4	3	0
Stalking	4	5	7	7	1

³ The numbers in this first column reflect potential complainants who requested not to proceed with formal resolution against a member of the College community and potential complainants who did not respond to outreach from the Title IX Coordinator. Part C provides a discussion of the factors that the College considers when a complainant requests not to proceed with the formal complaint resolution process.

⁴ The number of reports the College investigated includes preliminary inquiries, during which the College assesses the nature of the alleged violations, the parties involved, threat to the community, complainant's preference for resolution, etc. This number also includes reports where the College utilized the formal complaint resolution process to resolve a complaint.

⁵ The College always informs potential complainants of their right to report an incident to law enforcement and offers to assist in the referral, but does not automatically refer matters to law enforcement.

⁶ The College may use voluntary informal resolution in some cases to stop the alleged sexual misconduct, address its effects, and prevent recurrence without a formal investigation and disciplinary action. Informal resolution may include actions such as no-contact orders, no-trespass orders, protective measures, and training. See Part C above for a discussion of informal resolution.

Chart 3

The following chart indicates the outcomes in cases where the complainant sought formal resolution of a report of sexual violence, stalking, domestic violence, or dating violence complaint against a student⁷ through the College's Sexual Misconduct Complaint Resolution Procedure.

Part C above provides a discussion of the College's processes for adjudicating complaints of sexual misconduct and determining sanctions. As set forth in Chart 2 above, the College resolves some matters using voluntary informal resolution.

Outcomes of Cases Against Students Following Formal Resolution

	Respondent found not responsible for violation	Respondent expelled	Respondent suspended	Respondent otherwise disciplined
Sexual Violence	1	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0

⁷ As noted in Chart 2, the College formally adjudicated two sexual misconduct cases in 2017, but only one of those was a case involving a student respondent. Per Illinois Preventing Sexual Violence in Higher Education Act requirements, this chart is limited to formally adjudicated outcomes in cases against students.



Conclusion

Lake Forest College educates its campus on an ongoing basis on its sexual misconduct policies and procedures and the rights and options available to members of its community who have experienced sexual misconduct, as well as providing ongoing prevention programming to reduce the incidence of sexual violence. The College continues to incorporate evolving best practices in sexual misconduct prevention and response with the goal of fostering a campus community where sexual misconduct is not tolerated, where people who have experienced sexual misconduct are provided options and support resources, and where complaints of sexual misconduct are handled fairly, promptly, and with respect for all parties involved.

For more information, including definitions, resources and more detailed information about the sexual misconduct policies and procedures available at Lake Forest College, please visit www.lakeforest.edu/sexualmisconduct or contact the Title IX Coordinator, Joan Slavin, 847.735.6009; slavin@lakeforest.edu. To report a concern to the College, please email TitleIX@lakeforest.edu.

Respectfully submitted,

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October 31, 2018