

## Scope: This document contains the following Policies, Procedures & Definitions

- I. 2024 Annual Safety and Security Report
- II. Clery Act Reporting
- III. Healthy Life, Healthy You! Drugs, Alcohol and Weapons-Free Workplace
- IV. Title IX, VAWA and Protected Class Nondiscrimination Policies and Procedures
- V. Glossary
- VI. Geography Location by Campus
- VII. Statistical Data by Campus reporting years: 2023, 2022, 2021

*Capri Beauty College reserves the right to address conduct that does not rise to the level of the School Climate and Culture. Climate refers to the overall atmosphere including core components of school safety, strong relationships, effective teaching and learning, and a healthy, welcoming environment. School Culture encompasses the shared values, beliefs, and practices within the school community*

## I. 2024 Annual Safety and Security Report

Capri Beauty College's Annual Safety and Security Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), the State of Illinois Campus Security Enhancement Act and Violence Against Women Act (VAWA). This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Capri Beauty College; and on public property within, or immediately adjacent to and accessible from college property. The report also includes institutional policies on campus security policies concerning alcohol and drug use, crime prevention, the reporting of crimes and other matters.

Data: Statistical Data regarding crimes, dating violence, domestic violence, sexual assault and stalking is updated Campus crime, arrest and referral statistics include those reported by local Police Departments and designated campus security officials as defined under the Act and local law enforcement agencies. Each year, notification is sent to all enrolled students, faculty and staff. The notification provides information on how to access the Annual Security Report online. Copies of this report may also be obtained from a Campus Director at: 15815 Rob Roy Drive Oak Forest, IL or 1938 E. Lincoln Hwy. New Lenox, IL. The policies in the report apply to both campuses (Oak Forest & New Lenox) unless otherwise stated in a particular section of the report. The crime statistics in this report are presented in separate crime statistics charts for each campus, as required by law.

### A. Reporting a Crime

Community members, students, faculty, staff and visitors are expected to promptly and accurately report all crimes and public safety-related incidents on a voluntary basis to Campus Security Authorities; Allison VanDerMolen: [allison@capri.edu](mailto:allison@capri.edu), Amy Ruff: [amy@capri.edu](mailto:amy@capri.edu) or the Title IX Coordinator, Tricia Seil, [tricia@capri.edu](mailto:tricia@capri.edu) and if so desired, confidentially to the Oak Forest or New Lenox Police Department.

Any suspicious activity or person(s) seen in the parking lots loitering around vehicles or inside buildings is reported to the Director or police. Crimes should be reported to the Campus Director for the purpose of making timely warning reports to the community and for inclusion in the annual statistical disclosure. **PROMPT REPORTING OF AN EMERGENCY OR CRIME** Community members, students, faculty, staff and visitors are expected to promptly and accurately report all crimes and public safety-related incidents to the Oak Forest or New Lenox Department of Police.

1. Response to a Reported Crime; Police are trained to receive, document and investigate all crimes reported. An officer will work with individuals reporting a crime to obtain information and evidence, identify potential witnesses, and conduct a thorough investigation in an effort to identify the responsible party. When appropriate, crime suspects may be adjudicated through the student conduct system. The daily crime log is available on campus in the Office of the Director. The crime log contains information concerning reported crimes and typically includes the case number, classification of the crime, date reported, date occurred, time occurred, general location and disposition of the crime.

**B. Timely Warning:** Capri Beauty College will alert the campus community of crimes that have already occurred but represent an ongoing threat. Timely warnings will aid in the prevention of similar crimes. This includes but is not limited to threats to property as

well as for threats to persons. Procedure:

The warning will be issued by the Campus Director as soon as the pertinent information is available. • Timely warning will be posted at each time clock located on campus.

Timely warning will be posted at Capri.edu

Timely warning will include: 1) the circumstances for which a warning will be issued and; 2) the individual or office responsible for issuing the warning.

**C. Emergency Notification & Registration:** Capri Beauty College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Capri Beauty College 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. The only reason Capri Beauty College would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so will compromise efforts to: • Assist a victim • Contain the emergency, • Respond to the emergency, or • Otherwise mitigate the emergency.

\*Responsible Authorities may include local Police & Fire Departments, Public Health Departments. Capri works very closely with the local police agencies to ensure a prompt response if a situation so warrants. This cooperation covers, but is not limited to, the detection, investigation, and prosecution of crime and is enhanced with written memoranda of understanding, for the investigation of alleged criminal offenses and notification of potential timely warnings.

**D. Daily Crime Log:** The crime log for the most recent 60-day period is open to public inspection, upon request, during normal business hours. Any portion of the log that is older than 60 days is available within two business days of a request for public inspection. Date, Time, Nature, Location and Disposition of the complaint is available in the Crime Log.

**E. Vehicle Safety:** Campus Parking Faculty & Students may park on campus during normal business hours. Spaces in front of the Main Building are reserved for Clients and Guests of the College. • Drive Slowly and with Caution in Parking Lot and around Campus. • Lock your Vehicle. • Do not leave any valuable items inside your car; keys, purse, phone, iPod, equipment, wallet, backpack, bags, etc. Capri is not responsible for stolen items, theft of or to vehicles. • Immediately notify Faculty or Director of any suspicious activity. • Director will involve police for identification of Unauthorized Vehicles and have towed if necessary. • Overnight Parking is not allowed unless permission is given by the Director.

**F. Sexual Offender Registration:** The State of Illinois Registered Sex Offenders database can be accessed at [www.isp.state.il.us/sor](http://www.isp.state.il.us/sor). If you need more information, contact your local law enforcement office.

### **G. Emergency Preparedness and Response Planning**

Security Considerations on the Maintenance of Campus Facilities Capri Beauty College is committed to campus safety and security. Security cameras, exterior lighting, sidewalks, steps and landscape control are critical parts of that commitment. Representatives from various departments take part in security surveys that help ensure a safe campus. Routine checks of lighting and safety issues are conducted by the Director of the Campus and General Manager as part of our patrol duties. Procedure for Reporting a Crime Capri Beauty College will act in a swift and professional manner in regards to violations of campus security. Capri will Review general procedures with students during first week, at Orientation and cooperate with the local fire authorities regarding inspection, and building safety.

1. In the Event of a Tornado: If a tornado warning is issued by the National Weather Service, outdoor system, or in the event of a severe thunderstorm, students will be held at the College in the designated area (internal Capri Beauty College 2013-2014 All Rights Reserved classrooms, internal clinic, away from doors and windows). Director will monitor the weather band in the College office. Students will be dismissed when the administration determines the severe weather is over.

2. In the Event of a Fire: the person, who spots the fire, pulls the closest alarm box, evacuation of students, staff and clients will begin. Students will meet in designated areas outside of the building and be released once attendance is taken. Students not sure of where to meet should immediately locate a member of faculty for direction or report attendance. Fire Drills are conducted annually with the assistance of local fire departments.

3. Procedures for an Act of Nature: Blizzard, Flood, Emergency or Pandemic, the Director is authorized to cancel a day/s of school, (or a portion thereof), when in his/her judgment believes it is in the best interest of the students.

#### 4. How We Contact You

In the event of an actual emergency the campus community will be notified through e-mail, Capri Beauty College website, Facebook, Instagram page. Students should take responsibility for regularly checking their e-mail and or social network sites and registering their email: • Emergency Closing Center: [www.emergencyclosingcenter.com](http://www.emergencyclosingcenter.com) • WGN channel 9 and/or Home Page of Capri's Web Site: capri.edu • Capri's Voice Mail system: Oak Forest 708-687-3020 x 210 New Lenox 815-485-3020 x 210

## H. Lock Down Procedures

PURPOSE: A lock down procedure will be used in an attempt to minimize the risk of violence and increase the safety of students, employees and guests by restricting access and visibility by a threatening person or event internal or external to the college. Students, staff, and faculty must report threatening activities to campus safety by calling 911. Students, staff and faculty who have reason to believe that there is an imminent threat of violence that could result in loss of life or serious injury are encouraged to take independent protective action. The Director or Manager on duty will determine when to initiate a lock down or evacuation of one or more campus buildings when there is a clear and imminent threat.

During a Lockdown the administrator or designee will announce the Lockdown and give instructions

1. Dial 911, and direct all students, staff and identifiable visitors into the nearest lockdown classroom or secured space.
2. Lock classroom doors, turn off classroom lights, move away from windows, stay down on the floor.
3. Discourage use of cell phones.
4. Keep out of sight.
5. Do not respond to anyone at the door unless an "All Clear" has been announced.
6. Teachers should take immediate action to account for and document all students present (both at beginning of incident and at conclusion of incident).
7. Document all actions.
8. Parents will NOT be allowed to pick up students.
9. No announcements will be made until after all clear is given.

### Safety Hold/Hall Check Procedures

1. During a Safety Hold the administrator or designee will announce the Safety Hold and give instructions.
2. Ensure all students and staff is inside facility.
3. Teachers should take immediate action to account for and document all students present (both at beginning of incident and at conclusion of incident).
4. Manager must immediately notify Campus Director.
5. Ensure all exterior doors and windows are closed and locked.
6. Lock all external doors; clear all areas that cannot be secured (hallways, restrooms, etc.).
7. Students should keep away from windows, not use of cell phones.
8. Document all actions.
9. Continue classroom instruction.
10. All movement stops until all clear is given or by announcement.
11. No announcements will be made until after all clear is given. Access to Campus Facilities Access to campus buildings and grounds is a privilege extended to students; faculty, staff, and authorized guests Visitors are permitted entry through main, front doors only and must identify their intent on campus to the Receptionist.

Note: Students will not allow visitors; family, friends, clients to enter any building without being checked in by Receptionist, and then personally escorted around campus. Unauthorized visitor will be approached by staff and escorted to the Reception Area for identification and intent. Director will involve police as necessary.

## II. Clery Act Reporting

### A. Clery Act Reporting Obligations

Pursuant to the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* ("Clery Act," 20 U.S.C. 1092(f)), the college maintains a public crime log and publishes an Annual Security Report ("ASR") available to all current students and employees. The ASR documents three calendar years of select campus crime statistics (including statistics regarding incidents of dating violence, domestic violence, and stalking), security policies and procedures, and information on the basic rights guaranteed to complainants of sexual assault. The *Clery Act* also requires the college to issue timely warnings to the campus community about crimes that have already occurred but may continue to pose a serious or ongoing threat to students and employees.

The Clery Act requires reporting on the following offenses:

- murder;
- manslaughter (non-negligent)
- sex offenses,
- robbery;
- aggravated assault;
- burglary;
- motor vehicle theft;
- arson;
- domestic violence, dating violence & stalking
- arrests, or persons referred for campus disciplinary action for liquor law violations;

- arrests, or persons referred for campus disciplinary action for drug-related violations;
- arrests, or persons referred for campus disciplinary action for weapons possession; and
- hate crimes, [which for Clery Act purposes include any crime listed in the preceding points and, as of 2008, larceny-theft; simple assault; intimidation; and destruction, damage, or vandalism of property in which the victim is intentionally selected because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

## **B. Reporting Considerations**

Because the college is under a continuing obligation to address the issue of sexual discrimination, harassment and misconduct campus wide, reports of such incidents (including non-identifying reports) will also prompt the college to consider broader remedial action, such as increased monitoring, supervision, or security at locations where the reported incident occurred; increasing education and prevention efforts, and/or revisiting its policies and practices.

- 1) **Attempted Violations:** In most circumstances, the college will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.
- 2) **False Reports:** The college will not tolerate intentional false reporting of incidents. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.
- 3) **Amnesty for Complainants and Witnesses:** The college community encourages the reporting of misconduct and crimes by complainants and witnesses. Sometimes, complainants or witnesses are hesitant to report to college officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many complainants as possible choose to report to college officials, and that witnesses come forward to share what they know. To encourage reporting, the college pursues a policy of offering complainants of misconduct and witnesses amnesty from minor policy violations related to the incident. Sometimes, students are hesitant to offer assistance to others for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to help take a sexual misconduct complainant to the Title IX Coordinator). Students who in good faith report an alleged violation of the college's prohibition of sexual discrimination, harassment and misconduct will be granted immunity and will not receive a disciplinary sanction for a student conduct violation (for example, underage drinking) revealed in the course of reporting. Immunity will not be provided for student conduct violations which the college determines are egregious, including without limitation misconduct which places the health or safety of another person at risk.
- 4) **Confidential Reporting Procedures:** We encourage anyone who witnessed or has been a victim of a crime to immediately report the incident by dialing 911 or for a non-emergency, 815-485-2500. Crimes can be reported on a voluntary, confidential basis for inclusion in the Annual Security Report. The Police Department and Title IX Coordinator can file a report on the details of an incident without revealing your identity. The purpose of a confidential report is to maintain anonymity, yet it allows the Police and Title IX Coordinator to take steps to ensure your future safety and that of others. With such information, the College can keep an accurate record of the number of incidents involving students, employees and visitors and alert the campus community to potential danger if necessary. Reports filed on a confidential basis are counted and disclosed in the annual crime statistics for the College.

## **C. Parental Notification**

Whether you are the complainant or the respondent, the college's primary relationship is to the student and not to the parent. In the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. However, college officials will directly inform parents under one or all of the following circumstances: when requested to do so by a student, if a life-threatening situation exists, if the complainant is under the age of consent, or if the complainant has signed a release which allows such communication.

## **D. Public Awareness Events**

Public awareness events such as Take Back the Night, candlelight vigils, protests, survivor speak outs, or other forums in which students disclose incidents are not considered notice to the college of sexual discrimination, harassment or misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus wide education and prevention efforts, and the college will provide information about students' Title IX rights at these events.

## **E. Law Enforcement Relationship Jurisdiction:**

Capri Beauty College maintains a working relationship with local Police Departments (Oak Forest & New Lenox) when reporting crimes and allow jurisdiction to make arrests.

### **III. Healthy Life, Healthy You! Drugs, Alcohol and Weapons-Free Workplace**

Capri Beauty College encourages its employees and students to live healthy lifestyles that are free from the use and/or abuse of controlled substances. Many alternatives are available that allow for a more rewarding and healthier life. Some alternatives include physical activities or sports, cultural events, arts and crafts classes, becoming active in community centers or support groups, or volunteering at an organization that gives life fulfillment. There are many local community organizations such as your Chamber of Commerce, library or community college that have information about program options. Persons found in violation of this policy are subject to actions outlined in items number 4-7 stated below.

#### **A. Maintaining a Drug, Alcohol and Weapons-Free Workplace.**

All students and employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances (drug, alcohol and/or legally purchased marijuana/cannabis product) is prohibited by any person in Capri's workplace. No student, employee or visitor (other than authorized law enforcement or authorized military personnel) to the college shall carry/possess a weapon or look-a-like weapons (a tool which can be used during combat to threaten, kill, destroy property, or to otherwise render resources non-functional or unavailable) on college grounds or at a college sponsored activity. This prohibition applies to individuals who have been issued a Conceal Carry Permit from the State of Illinois. Violation of this policy will result in referral to the appropriate law enforcement agency for possible prosecution; conviction will result in immediate dismissal.

Capri's "workplace" consists of the following locations:

1. The entire campus facility, including grounds surrounding campus buildings.
2. Any location used for an off-site College function or internship.
3. Non-compliance with the terms in Paragraph 1 (above) will result in any or all of the following action being Taken by Capri:
4. Mandatory counseling, rehabilitation given by a Federal, State or local health facilities, law enforcement, or other appropriate agency which is approved for purposes of chemical abuse counseling and rehabilitation,
5. Notification to the proper law enforcement authorities,
6. Termination of enrollment / employment.
7. Violations may also be subject to legal consequences.

It is against Capri's Drug, Alcohol and Weapons-Free Workplace Policy:

For an employee to work or student to attend class with the presence of a controlled substance (drugs or alcohol) in their body, including the presence of marijuana and a drug metabolite, unless legally prescribed to her or him and is being used for its prescribed purpose. For an employee or student to sell, use, purchase, distribute, dispense, manufacture or be in possession of a Controlled Substance (drugs or alcohol), including drug paraphernalia, while on Capri time, conducting Business, on College property, attending class or while representing Capri Beauty College.

For an employee or student to sell, use, purchase, distribute, dispense, manufacture or be in possession of controlled substances (drugs or alcohol), including prescription medications that are controlled substances, on Capri time, business, property, or while attending class, unless the prescription medication is legally prescribed to the employee or student and is being used for its prescribed purpose. For an employee or student to operate any equipment while under the influence of any drug(s) or alcohol, including prescription or over-the-counter medications that render the employee or student incapable of safely and Adequately using the equipment or performing any other job duties.

To consume any alcoholic beverage or alcohol containing liquid (apart from prescription drugs being used for their prescribed purpose) within four hours of a scheduled work or class period or assignment.

For any student or employee to use over-the-counter drugs in a manner not intended by the manufacturer and/or prescribed by a licensed medical professional. The use of prescription or over-the-counter medications that may impair an employee's or student's ability to safely or adequately perform his or her essential functions on the job or in class must be reported to the employee's or student's supervisor. Some medication use may require reassignment or temporary leave of absence without pay/credit. Employees and students must only take medication as directed on the medication label and must heed any warnings listed on the medication's label.

For Capri Management to allow an employee to work or student to attend class if they have actual knowledge that an employee or student has violated this policy.

#### **B. Dangers of Drug Abuse in the Workplace**

Substance abuse (drug and/or alcohol) abuse or addiction accompanied by many dangers that include physical, emotional, legal, financial, relational and medical consequences. Dangers associated with substance abuse are common long before addiction develops in the substance-abusing individual. Once addiction does develop, and often even before this occurs, substance abusers continue to abuse substances in spite of the negative consequences and obvious signs of danger related to their behavior. Resources are available to persons who are having difficulty with substance (drug and/or alcohol) abuse or addiction. There is counseling, rehabilitation, and treatment centers in most major cities and/or as associated with local hospitals and health clinics. The state of Illinois has treatment resources, and the Internet offers a variety of programs for individuals. The resources listed below are not endorsed by Capri School of

Beauty Culture, Inc. or any of their Campus locations:

### **C. Drug Prevention Resources**

New Hope Recovery Center, Chicago, IL [www.new-hope-recovery.com](http://www.new-hope-recovery.com) Drug and Alcohol Rehabilitation & Treatment Centers, IL [www.helpaddicts.com/Illinois-Rehab/Oak-Forest](http://www.helpaddicts.com/Illinois-Rehab/Oak-Forest) Drug Rehabilitation Center, New Lenox, IL [www.avpcounseling.com](http://www.avpcounseling.com)

### **D. Procedure for Self-Reporting**

If an employee or student suspects that she or he has a substance abuse or alcohol problem, the employee or student is expected to contact a Capri Director. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of disciplinary action may request approval to take unpaid time off to participate in rehabilitation or treatment programs through Capri health insurance benefit coverage. Any employee or student who voluntarily seeks such assistance or rehabilitation shall not be subject to disciplinary action for violation of the policy as long as the person continues to participate satisfactorily in a counseling or rehabilitation program. The employee or student must obtain a work release from a counselor or treatment provider before returning to work or school.

Any investigation by law enforcement or conviction for controlled substance or alcohol activity may be cause for dismissal from employment or school. Failure to report any conviction for illegal drug use or alcohol misuse to Capri may result in immediate termination from employment or school attendance.

The use of prescription or over-the-counter medications that may impair an employee's or student's ability to safely or adequately perform his or her essential functions on the job must be reported to the employee's or student's supervisor. Some medication use may require reassignment or temporary leave of absence without pay/credit. Employees and students must only take medication as directed on the medication label and must heed any warnings listed on medication labels.

### **E. Signs of Drug Abuse**

Persons who are under the influence of drugs and alcohol tend to display behaviors such as certain physical symptoms including but not limited to: decreased or slow motor skills, either increased or decreased verbal interaction, verbal skill depletion, increased or decreased physical contact, loss of or increased appetite, and aggressive behavior. Additionally, persons abusing may have social or economic issues that arise due to the use and/or abuse of these substances. There are also health risk indicators that may be helpful in the identification of abusive behavior. The brain is affected heavily by drugs and alcohol; it affects the ability to think and respond quickly as well as a wide range of skills needed to operate machinery including automobiles. People also tend to have issues with depression, paranoia, convulsions, comas, and even death can result. The following information is a guideline, intended to assist you in identification of potential abuse behaviors and or patterns of behavior:

- You're neglecting your responsibilities at school, work, or home (e.g. flunking classes, skipping work, neglecting your children) because of your drug use.
- You're using drugs under dangerous conditions or taking risks while high, such as driving while on drugs, using dirty needles, or having unprotected sex.
- Your drug use is getting you into legal trouble, such as arrests for disorderly conduct, driving under the influence, or stealing to support a drug habit.
- Your drug use is causing problems in your relationships, such as fights with your partner or family members, an unhappy boss, or the loss of old friends.

### **F. Legal Limits for Alcohol Consumption**

No More than one drink per hour equals: 1oz Liquor, 4 oz Wine, 12oz can of beer.

### **G. Dealing with Persons under the influence**

Due to the wide variety of reactions people display or manifest when under the influence, all employees/students are advised to use caution when dealing with such a person. It is recommended that direct contact with the employee/student be limited to persons in supervisory roles when there is a perceived or true need for confrontation/advising. However, documentation may be provided by person(s) with direct involvement in an incident and/or accident resulting from the use of a controlled substance or person(s) with direct knowledge of the use of or possession of controlled substances covered in this policy.

### **H. Federal, State and Local Penalties—Punishable by Law**

The legal consequences for the illegal use, possession, sale, distribution, trafficking, and/or the manufacturing of illicit drugs or alcohol are numerous. Local, state, and federal laws exist that may be used to punish violators. Penalties can range from suspension, revocation or denial of a driver's license to years of imprisonment.

1. Property may be seized.

Community services and/or restitution may be mandated. Recent federal anti-drug laws affect a number of areas in everyone's lives. Students could lose eligibility for federal financial aid as outlined below, and could be denied other federal benefits such as: welfare, disability and/or veteran's benefits. All applicants for federal student aid must answer drug related questions on their application.

Other federal laws allow the Department of Housing and Urban Development (which provides funds to states and communities for public housing) to now have the authority to evict residents and members of their household if they are connected to a

2. Drug-related crime:

Businesses can lose their ability to seek or gain federal contracts and/or in the case of schools, federal assistance for students, if the company does not promote a drug-free environment. State or local laws are also punitive to violators and in some cases have stiffer penalties than federal laws.

*Under Illinois law, the sanctions listed below are imposed for alcohol and substance abuse offenses:*

- a It is a Class A misdemeanor to sell or deliver alcohol to anyone under 21 years of age or to any intoxicated person (235 ILCS 5/6-16). Violations can result in fines of up to \$2,500 and one year in jail.
- b Illegal possession of alcohol by someone less than 21 years of age is a Class
- c A misdemeanor with fines up to \$2,500 and 6 months in jail.
- d When a violation of the above directly or indirectly results in great bodily harm or death to any person, the person in violation will be guilty of a Class 4 felony.
- e It is illegal for a person under 21 to present false identification in an attempt to purchase alcohol.
- f A person who falsely states in writing that he or she is at least 21 years of age when receiving alcohol from a representative, agent, or employee of an express company, common carrier, or contract carrier, or who has in his or her possession any false or fraudulent written, printed, or photo static evidence of age and identity, is guilty of a Class A misdemeanor and the person's sentence shall include, but not be limited to, the following: a fine of not less than \$500 and at least 25 hours of community service. If possible, any community service shall be performed for an alcohol abuse prevention program.
- g Illinois enforces a zero-tolerance law. Persons under the age of 21 who purchase, attempt to purchase, or have any trace of alcohol in their system will lose their driving privileges. Their driver's license or instruction permit will be suspended or revoked without hearing.
- h Individuals under the age of 21 can also be charged with a DUI if they have a blood alcohol level of .08 or any illegal drugs in their system. The first DUI offense can result in a \$1,000 fine and up to one year in jail. Subsequent offenses carry more severe fines and penalties; for example, the third DUI is a Class 4 felony with a minimum of six years loss of full driving privileges, imprisonment of one to three years, and fines of up to \$25,000.
- i Possession of more than 30 – 100 grams of marijuana is a Class A misdemeanor for a first offense punishable by a maximum sentence of 1 year in prison and a, maximum fine of \$2500. Greater amounts may increase the charge to a Class 1 felony with imprisonment of 10 to 50 years and fines of up to \$200,000.
- j Selling or possessing with the intent to sell, more than 30 – 500 grams of marijuana is a Class 3 felony, punishable by a minimum sentence of 2 years and a maximum sentence of 5 years, and a maximum fine of \$50,000.

3. Student Convicted of the Possession or Sale of Drugs:

A federal or state drug conviction can disqualify a student for FSA funds.

Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when she was a juvenile, unless she was tried as an adult. The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

	Possession of Illegal Drugs	Sale of illegal drugs
1st Offense	1 year from date of conviction	2 years from date of conviction
2nd Offense	2 years from date of conviction	Indefinite Period
3+ Offenses	Indefinite Period	

4. Drug Policy and Alcohol Prevention Review:

The Board of Directors at Capri Beauty College conducts a policy effectiveness review of the Drug and Alcohol policy every two years. Factors used to determine the effectiveness of the policy include: federal, state and local changes regarding sanctions, number of disciplinary actions against students and employees for violations of the Drug and Alcohol policy.

## **I. Procedure**

The Board of Directors at Capri Beauty College conducts a policy effectiveness review of the Drug and Alcohol policy on a biennial basis to be held during formal Board Meeting.

1. Campus Director for each school reviewed must be present.
2. Each Member is handed the schools published "Drug, Alcohol and Weapons free Workplace" Policy and certify current students and employees:
3. Receive the policy
4. Sign statement that the policy has been reviewed.
5. Retain the policy on file.
6. Program Coordinator will present in writing any known Federal, State and Local changes.
7. Each Campus Director will report the sanctions and number of disciplinary actions against students and employees for violations of the Drug and Alcohol policy taken at their campus.
8. Program Coordinator will review the number of drug and liquor law violations reported on College Navigator which include annual data from local Police Departments.
9. Data from items number 6 and 7 above will be reviewed and a determination will be made: a. Effective or b. Not Effective due to a standard deviation of 4% for violations compared to the number of students enrolled during the review period.
10. A determination of "Not Effective" will result in a follow-up meeting to establish a plan for improvement.
11. Board Secretary will record the minutes of the meeting and publish for Board Members to sign.
12. A Copy will be retained at each Main Campus.

## **A. Drug Definitions**

Marijuana impairs short-term memory and comprehension. It can cause confusion, anxiety, lung damage and abnormalities of the hormonal and reproductive system. Hours after the feeling of getting high fades, the effects of the drug on coordination and judgment remain, heightening the risk of driving or performing other complex tasks. Cannabis, a fat-soluble substance, may remain in the body for weeks, and an overdose can cause paranoia, panic attacks or psychiatric problems.

Club Drugs refers to a wide variety of drugs including MDMA (Ecstasy), GHB, Rohypnol, ketamine, methamphetamine and LSD, and are often used at raves, dance clubs and bars. No club drug is safe due to variations in purity, potency and concentration, and they can cause serious health problems or death. They have even more serious consequences when mixed with alcohol.

Depressants such as barbiturates, Valium and other benzodiazepines, Quaaludes and other depressants cause disorientation, slurred speech and other behaviors associated with drunkenness. The effects of an overdose of depressants range from shallow breathing, clammy skin, dilated pupils and weak and rapid pulse to coma and death.

Hallucinogens such as LSD, MDA, PCP (angel dust), mescaline and peyote can cause powerful distortions in perception and thinking. Intense and unpredictable emotional reactions can trigger panic attacks or psychotic reaction. An overdose of hallucinogens can cause heart failure, lung failure, coma and death.

Narcotics like heroin, codeine, morphine, methadone and opium cause such negative effects as anxiety, mood swings, nausea, confusion, constipation and respiratory depression. Overdose may lead to convulsions, coma and death. The risk of being infected with HIV/AIDS or other diseases increases significantly if you inject drugs and share needles, and there is a high likelihood of developing a physical and psychological dependence on these drugs. Stimulants – cocaine, amphetamines and others – can cause agitation, loss of appetite, irregular heartbeat, chronic sleeplessness and hallucinations.

Cocaine and crack cocaine are extremely dangerous and psychologically and physically addictive. An overdose can result in seizures and death.

Tobacco, with its active ingredient nicotine, increases heart rate and raises blood pressure. The tar in cigarette smoke is a major cause of cancer and other respiratory problems. Carbon monoxide in cigarette smoke can promote arteriosclerosis, and long-term effects of smoking include emphysema, chronic bronchitis, heart disease and lung cancer



#### IV. Title IX, Violence Against Women Act and Protected Class Nondiscrimination Policy and Procedures

*Capri Beauty College reserves the right to address conduct that does not rise to the level of the School Climate and Culture. Climate refers to the overall atmosphere including core components of school safety, strong relationships, effective teaching and learning, and a healthy, environment. School Culture encompasses the shared values, beliefs, and practices within the school community.*

Title IX and the Violence Against Women Act (VAWA) are two of the federal laws that are focused on providing safe, inclusive, and welcoming learning and work environments on campus. Title IX ensure that all persons, including students and employees, receive appropriate support if they experience sex discrimination in schools and that schools' procedures for investigating and resolving complaints of sex discrimination are accurate and fair to all involved. A "protected class" refers to people shielded against discrimination under federal, state, or local laws.

##### **Applicable Law and Policy Statement**

This Policy supplements the Zero Tolerance Policy and addresses the requirements of Title IX of the Education Amendments of 1972 ("Title IX"), as well as the Violence Against Women Reauthorization Act of 2013 ("VAWA") and the Illinois Preventing Sexual Violence in Higher Education Act. Title IX is the federal law that prohibits sex discrimination in federally funded education programs and activities. VAWA is a more recent federal law that addresses domestic violence, dating violence, sexual assault, and stalking in higher education. The Illinois Preventing Sexual Violence in Higher Education Act is a state law that addresses student allegations of sexual violence, domestic violence, dating violence and stalking at higher education institutions.

Title IX, which articulates the fundamental anti-discrimination principle that underlies all of the above laws, states as follows:

*No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.*

Consistent with these and other applicable state and federal laws, Capri prohibits discrimination on the basis of sex, sexual orientation, and/or gender in any University program or activity. "Sexual misconduct," including sexual harassment, sexual assault, sexual violence, and sexual exploitation, is a form of sex discrimination and is prohibited by this Policy. "Interpersonal violence," including dating violence, domestic violence, and stalking, is also prohibited by this Policy.

The College's prohibitions against sex discrimination, sexual misconduct, and interpersonal violence apply to all students, faculty, and staff, to other members of the College community, as well as to contractors, consultants, and vendors doing business or providing services to the College in accordance with the Zero Tolerance Policy.

##### **A. Responsible College Personnel & Training**

A. Title IX Coordinator. The College has designated a Title IX Coordinator to whom it has delegated day-to-day responsibility for this Policy. The Title IX Coordinator is an employee of the College who works with a recipient to coordinate its efforts to comply with Title IX responsibilities. The Title IX Coordinator is trained in understanding their responsibilities as Title IX coordinators, College's recordkeeping policies & obligations of the role.

Contact information for the University's Title IX Coordinator is below.

<p>Tricia Seil Vice President / Title IX Coordinator Telephone: (708) 687-3020 Office Location: 15815 Rob Roy Drive Oak Forest, IL 60452 Email: <a href="mailto:tricia@capri.edu">tricia@capri.edu</a></p>
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Responsibilities of the Title IX Coordinator include:

- Promoting an institutional environment that is free of gender bias and sexual harassment;
- Participating in the development, implementation and evaluation of the college's Title IX policies and procedures;
- Monitoring and evaluating the Capri Beauty College's Title IX compliance efforts;
- Providing in-service training to college community on Title IX policies and procedures;
- Reviewing and Investigate all Title IX complaints;
- Meeting with Capri students and employees as needed; and
- Designating other officials to conduct investigations or to meet with students and employees as needed.

Title IX Training Requirements: Employees are trained on the College's obligation to address sex discrimination and the scope of conduct that constitutes sex discrimination. Investigators, decisionmakers, etc. are also be trained on the College's grievance procedures, how serve impartially and w/o bias, and understanding meanings of "relevant" evidence and types of impermissible

evidence and Facilitators of informal resolutions are trained on the College's informal resolution process and how to serve impartially w/o bias.

Individuals may also contact the U.S. Department of Education's Office for Civil Rights or the Equal Employment Opportunity Commission for additional information. Office for Civil Rights U.S. Department of Education-Chicago Office 500 W Madison St., Suite 1475 Chicago, IL 60661-4544 Telephone: (312)730-1560 ocr@ed.gov U.S. Equal Employment Opportunity Commission Chicago District Office 1500 West Madison Street, Suite 2000 Chicago, IL 60661 Telephone: (800) 669-4000

## **B. Outside Confidential Advisors and Other Confidential Resources**

As discussed in more detail in Section V below, the College entered into an Agreement whereby certain individuals employed at the Crisis Center of South Suburbia will serve as confidential advisors for Capri students who may have experienced or witnessed sexual misconduct. These confidential advisors are available to discuss alleged or suspected violations of this Policy in confidence, and generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosures to confidential advisors will not trigger the College's investigation into an incident.

## **C. Sexual Harassment/Sex Discrimination for Title IX Purposes**

General Response to Sexual Harassment (2024 Rules) A recipient with knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity must respond promptly and effectively.

### **1. Definition**

The definition of sexual harassment broadly includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

- any instance of *quid pro quo*\* harassment by a College's employee;
- any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access\*\*;
- any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

\* a favor or advantage granted or expected in return for something

\*\* (severe and pervasive and objectively offensive conduct, effectively denying a person equal educational access) as one of the three categories of sexual harassment, so that where unwelcome sex-based conduct consists of speech or expressive conduct, College's balance Title IX enforcement with respect for free speech and academic freedom. In addition, Sexual Harassment for Title IX purposes differ from educational environments and workplace environments as in Title VII (severe or pervasive conduct creating a hostile work environment). First Amendment under Title IX definition provides First Amendment protections appropriate for educational institutions where students are learning, and employees are teaching. Students, teachers, faculty, and others should enjoy free speech and academic freedom protections, even when speech or expression is offensive.

### **2. Notice to the College**

Notice to a Title IX Coordinator, or to an official with authority to institute corrective measures on the recipient's behalf, charges a College with actual knowledge and triggers the College's response obligations.

### **3. Accessible Reporting to Title IX Coordinator**

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the complainant of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, 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. - Such a report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

### **4. Title IX's Nondiscrimination Mandatory Response Obligations**

The Capri Beauty College will be fair, prompt and impartial in response to information about conduct that reasonably may constitute sex discrimination, including sexual violence and other forms of debased harassment.

#### *Ensuring Capri Beauty College Learns of Possible Sex Discrimination:*

- Employees at Capri who either have authority to take corrective action on behalf of the College or have responsibility for administrative leadership, teaching, or advising are obligated to notify the Title IX Coordinator.
- All others are obligated to either notify the Title IX Coordinator or provide the contact information of the Title IX Coordinator and information about how to make a complaint.
- A recipient with actual knowledge of sexual harassment in an education program or activity of the recipient against a person in the United States, must respond promptly in a manner that is not deliberately indifferent.
- Recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

#### *The Title IX Coordinator's Response to Sex Discrimination*

- a Treat the complainant and respondent equitably
- b Offer and coordinate supportive measures: non-disciplinary, non-punitive, individualized services as appropriate and reasonably available, without fee or charge to the complainant or the respondent. Supportive measures will not unreasonably burden either party and the Recipient must provide complainant or respondent with timely opportunity to seek modification or reversal of any decision to provide, modify, or terminate supportive measures applicable to them. Generally, the Recipient will not disclose information about any supportive measures unless necessary to provide the supportive measures
- c Notify the complainant, or if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and the informal resolution process, if available and appropriate.
- d If a complaint is made, notify the respondent of the grievance procedures and the informal resolution process (if applicable)
- e In response to a complaint, initiate the College's grievance procedures or informal resolution process
- f In the absence of a complaint or a withdrawal, make a fact- specific determination that, based on factors listed in the regulation, the Title IX Coordinator may/should initiate a complaint
- g If the Title IX Coordinator initiates a complaint, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others.
- h Regardless of whether a complaint is initiated, take other appropriate prompt and effective steps to ensure that sex discrimination does not continue, in addition to providing remedies to an individual complainant

#### **D. Protected Class Nondiscrimination Policy and Procedures**

Capri Beauty College ("Capri" or the "College") is committed to providing a learning, working and living environment that promotes personal integrity, civility and mutual respect. Capri does not discriminate, or tolerate discrimination, against any member of its community on the basis of race, color, ethnicity (including ethnic origin) national origin, ancestry, Citizenship Status, military or veteran status (including disabled veteran; recently separated veteran; active duty, wartime, or campaign badge veteran; and Armed Forces Service Medal Veteran), physical or mental disability, medical condition, marital status, age, sex , (including pregnancy, childbirth, or related medical conditions), family responsibilities, sexual orientation, gender identity or expression, genetic Information, or any other basis protected by the federal, state, or local law (including protections for those opposing discrimination or participating in any resolution process within the institution, with the Equal Employment Opportunity Commission, and/or with another human/civil rights agency.

Capri Beauty College seeks to comply with all federal, state, and local laws, regulations, and ordinances prohibiting Protected Class. This policy covers Protected Class nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the Capri community who acts to deny, deprive, unreasonably interfere with or limit the education or employment benefits and/or opportunities of any member of the College's community, guest, or visitor on the basis is that person's actual or perceived Protected Class status.

The College has adopted policy and procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the educational program or activity.

The College follow this mandate to address any conduct that rises to the level of protected class discrimination (including any action that would be prohibited by Title IX or the Title IX regulations or sex-based harassment involving a student) as defined in this Policy of which it has Knowledge/Notice using the resolution process in this Nondiscrimination Policy and Procedures. If the conduct does not rise to the level of protected class discrimination under this policy, the College will take action as it deems appropriate under other applicable policies and procedures.

**Relevant Definitions:** Throughout this Policy, the "complainant" A student or employee who is alleged to have been subjected to conduct that could constitute protected class discrimination, harassment, or retaliation under this Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute protected class discrimination or harassment or under the Policy and who was participating or attempting to participate in the College's education program or activity at the time of the alleged protected class discrimination, harassment or retaliation. The "respondent" A person who is alleged to have engaged in conduct that may constitute discrimination or harassment based on a Protected Characteristic, or retaliation for engaging in a protected activity under this Policy. In unusual circumstances, the College itself may constitute the complainant or may initiate an investigation. An individual who reports sexual misconduct or interpersonal violence occurring between individuals other than him/herself is referred to as a "third party reporter" or "witness". A complete list of definitions is found at the end of this document

##### **1. Where and When Does This Policy Apply**

As related to Title IX, and allegations on the basis of sex discrimination or sexual harassment, this Policy only applies for alleged incidents that occur after August 1, 2024. For alleged incidents of sexual harassment occurring Before August 1, 2024, the policy and

procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available from the Title IX Coordinator or the College Director.

This Policy applies to all employees, students, and other individuals participating in or attempting to participate in the College's program or activities including education and employment.

This Policy prohibits all forms of discrimination that is based on the protected characteristics listed in the Notice of Nondiscrimination. The Nondiscrimination Procedures may be applied to incidents and/or patterns, all of which may be addressed in accordance with this Policy.

## 2.. Jurisdiction: This Policy applies to:

The College's education programs and activities (this is defined as including locations, events or circumstances where the College exercises substantial control over both the Respondent and the context where the conduct occurred);

- When the College has disciplinary authority; and
- Misconduct that occurs within a building owned or controlled by a College recognized student organization.

## 3. Online Harassment and Misconduct

The Capri's policies are written and interpreted broadly to include behaviors that occur in or have an effect on the College's education program and activities or when they involve the use of the College's networks, technology, or equipment—including online manifestations of any of the prohibited behaviors. While the College does not control social media or other outside environments where harassing communications can occur, when reported to the College, if the harassment is found to have an on-campus impact or occurred using College resources, the College may use supportive measures and other means to address and mitigate the effects. If the on-campus impact rises to the level of constituting discrimination under this Policy, the Title IX Coordinator may investigate the alleged discrimination or harassment pursuant to the Resolution Process described below. Certain situations, such as off-campus harassing speech by employees either online or in person, the College's response may be limited due to lack of jurisdiction, free speech protections, or other limitations.

## 4. Off Campus Applicability

This policy may also apply to the on-campus impacts of off-campus misconduct that limit or deny a person's access to the College's education program or activities. The College may also extend jurisdiction to off-campus and/or to online conduct when the conduct impacts a substantial College Interest. A substantial College interest includes, but is not limited to:

- Any action that would be a criminal offense as defined by law. This includes but is not limited to single or repeat violation of any local state or federal law.
- Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or other individual.
- Any situation that significantly impinges upon the rights or property of others, significantly breaches the peace, and/or causes social disorder.
- Any Situation that substantially interferes with College's educational interests or mission.

## 5. When Disciplinary Action is Possible

For disciplinary action to be issued under this Policy, the Respondent must be a College employee or currently attending student at the time of the alleged incident.

If the Respondent is unknown or is not a College community member, the Title IX Coordinator will offer to assist the Complainant in identifying appropriate institutional and local resources and support options, and will implement appropriate supportive measures and/or remedial actions (like removing an unaffiliated individual from campus). The College can also assist in contacting local law enforcement if filing a police report about criminal conduct is desired.

## 6. Vendors

All vendors serving the College through third-party contracts are subject to the policies and procedures of their employer.

## 7. Situations Outside of College Settings

The College is not responsible for behaviors experienced in spaces not owned or controlled by the institution. However, if a Complainant experiences discrimination in an environment outside the College where the sexual harassment or nondiscrimination procedures or that organization may give the complainant recourse, the Title IX Coordinator may be able to assist the Complainant in contacting the correct individuals. If there are effects of the external conduct that impact a student or employee's work or educational environment, the Title IX Coordinator may be able to address the impossible impacts if brought to their attention.

## 8. Respondents at Another College or Institution

When a Respondent is enrolled in or employed at another College or Institution, the Title IX Coordinator can assist the Complainant in contacting the appropriate individual at that location, as it may be possible to pursue action under that institution's policies.

## 9. Supportive Measures

The college will remain ever mindful of the complainant's well-being, and will take ongoing steps to protect the complainant from retaliation or harm and work with the complainant to create a safety plan.

Retaliation against the complainant, whether by students or college employees, will not be tolerated. The college will also:

- Assist the complainant in accessing other available complainant advocacy, academic support, counseling disability, health or mental health services, and legal assistance both on and off campus;
- Provide other security and support, which could include the college obtaining a no-contact order, helping to change working arrangements or course schedules (including for the alleged perpetrator(s) pending the outcome of an investigation) or adjustments for classroom assignments or tests; and
- Inform the complainant of the right to report a crime to campus or law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

Options available to you, if requested and reasonably available.

Area Requiring Assistance	Who/How to Contact
Academic accommodations	Brittany Fraley, Director of Education: 815-485-3020
Working accommodations	Amy Ruff, President: 815-485-3020 x 217
Additional protective measures, including an institutional "no contact" order, which is enforceable through Title IX Coordinator.	Tricia Seil, Vice President: 708-687-3020 x 219

### *Examples of Supportive Measures*

Supportive Measures may include, but are not limited to:

- Timely warnings or Emergency Notifications
- Increased security and monitoring of certain areas of the campus
- Safety planning
- Referral to community-based counseling, medical, and/or other healthcare services
- Referral to community-based service providers
- Education to the institutional community or community subgroup(s)
- Altering work arrangements for employees or student-employees
- Providing campus safety escorts
- Implementing contact limitations (no contact orders) between the Parties <sup>[1]</sup>
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Student financial aid counseling
- Class schedule modifications, withdrawals, or leaves of absence
- Any other actions deemed appropriate by the Title IX Coordinator

<sup>[1]</sup> Violations of no contact orders or other restrictions may be referred to appropriate process (Team Leader or for enforcement or added as collateral misconduct allegations to an ongoing Complaint under this Policy.

### a. Supportive Measures Appeal Process

The Parties are provided with a timely opportunity to seek modification or reversal of the Capri's decision to provide, deny, modify, or terminate supportive measures applicable to them. Any request to modify or reverse the Supportive Measures must be made in writing to the Title IX Coordinator within three days of the supportive measure decision. In the event that circumstances have substantially changed from the original decision on supportive measures, the Party may also make a request at that time provided that they include the change in circumstance in their request.

The Supportive Measure Review Form is available from the Title IX Coordinator, and should be returned to the Title IX Coordinator.

An impartial reviewer (an employee or other than the person who implemented the supportive measures, who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the definition of supportive measures in § 106.2 of the federal Title IX Regulations.

The College, through the impartial reviewer typically renders decisions on the review of supportive measures within seven (7) business days of receiving a request and provides a written determination to the impacted party(ies) and the Title IX Coordinator.

**b. Circumstance Related Request to Change the Supportive Measures**

The College will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances change materially. Request to change must be submitted in writing to the Title IX Coordinator using the Supportive Measure Review Form, and the circumstances that have changed. The request will follow the process above for modification or reversal of the supportive measures. If you would like to request a modification that only impacts you, you may make that request to the Title IX Coordinator outside of the supportive measures appeal process in writing. If the Title IX Coordinator does not agree to the change, you may follow the formalized process above.

**V. Reporting Options**

Please note that what law enforcement agency to report to can vary depending on the specifics of your case, but we can help you figure out where to go and will assist you in reporting to law enforcement. Many complainants find law enforcement to be a great resource. Others choose not to report to law enforcement. We always encourage reporting, but know that only you can determine if doing so is the right decision for you. Regardless of whether or not you report to the police, there are options, including reporting to the Title IX Coordinator; or off campus options that provide confidential reporting.

**E. Reporting to the College**

Capri employees, who either have authority to take corrective action on behalf of the College or have responsibility for administrative leadership, teaching, or advising are obligated to notify the Title IX Coordinator. All others are obligated to either notify the Title IX Coordinator or provide the contact information of the Title IX Coordinator and information about how to make a complaint

Individuals, including third party bystanders, are encouraged to report incidents of sex discrimination, sexual misconduct, and interpersonal violence prohibited under this Policy to the Title IX Coordinator. College employees, in the context of their employment are required to report all the details of the incident (including the identities of both the reporting party and alleged responding party) to the Title IX Coordinator. The College will promptly and equitably investigate all suspected or alleged violations of this Policy. Although there is no specific time limit for reporting a suspected violation of this Policy, an individual who believes that he or she has been subjected to conduct that violates this Policy is encouraged to contact the appropriate official as soon as possible after the alleged or suspected violation to discuss the available options for proceeding. Prompt reporting is strongly encouraged as it becomes more difficult to compile information relating to a grievance as the time increases between the alleged or suspected incident(s) and the report of the incident(s). Reports may be submitted in person, in writing, electronically, or anonymously, and may be submitted by complainants, third parties, or bystanders. Upon filing an electronic report, the electronic reporter (if not anonymous) will receive an electronic response within 12 hours. If you are in immediate danger, call 911 for local Police.

**I. Confidential Reporting & Advisors**

Capri has a working relationship with the Crisis Center of South Suburbia. The staff is comprised of Masters Level Therapists who are licensed in the State of Illinois with over 40 hours of training. All services provided are confidential.

<p><b>Crisis Center of South Suburbia</b> 708-429-7233 (24 Hours)</p>
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A student complainant who at first requests confidentiality may later decide to file a complaint with the college or report the incident to law enforcement, and thus will have the incident fully investigated. These counselors will provide the student complainant with assistance if the student complainant wishes to do so.

Note: While these counselors may maintain a student complainant’s confidentiality vis-à-vis the college, they may have reporting or other obligations under state law. Any college employee who suspects or receives knowledge that a minor student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, is required to: 1) immediately report or cause a report to be made to the Illinois Department of Children and Family Services (DCFS) on its Child Abuse Hotline; and 2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office.

Also Note: If the college determines that the alleged respondent pose a serious and immediate threat to the college community, Local Police may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the complainant.

## 2. Reporting to Law Enforcement

In addition to contacting the Title IX Coordinator, an Assistant Title IX Coordinator, a reporting party has the option to contact the appropriate law enforcement authorities regarding the possibility of filing a criminal complaint. The Title IX Coordinator and other College personnel, and off-campus confidential advisors are available to assist students and others in making contact with appropriate law enforcement authorities upon request. All Reporting Parties have the option to pursue a criminal complaint with an appropriate law enforcement agency, to pursue a harassment complaint under the College's Investigation and Resolution Procedures, or to pursue both processes simultaneously.

### EMERGENCY: DIAL 911

Oak Forest Police Department Ph: 708-687-1376

New Lenox Police Department Ph: (815) 462-6100

## 3. Orders of Protection

You can also access orders of protection within our state as well as within the institution. Depending on the nature of the incident, Capri may be able to issue a no contact order to prevent contact between two individuals. To request a Civil No-contact Order, please contact Title IX Coordinator: Tricia Seil 708-687-3020 x 219.

*E. Civil No-Contact Order for Complainants of Sexual Assault*

*This type of Order may also be available. Local Court Houses have the paperwork need to file: [Orders of Protection Updated March 2019](#)*

## F. Fair, Prompt and Impartial Proceedings apply to Capri Sexual Misconduct policies:

### 1. Fairness

Basic Fairness: a fair determination of the facts requires a fair process, not tilted to favor a particular outcome, and a fair and neutral fact-finder, not predisposed to reach a particular conclusion.

2. Procedural Fairness – whether the process used to adjudicate the matter was sufficient to provide the accused student a fair and reasonable opportunity to defend himself.

Procedural Fairness protections to the accused student:

1. Right to Notice of Charges
2. Right to Counsel
3. Right to Confront Accuser
4. Right to Cross-Examine Witness
5. Right to Examine Evidence or Witness Statements
6. Right to Call Witnesses and Present Evidence
7. Access to Special Examiner's Report
8. Separation of Investigatory, Prosecution, and Adjudication Functions
9. Right to Effective Appeal
10. Burden of Proof

3. Substantive Fairness – one of the most basic components of fairness is an unbiased and neutral fact-finder

## G. Investigation & Adjudication

1. No Bias or Conflict of Interest to maintain integrity and protect against investigator or decisionmaker misconduct and:

- requires a recipient to treat complainants and respondents equitably;
- requires the grievance procedures to, among other things, include a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the recipient's grievance procedures;
- requires a recipient to take reasonable steps to protect the privacy of the parties and witnesses during the grievance procedures (subject to certain);
- requires an objective evaluation of all relevant and not otherwise impermissible evidence and provides that credibility determinations will not be based on a person's status as a complainant, respondent, or witness
- Recipients are required to train investigators on how to serve impartially
- Recipients must offer an appeal process

2. No Bias or Conflict of Interest related to an investigator or decisionmaker

- Capri ensures that the investigator or decisionmaker for any particular complaint be free of conflicts of interest or bias. To ensure its personnel are unbiased, Capri Beauty College restricts Title IX personnel from pursuing close relationships with students.

refer to all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

The Title IX Coordinator at Capri Beauty College will coordinate a prompt, fair, and impartial process from the initial investigation to the final result. It will be conducted by officials who, at the minimum, receive annual training on: the issues related to dating violence, domestic violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

a. Standard of Evidence

To the extent practicable, the Title IX Coordinator shall interview all individuals who witnessed or may have witnessed the incident or who may have knowledge of the incident. The Title IX Coordinator shall interview the person alleged to have engaged in sexual harassment and inform the individual that a complaint has been made against him or her, and allow the person to respond to the complaint. If, based on the preponderance of the evidence the Title IX Coordinator deems appropriate, further steps will be taken to confirm or deny alleged harassment. The person alleged to have engaged in sexual harassment shall be informed that the incident is not to be discussed with coworkers and that retaliatory action against the complainant will not be tolerated.

b. Specific Steps

The Title IX Coordinator will conduct a fact-finding investigation, which will include, at a minimum, a review of the complaint and interviews with the complainant, respondent, and other appropriate individuals. The accuser and accused will be given timely notice of meetings at which on or the other or both may be present; and the accuser, the accused, and appropriate officials will be given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings. A written record of the investigation shall be made, inclusive of all notes made of interviews, conversations or verbal responses to questions posed by Title IX Coordinator to the complainant, witnesses or respondent, and any other aspects of the investigation. The entire written record and report, including a written summary of the findings of the investigation, shall be provided to the president within twenty (20) working days from the date the allegations were first reported. Upon completion of the investigation, the Title IX Coordinator will submit its findings and recommendations based on a standard of proof to the president, if appropriate. The president will accept, reject, or modify the recommendations and notify the Title IX Coordinator as such and will then provide a written response to the complainant.

The following information should be sought during the interview process:

- The severity of the conduct; the number and frequency of acts of alleged harassment;
- The apparent intent of the person alleged to have engaged in sexual harassment;
- The relationship of the parties; the response of the complainant at the time of the incident(s); and
- The relevant work environment.

If the investigation confirms the allegation, appropriate corrective action will be taken. Evidence that is collateral to the allegations of sexual harassment and that is obtained during an investigation may be used in subsequent grievance or disciplinary procedures. If no preponderance of evidence for the complaint is found, the Title IX Coordinator will dismiss the case. The complainant will be informed why the act does not constitute violation.

c. Special Rights of Students in Cases of Sexual Harassment, Misconduct and Discrimination: In cases of student-on-student harassment, both the student complainant and the accused student have the following rights, and in cases of employee-on-student harassment, the student complainant has the following rights:

- To receive relevant investigation materials and/or to be present during the entire hearing (except during deliberations of a board, if applicable);
- To not have irrelevant sexual history discussed during the hearing;
- To submit an impact statement or character reference letters for review at the discretion of the student conduct body after the determination of responsibility but before sanctioning;
- To be informed concurrently of the outcome of the hearing upon its conclusion by the hearing body; and
- To appeal any decision reached or sanction imposed within 5 college days of receipt of the decision.

d. Concurrent Criminal Investigation: The existence of a concurrent criminal investigation by law enforcement agencies will not necessarily delay or interrupt the investigation procedures outlined herein. However, the law enforcement agency may request that the college investigation be temporarily suspended. In such cases, the college will evaluate the law enforcement agency's request to determine whether and for how long to suspend its investigation. It is understood that during an ongoing criminal investigation, information relevant to the pending case or prosecution may not be permitted to be shared with the college until the criminal investigation is closed.

e. Results: The president shall, based upon the investigative report, evidence and all known circumstances, make a determination as to whether the individual(s) charged committed sexual harassment. If the determination is that sexual harassment has occurred, the



president shall take immediate and appropriate disciplinary actions consistent with the nature and severity of the offense and notify both accuser and accused within seven (7) days simultaneously, in writing of the results of the proceeding and appeal procedures.

f. All Possible Sanctions: Not all forms of sex-based misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose different sanctions depending on the severity of the offense and/or offender history. Sanctions the College may impose on students/employees following a final determination of a disciplinary proceeding regarding sexual assault, acquaintance rape or other forcible or non-forcible sex offense include:

- No contact (direct or indirect) with the victim
- Formal written warning
- Probation / Expulsion / Employment Termination
- Revocation of admission / Transfer, reassignment of duties, demotion
- Banishment from all Capri property, functions, etc.
- •Training on sex-based misconduct.

#### h. Advisor of Choice

The Complainant and Respondent and the accused are entitled to the opportunity to be accompanied to any related disciplinary proceeding (formal and nonformal meetings) by an advisor of their choice. However, the Capri may restrict an advisor's role, such as prohibiting the advisor from speaking during the proceeding, addressing the disciplinary tribunal, or questioning witnesses. Capri Beauty College may remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation.

## H. Grievance Procedures

To maintain integrity and protect against investigator or decisionmaker misconduct and ensure that the Title IX complaint process is free from bias or conflicts of interest and to treats everyone equally during the process:

*The College will:*

- require a recipient to treat complainants and respondents equitably within reasonable prompt timeframes for all major stages;
- requires the grievance procedures to, among other things, include a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the recipient's grievance procedures;
- requires a recipient to take reasonable steps to protect the privacy of the parties and witnesses during the grievance procedures;
- requires an objective evaluation of all relevant and not otherwise impermissible evidence and provides that credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- Recipients are required to train investigators on how to serve impartially
- Recipients must offer an appeal process

Grievance Procedures for All Sex Discrimination Complaints and disciplinary sanctions & remedies

- Include notice of allegations to the parties
- Allow for dismissals permitted in certain circumstances as long as the recipient offers an appeal and, as appropriate, supportive measures and remedial steps
- Consolidation is permitted for complaints arising out of the same facts or circumstances
- Includes a process that enables the decisionmaker to question parties and witnesses to adequately assess credibility
- Is a clear process for the determination of whether sex discrimination occurred
- Use of preponderance of evidence standard, unless other standard used in comparable proceedings
- Includes an appeal process
- Allows parties permitted to participate in an informal resolution process
- Includes a range of possible supportive measures that may include but are not limited to: counseling, extensions of deadlines or other course-related adjustments, campus escort services, increased security and monitoring of certain areas of the campus, restrictions on contact applied to one or more parties, leaves of absence, schedule change, and training and education programs related to sex-based harassment.

### 1. Title IX Coordinator Complainants

In the absence of a complaint or the withdrawal of a complaint, the Title IX Coordinator has the authority to initiate a complaint under the College's grievance procedures.

### 2. Notice of Allegations

Upon initiation of the recipient's grievance procedures, a recipient must provide notice of the allegations to the parties. The notice must include: The recipient's grievance procedures and any informal resolution process; Sufficient information to allow the parties to

respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s); A statement that retaliation is prohibited; and A statement that the parties are entitled to an equal opportunity to access evidence or an accurate description of this evidence if the recipient provides a description of the evidence, the parties are entitled to an equal opportunity to access the evidence upon request.

### 3. Dismissal of a Complaint

A recipient may dismiss a complaint of sex discrimination for any of the following reasons: The recipient is unable to identify the respondent after taking reasonable steps to do so; The respondent is not participating in the recipient's education program or activity and is not employed by the recipient; The complainant voluntarily withdraws the complaint, the Title IX Coordinator declines to initiate a complaint, and the recipient determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or the recipient determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX or this part.

### 4. Consolidation of Complaints

A recipient may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.

## **I. Investigation Requirements and Procedure Requirements Involving Students**

Include burden on the recipient to gather evidence and decide what is relevant or impermissible, equal opportunity for the parties to present fact witnesses and other evidence, equal opportunity for the parties to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence, a reasonable opportunity to respond; and a requirement that the recipient take reasonable steps to prevent and address unauthorized disclosures.

Regarding students: Written notice of allegations, dismissals, delays, meetings, and proceedings, equal opportunity to have an advisor of the party's choice at any meeting or proceeding, same opportunities, if any, to have persons other than the advisor present at any meeting or proceeding, permitting, but not requiring, Capri to allow expert witnesses, as long as the determination applies equally to the parties and reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the parties, including the reason for the delay

### 1. Credibility & Due Process

Capri Beauty College uses a single-investigator model with no live hearing which:

- Must allow the investigator or decisionmaker to ask questions during individual meetings with a party or witness;
- Must allow each party to propose questions that the party wants asked of any party or witness and have those questions asked by the decisionmaker or investigator during individual meetings, including follow-up meetings; and
- Must provide each party with an audio or audiovisual recording or transcript with enough time for the party to have a reasonable opportunity to propose follow-up questions

### 2. Adjudication Procedures, Sanctions and Appeals

Capri Beauty College uses the preponderance of the evidence standard which means that a panel must find based on the evidence that the respondent is more likely than not to have violated College policy. A written determination whether sex-based harassment occurred, any sanctions to be imposed and will be provided to the parties simultaneously and will include the College's appeal procedures.

Sanctions & other remedies will be fair and appropriate given the facts of the particular case, consistent with the College's handling of similar cases; adequate to protect the safety of the campus community; and reflective of the seriousness of sexual misconduct.

Appeals are offered by a recipient to both parties from a determination whether sex based harassment occurred, and from a recipient's dismissal of a complaint or any allegations therein, on the following bases: procedural irregularity that affected the outcome; new evidence that would change the outcome and that was not reasonably available at the time the determination was made; and the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias that would change the outcome.

#### a. Informal Resolution

The College permits a recipient to offer an informal resolution process if appropriate whenever it receives a complaint of sex discrimination or has information about conduct that reasonably may constitute sex discrimination. Participation in informal resolution must be voluntary.

## b. Formal Resolution

- Complainant must file a formal written complaint if the complainant wants the College to conduct an investigation
- Investigation separate from adjudication process
- Parties must receive written investigation report at least 10 days prior to live hearing
  
- Requires a live-hearing for postsecondary institutions
- Cannot use a single-investigator model
- Decision maker must be someone other than Title IX Coordinator and investigator
- Live cross-examination required
- Party advisors conduct cross-examination
- Parties not allowed to personally cross-examine each other

A report of sexual misconduct or interpersonal violence can also be resolved through a Formal Resolution process. The Formal Resolution process will be used in instances in which the Informal Resolution was not successful; the option to pursue resolution via an Informal Resolution was declined by either party; or at the discretion of the College.

A “formal complaint” is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the College. A formal complaint may be filed with the Capri’s Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information located in the College’s policy. The phrase “document filed by a complainant” means a document or electronic submission that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

The Title IX Coordinator will meet with the complainant to explain the process of filing a formal complaint. The complainant must be the alleged victim unless the parent or legal guardian has a legal right to act on their behalf. Anyone may report a Title IX violation; however, only a complainant may file a formal complaint that initiates a Title IX grievance procedure. The Title IX Coordinator will defer to the complainant’s wishes as to whether or not they want to file a formal complaint.

If the Title IX Coordinator is the one who signs and initiates a formal complaint, the Title IX Coordinator is not a complainant or a party during a grievance process and must comply with requirements for Title IX personnel to be free from conflicts of interest and bias. The College’s Title IX Policy provides for a consistent, transparent grievance process for resolving formal complaints of sexual harassment. The College’s policy is required to treat complainants equitably by providing remedies any time a respondent is found responsible and treat respondents equitably by not imposing disciplinary sanctions without following the grievance process prescribed in the College’s policy. Any remedies, which are required to be provided to a complainant when a respondent is found responsible, will be designed to maintain the complainant’s equal access to education and may include the same individualized services described as supportive measures; however, any remedies imposed do not need to be non-disciplinary or non-punitive and need not avoid burdening the respondent.

Once a formal complaint has been filed, the College will provide a written notice to each of the parties involved, which will include a copy of the College’s written Grievance Process, a list of the allegations, including specific information regarding the allegations, and a notice that the parties have a right to an advisor. The advisor should not be a lawyer. If during the investigation additional allegations are investigated, then a new notice must be provided to the parties, which identifies the new issues.

## 3. Investigations

If an investigation is an action a complainant desires, the complainant must file a written document requesting the investigation. There is no time limit on the complainant’s decision to file a formal complaint.

The Title IX Coordinator will investigate or may assign an internal investigator or third party who has been trained in the investigation of issues related to sex discrimination, sexual misconduct, and interpersonal violence. It is common practice, but not required, for the assigned investigator to select another trained investigator to participate in the investigation process in a secondary role. In addition, all investigators shall receive annual training regarding the investigation of, and other issues related to, sex discrimination, sexual misconduct and interpersonal violence.

The investigator(s) will undertake an Investigation for the purposes of adjudicating whether the responding party is responsible for the alleged violation(s) of the Policy. The allegations in any formal complaint and send written notice to both parties (complainants and respondents) of the allegations upon receipt of a formal complaint.

In response to all complaints, the College will ensure prompt and equitable resolution through a reliable and impartial investigation of the allegations, including the opportunity for both parties to present witnesses or other evidence. The College will follow its written grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. During this process the College will not restrict an individual’s rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment, when complying with Title IX.

The federal regulations require a college to investigate sexual harassment allegations in any formal complaint, which can be filed by a complainant, or signed by a Title IX Coordinator. The regulations affirm that a complainant’s wishes with respect to whether the College investigates should be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

If the allegations in a formal complaint do not meet the definition of sexual harassment, or did not occur in the College's education program or activity against a person in the United States, the Capri Beauty College must dismiss such allegations for purposes of Title IX but may still address the allegations in any manner the College deems appropriate under the College's own code of conduct, which is published in the College's catalog. The College may also dismiss a complaint if: the complainant withdraws the complaint; if the respondent is no longer enrolled or employed at the College; or if circumstances prevent institution from being able to investigate the complaint allegations. In this case, each party needs to be notified that the complaint has been dismissed and the reasons why it has been dismissed.

The time necessary to conduct an investigation will vary based on complexity of the allegation but will generally be completed within sixty (60) days of receipt of the complaint, which includes appeals and informal resolutions, with an allowance for short-term and good cause delays or extensions of the time frame. If a complainant requests confidentiality, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the College will inform the complainant that its ability to respond may be limited.

The preponderance of the evidence standard will apply to investigations, meaning the College will evaluate whether it is more likely than not that the alleged conduct occurred.

During the investigation, the College will provide interim measures, as necessary, to protect the safety and well-being of students and/or employees involved and are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party and to protect the safety of all parties, the College's educational environment, or deter sexual harassment.

The Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, at no cost, stated in section IV; 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 formal complaint; and explain to the complainant the process for filing a formal complaint, and deter sexual harassment. The respondent is also eligible for the same supportive measures that the complainant has available.

The College will 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. The College's Title IX Coordinator is responsible for coordinating the effective implementation of all supportive measures that will be provided before sanctions in any grievance procedure are imposed.

#### a. Investigation Requirements

- Burden on the recipient to gather evidence and decide what is relevant or impermissible
- Equal opportunity for the parties to present fact witnesses and other evidence.
- Equal opportunity for the parties to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; a reasonable opportunity to respond; and a requirement that the recipient take reasonable steps to prevent and address unauthorized disclosure
- Equal opportunity to access relevant and not otherwise impermissible evidence or a written report summarizing the evidence
- A process enabling the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility when credibility is in dispute and relevant
- Permitting, but not requiring, a live hearing
- Permitting a decisionmaker to weigh the credibility of a party or witness, including when party or witness refuses to respond
- Simultaneous written notice of determination to parties
- Appeal opportunity

#### J. Review of the Preliminary Investigation Report

Upon completion of the investigation, the investigator(s) will produce a Preliminary Investigation Report that summarizes and analyzes the allegations, the relevant facts, the Investigator's credibility determinations and rationale for those determinations, and all relevant inculpatory and exculpatory evidence. The Preliminary Investigation Report will be provided to the Title IX Coordinator and shared with the parties (to the extent permitted by FERPA or other applicable law). Both parties will have an opportunity to review the Preliminary Investigation Report and provide in writing to the Title IX Coordinator their comments on the Preliminary Investigation Report identifying any factual inaccuracies or misunderstandings and any additional questions to suggest that the investigator ask of the other party or other witnesses (along with an explanation of why the party believes the question(s) would elicit relevant information that has not already been sought or obtained by the investigator) within 48 hours of review of the report. The investigator(s) will address any identified factual inaccuracies or misunderstandings as appropriate prior to determining an outcome of the investigation.

## **K. Final Determination**

The investigator will address any identified factual inaccuracies or misunderstandings as appropriate and determine whether to ask any additional questions of either party or any witness. Based all information gathered during the investigation, including the comments received from both parties after Review of the Preliminary Investigation Report with the Title IX Coordinator, the investigator(s) will prepare a Final Investigation Report that includes the parties' comments to the Preliminary Investigation Report, any additional information gathered by the investigator, and any appropriate revisions to the Preliminary Investigation Report, including any revisions or supplements to the investigator's credibility assessments, and the investigator's finding(s) about whether the College's Policy has been violated (i.e. a finding(s) as to whether the responding party is Responsible or Not Responsible for any policy violation(s) and the rationale for these determinations and finding(s)). If the complaint presents more than a single allegation of misconduct, a finding will be made separately as to each allegation.

The Decision-Maker(s) in the process are required to objectively evaluate all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness. The Decision-Maker(s) in all instances cannot be the Title IX Coordinator or the investigator in order to ensure that the investigative process is fair and free of bias.

The Decision-Maker(s) will issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant. The final report:

1. Must identify the standard of evidence used based on the College's written policy.
2. Identify the allegations that constitute sexualharassment.
3. Describe the procedures the College used from the filing of the formal complaint through the hearing process.
4. Will make findings of fact and conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation.
5. Include the imposition of any sanctions or disciplinary actions imposed on the respondent, and whether any remedies will be provided to the complainant.
6. State the procedures to file an appeal and the allowable bases for an individual to appeal the decision.
7. Upon conclusion the written determination will be sent simultaneously to the parties.
8. The Title IX Coordinator is responsible for implementation of any remedies imposed by the Decision-Maker.

The Final Report will be available for review by both parties when they are notified simultaneously/contemporaneously to the greatest extent possible of finding(s), sanction(s), and any other corrective action(s), the rationale for such, and information regarding appeal rights.

### **Range of Sanctions**

Sanctions for students range from reprimand, removal from class, suspension, to expulsion. For employees: reprimand suspension without pay, to dismissal.

## **L. Appeal Process**

Capri Beauty College will allow either or both parties the opportunity to appeal the Decision-Maker's determination regarding responsibility from the College's dismissal of a formal complaint or any allegations therein. Either party can appeal based on the following: Procedural irregularity that affected the outcome of the matter; Newly discovered evidence that could affect the outcome of the matter; and/or The Title IX personnel had a conflict of interest or bias, that affected the outcome of the decision.

## **M. Retaliation Prohibited**

The College protects students, employees, and others from retaliation. The College must not intimidate, threaten, coerce, or discriminate against someone in order to interfere with their Title IX rights or because they reported sex discrimination, including sexual violence or other forms of sex-based harassment, or participated in, or refused to participate in, the College's Title IX process. The Capri will protect students from peer retaliation by other students.

The following circumstances do not constitute retaliation, including: Exercising one's rights protected under the First Amendment; charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement; charging an individual with code of conduct violations that do not involve sexual harassment but arise out of the same facts or circumstances as a report; however, for the purpose of interfering with any right or privilege secured by Title IX does constitute retaliation.

## **N. Record Keeping**

All records of the Title IX formal complaint including, the investigation, evidence, decision making process, hearings, and decision letters will be maintained by the College for at least 7 years.

## **O. Required Training**

The College's Title IX Coordinator, Investigator, Decision-Maker, or any person designated by the College to facilitate an informal resolution process, must not have a conflict of interest or bias for or against complainants or respondents generally, or an individual complainant or respondent. Each individual that is part of the Title IX process is required to take training that includes how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Part of the required training is to ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the College's education program or activity, how to serve impartially, how to make relevancy determinations, how to conduct an investigation and grievance process including hearings, appeals and informal resolution.

The College will provide the Decision-Maker(s) with training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. The College will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Any materials used to train Title IX Coordinators, Investigators, Decision-Makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

## **P. Protections from Discrimination Based on Pregnancy or Related Conditions.**

The College will provide reasonable modifications for students based on pregnancy or related conditions, allow for reasonable break time for lactation for employees, and access to a clean, private lactation space for students and employees. When a student, a parent of a minor student, or other authorized legal representative informs a Capri employee of a student's pregnancy or related conditions, the employee will provide the individual with information about the College's obligations to prevent discrimination and ensure equal access. Capri Beauty College is prohibited from disclosing personally identifiable information they obtain through complying with Title IX, including information about reasonable modifications for pregnancy or related conditions, with limited exceptions.

1. Prohibit discrimination against LGBTQI+ students, employees, and others. The College prohibits discrimination and harassment based on sexual orientation, and sex characteristics.

2. Protect people from harm when they are separated or treated differently based on sex. Capri will not separate or treat people differently based on sex in a manner that subjects them to more than de minimis harm, except in limited circumstances permitted by Title IX.

3. Capri Beauty College will clearly and effectively inform key people, including students, employees, and applicants, of their nondiscrimination policies and procedures.

4. Prohibit from sharing personal information. Capri is prohibited from disclosing personally identifiable information obtained through complying with Title IX, with limited exceptions, such as when they have prior written consent or when the information is disclosed to the parent of a minor

5. Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault & Stalking Capri Beauty College prohibits the crimes of dating violence, domestic violence, sexual assault and stalking. The College is dedicated to providing ongoing prevention and awareness campaigns necessary to keep students safe.

- Title IX Coordinator will receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and how to conduct investigations.
- Training for faculty and staff on Title IX policies and reporting procedures will be offered through Online Clery Act Training
- The College will work with local organizations such as Women's Shelters and Local Police for on campus training.
- All students who attend the mandatory orientation will receive information about sexual harassment and assault.
- All students will have the opportunity to watch and discuss *Speak Up and Stand Out* educational video provided by Clery Center during the Basic Program.

**Bystander intervention** You can help by recognizing situations of potential harm by taking actions to intervene. Consider safe and positive options that may be carried out to prevent situations when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

*Tips for preventing sexual assault as a bystander:*

- Talk to your friends honestly and openly about sexual assault.
- Don't just be a bystander—if you see something, intervene in any way you can.
- Trust your gut. If something looks like it might be a bad situation, it probably is.
- Be direct. Ask someone who looks like they may need help if they're okay.

- Get someone to help you if you see something—enlist a friend, teacher, or parent to help step in.
- If you see someone who is too intoxicated to consent, enlist their friends to help them leave safely.
- Recognize the potential danger of someone who talks about planning to target another person at a party.
- Be aware if someone is deliberately trying to intoxicate, isolate, or corner someone else.
- Create a distraction, draw attention to the situation, or separate the people you are concerned about.
- Understand that if someone does not or cannot consent to sex, it is rape.
- Never blame the complainant.

## **Q. Resources**

### On Campus

Oak Forest Campus Director  
708-687-3020 x 219  
New Lenox Campus Director  
(81) 485-3020 x 218

### Off Campus

Crisis Center for South Suburbia  
Crisis Center 24 Hour Hotline 708-429-SAFE (7233)  
Mailing address: PO Box 39, Tinley Park, IL 60477

Chicago Rape Crisis Hotline – Rape Complainant Advocates  
(888) 293-2080

### Domestic Violence Legal Clinic

formerly known as Pro Bono Advocates (312) 325-9155 Languages: English, Spanish  
Illinois Department of Human Rights  
(312) 814-6200

### Teen Dating Violence Hotline

1-866-331-9474 text 'loveis' to 22522  
chat at [www.loveisrespect.org](http://www.loveisrespect.org)

Oak Forest Police Department  
(708) 687-1376  
New Lenox Police Department  
(815) 485-2500

Office of the Illinois Attorney General Crime Complainant Services  
Division 100 W. Randolph Street, 13th Floor Chicago, IL 60601 1-800-228-3368 (Voice/TTY) 312-814-7105 (Fax)  
[www.illinoisattorneygeneral.gov/complainants](http://www.illinoisattorneygeneral.gov/complainants)

### On-line:

Crime Complainant Rights in Illinois - Brochure  
<http://capri.edu/wp-content/uploads/crime-complainant-rights.pdf>



## Glossary

**Advisor:** Any person chosen by a party who may accompany the party to all meetings related to the Resolution Process and advise the party on that process.

**Appeal Decision-maker:** The person or panel who accepts or rejects a submitted appeal request, determines whether any of the grounds for appeal are met, and directs responsive action(s), accordingly.

**Actual Knowledge:** notice of sexual harassment or allegations of sexual harassment to a recipient's Title IX Coordinator or any official of the recipient who has authority to institute corrective measures on behalf of the recipient or to any employee of an elementary and secondary school. This standard is not met when the only official recipient with actual knowledge is the respondent.

**Awareness Programs:** Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety and reduce perpetration.

**Bystander intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene where there is a risk of dating violence, domestic violence, sexual assault, or stalking.

**Affirmative Consent:** an affirmative, conscious, and voluntary agreement to engage in sexual activity. It does not include the following:

1. a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent;
2. a person's manner of dress does not constitute consent;
3. a person's consent to past sexual activity does not constitute consent to future sexual activity;
4. a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another;
5. a person can withdraw consent at any time; and
6. a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:
  - the person is incapacitated due to the use or influence of alcohol or drugs;
  - the person is asleep or unconscious;
  - the person is under age; or
  - the person is incapacitated due to a mental disability.

**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. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed. Bystander intervention includes: Recognizing situations of potential harm. Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

**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, etc.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking and all attempts to commit any of the aforementioned.

**Complainant:** an individual who is alleged to be the complainant of conduct that could constitute sexual harassment. - This clarifies that any third party as well as the complainant may report sexual harassment. - While parents and guardians do not become complainants (or respondents), the Final Rule expressly recognizes the legal rights of parents and guardians to act on behalf of parties (including by filing formal complaints) in Title IX matters.

**Complaint:** An oral or written request to the College that can objectively be understood as a request for the College to investigate through the Administrative Resolution Process and make a determination about the alleged Policy violation(s).

**Confidential advisor:** a person who is employed or contracted by Capri Beauty College to provide emergency and ongoing support to student survivors of sexual violence with the training, duties, and responsibilities described in Section 20 of the Prevention of Sexual Violence in Higher Education Act. [110 ILCS 155/5] Confidential advisors receive 40 hours of training on sexual violence before

being designated as confidential advisors, and thereafter receive a minimum of six hours of annual training on issues related to sexual violence

Confidential Reporting: the information provided by a complainant will not be shared without the express written consent, except in aggregate, non-identifiable, unless otherwise required by law, such as information pertaining to child abuse.

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: length of the relationship, the nature of relationship and frequency of interaction between the persons involved in the relationship.

Decision-Maker: The person or panel who hears evidence, determines relevance, and makes the Final Determination of whether this Policy has been violated and/or assigns sanctions.

Document filed: a document or electronic submission (such as by e-mail or through an online portal provided for this purpose by the College) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or a party during a grievance process, and must comply with requirements for Title IX personnel to be free from conflicts and bias.

Domestic Violence: A felony or misdemeanor crime of violence committed.

1. By a current or former spouse or intimate partner of the complainant, or person similarly situated to a spouse or
2. By a person with whom the complainant shares a child in common
3. By a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
5. By any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, methadone) and dangerous non-narcotic drugs (barbiturates, Benzedrine). Illegal Weapons Law Possession: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Education Program or Activity: Locations, events, or circumstances where the College exercises substantial control over the context in which the alleged behavior occurs and also includes any building owned or controlled by a student organization that the College officially recognizes.

Employee: A person employed by the College, either full or part-time. This includes Students who are also employees when acting in the scope of their employment

Final Determination: A conclusion using the standard of proof that the alleged conduct did or did not violate Policy.

Finding: A conclusion by the standard of proof that the conduct did or did not occur as alleged (i.e. "finding of fact").

Follow-up healthcare means "healthcare services related to a sexual assault, including laboratory services and pharmacy services, rendered within 90 days of the initial visit for hospital emergency services." [410 ILCS 70/1a]

Forensic services, means "the collection of evidence pursuant to a statewide sexual assault evidence collection program administered by the Department of State Police, using the Illinois State Police Sexual Assault Evidence Collection Kit." [410 ILCS 70/1a]

Formal Complaint: a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment and states: - At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the College with which the formal complaint is filed. - A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under the Final Rule, and by any additional method designated by the College.

**Gender-based Harassment or Discrimination:** acts of a verbal or nonverbal nature or physical aggression, intimidation, or hostility based upon sex/gender, gender identity or sex/gender-stereotyping (even if those acts do not involve conduct of a sexual nature) that is sufficiently serious to limit or deny the ability to participate in or benefit from the College's programs and activities or the terms and conditions of employment.

**Harassment Verbal abuse constitutes harassment when it:**

1. is intended to insult or stigmatize an individual;
2. is addressed directly to the individual(s) whom it insults or stigmatizes;
3. makes use of "fighting" words ("fighting" words are those commonly understood to convey direct and visceral hatred or contempt for human beings); or
4. Conveys a threat of violence or is likely to provoke immediate physical retaliation.
5. Hospital emergency services, defined as "healthcare delivered to outpatients within or under the care and supervision of personnel working in a designated emergency department of a hospital, including, but not limited to, care ordered by such personnel for a sexual assault survivor in the emergency department." [410 ILCS 70/1a]

**Hostile Environment Harassment:** unwelcome conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity. This applies to every recipient and all sex discrimination occurring under a recipient's education program or activity.

**Informal Resolution:** An outcome agreed to by the Parties and approved by the Title IX Coordinator that occurs before the Final Determination in the Administrative Resolution Process.

**Investigation Report:** The Investigator's summary of all relevant evidence gathered during the investigation. Variations include the Draft Investigation Report and the Final Investigation Report.

**Investigator:** The person(s) assigned by the College who is authorized to gather facts about an alleged violation of this Policy, assess relevance and credibility, summarize the evidence, and compile this information into an Investigation Report.

**Knowledge:** When a School received notice of conduct or behavior that may reasonably constitute protected class discrimination, harassment, or retaliation in its Education Program or Activity.

**Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

**Mandated Reporter:** A College employee who is required by Policy to share Knowledge, Notice, and/or reports of protected class discrimination, harassment, and/or retaliation with the Title IX Coordinator.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding.)

**Nondiscrimination Team:** This refers to the Title IX Coordinator, any deputy Coordinators, and any other member of the resolution process, including designees.

**Notice:** When an employee, student, or third party informs the Title IX Coordinator of the alleged conduct that may be protected class discrimination, harassment, and/or retaliation.

**Ongoing prevention and awareness campaigns:** Programming, initiatives, and strategies that were sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

**Parties:** The Complainant(s) and Respondent(s), collectively.

**Peer retaliation:** defined as retaliation by one student against another student, is also prohibited

**Pregnancy or Related Conditions:** Pregnancy, childbirth, termination of pregnancy, or lactation, and any medical conditions related to or recovery from pregnancy, childbirth, termination of pregnancy or lactation.

**Primary prevention programs:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

**Proceeding:** All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communication and meetings between officials and complainants concerning accommodations or protective measures to be provided to a complainant.

**Protected Class:** Person(s) who have a Protected Characteristic and are protected from discrimination or harassment based on that Protected Characteristic.

**Protected Characteristic:** Any characteristic for which a person is afforded protection against discrimination and harassment by law or School Policy.

**Relevant Evidence:** Evidence that may aid a Decision-maker in determining whether the alleged discrimination, harassment, or retaliation occurred, or in determining the credibility of the Parties or witnesses.

**Remedies:** Usually, actions after a Resolution Process that are directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to the College's Education Program and Activity. Remedies may occur without a Resolution Process in certain circumstances as determined by the Title IX Coordinator.

**Risk reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for complainants in order to promote safety and to help individuals and communities address conditions that facilitate violence.

**Respondent:** as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Result:** Any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters within the institution.

**Retaliation:** defined as intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or the regulations, or because the person has reported possible sex discrimination, made a sex discrimination complaint, or participated or refused to participate in any way in a recipient's Title IX process.

**Robbery:** The 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, violence and/or causing the victim fear.

**Sanction:** A consequence imposed on a Respondent when the Final Determination contains a Finding that the Respondent violated this Policy.

**Sex:** Sex assigned at birth, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity and expression.

**Sexual Assault:** Any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program: *"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 complainant"*.

**Sex Discrimination:** includes any behavior or communication that improperly singles out, stigmatizes, complainantizes, or otherwise subjects an individual to unequal treatment to his or her detriment on the basis of his/her sex. Sex discrimination includes, but is not limited to, verbal abuse, sexual harassment, sexual violence and other acts of sexual misconduct. Sexual harassment of

students, including sexual violence, interferes with a student's right to receive an education free from discrimination and, in the case of sexual violence, is a crime.

**Sexual Harassment:** It broadly includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

- any instance of *quid pro quo* harassment by a college's employee;
- any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access;
- any instance of sexual assault (as defined in the Cleary Act), domestic violence, dating violence, or stalking as defined in the Violence Against Women Act (VAWA).

**Sexual Misconduct:** includes but is not limited to:

1. sexual intercourse (oral, anal, or vaginal penetration) or penetration by a foreign object, including a finger, by force and/or without consent; or
2. the touching of a non-consenting person's intimate parts, such as genitalia, groin, breast or buttocks or the clothing covering these parts, or forcing a non-consenting person to touch another's intimate parts.
3. physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the complainant's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.
4. sexual violence, which includes rape, sexual assault, sexual battery and sexual coercion.

**Sex offenses:** Any sexual act directed against another person, without the consent of the complainant, including instances where the complainant is incapable of giving consent.

- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Forcible 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 complainant. **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the complainant is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. **Non-Forcible Sex Offenses:** Unlawful, non-forcible sexual intercourse.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

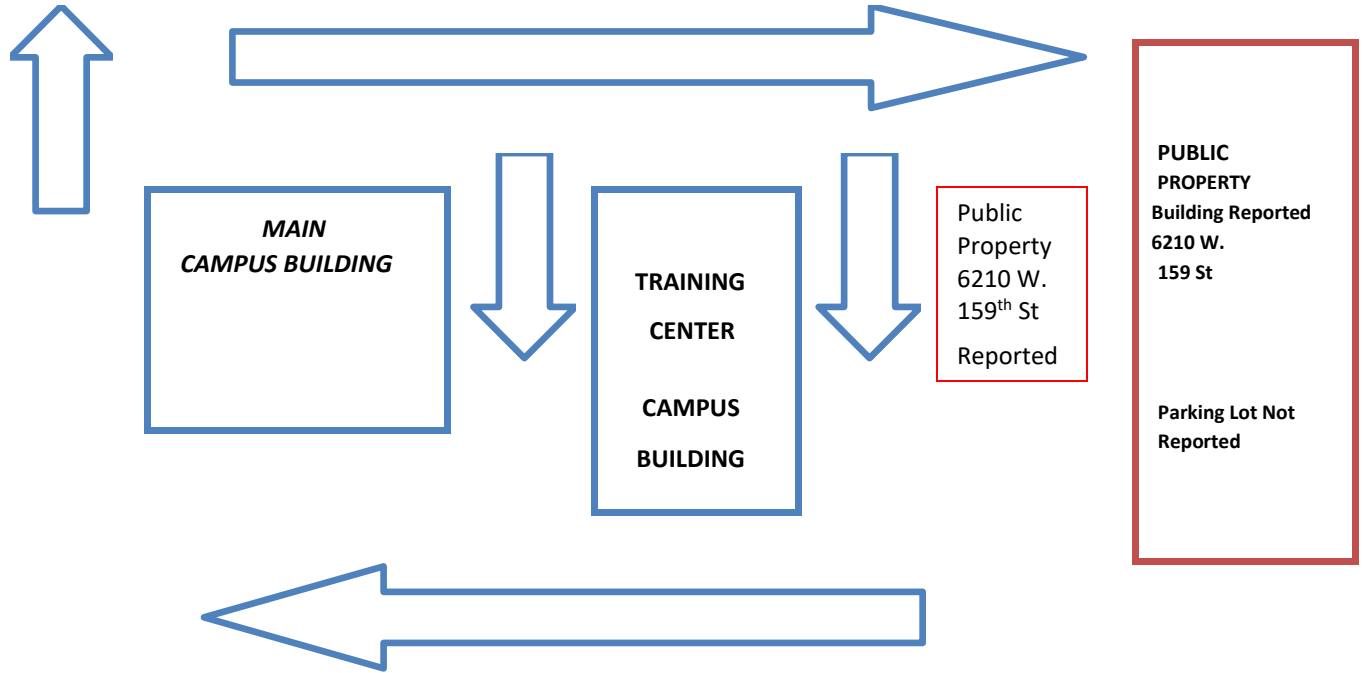
**Standard of Proof:** The standard of proof employed in the Title IX investigation is the preponderance of evidence standard, meaning any determination will be made on the basis of whether it is more likely than not that the respondent violated this policy. Criminal investigations running concurrently may require a higher level of proof.

**Supportive Measures** as individualized services reasonably available that are nonpunitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

**Unfounded Crimes:** The College may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the complainant to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report. Note: Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA). **Murder and Non-negligent Manslaughter:** The willful (no negligent) killing of one human being by another.

**Negligent Manslaughter:** The killing of another person through gross negligence.

**X. Geography**

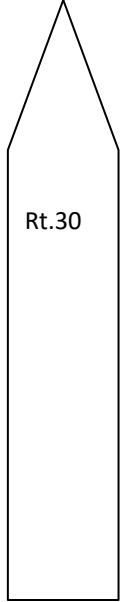
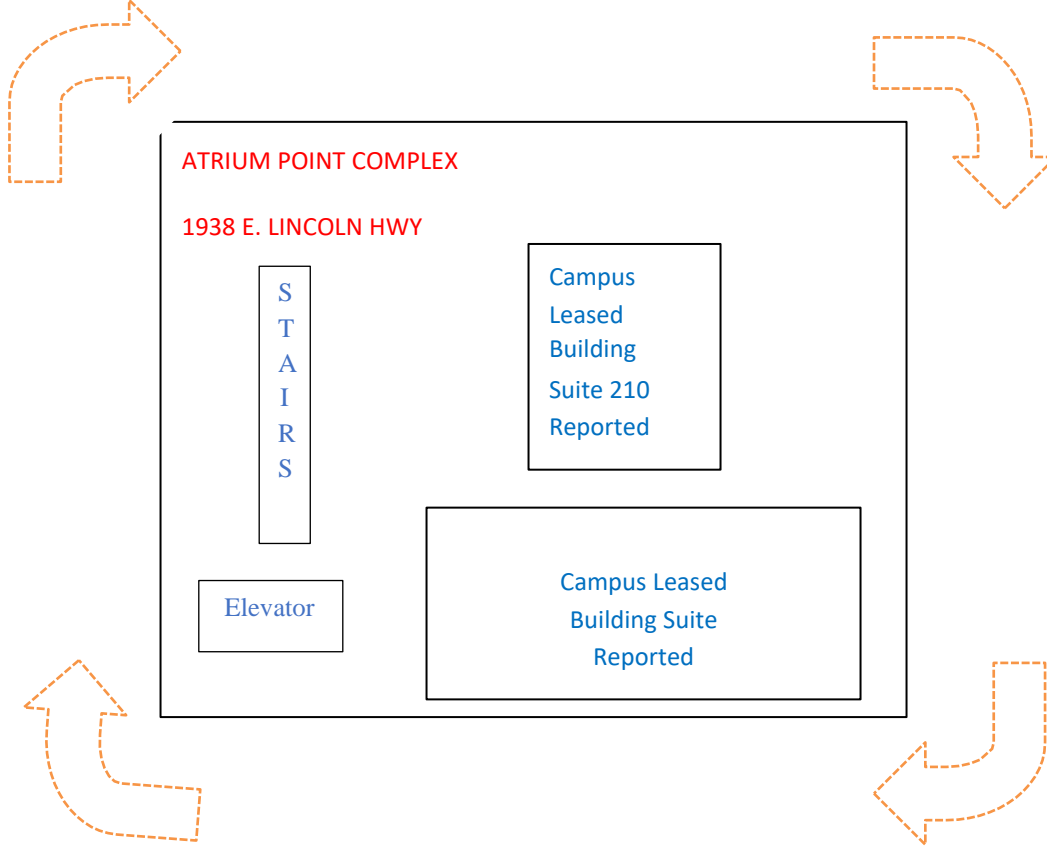
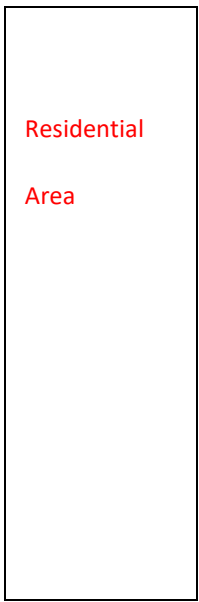


Geography Location: Oak Forest  
Campus

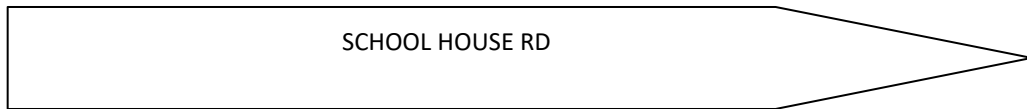
ROB ROY DRIVE

Arrows represent Campus Owned Parking  
Lot \*Blue & Red Areas Reported

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### Geography Location: New Lenox Campus



Blue represents Campus Buildings / Red  
Represents Public Property Red Dot Arrows  
represent Public Parking Lot reported.



## VI. Statistical Data

### Oak Forest Campus: Campus Crime Statistics

#### 1. Does your institution provide On-campus Student Housing Facilities?

No.

Yes. (If yes is selected, you must enter the number of student housing facilities below and enter Fire Statistics for each facility.)

Number of On-campus Student Housing Facilities:

#### 2. Does your institution have any non-campus buildings or properties?

Yes

No

#### 3. Have you combined statistics that you received from the local or state police with your institution statistics for this report? If you answer No to this question, you will be asked to provide the data you received from the local and state police separately.

Yes. Local and/or state law enforcement agencies provided us with statistics that we are combining with statistics collected by our campus security authorities.

No. We are not combining the statistics because we cannot determine whether the statistics, we obtained from local and/or state law enforcement agencies are for on-campus incidents or public property incidents.

**Not available.** We cannot determine if the statistics we obtained from local and/or state law enforcement agencies are for our Clery geography.

**Not available.** We made a good-faith effort to obtain statistics from local and/or state law enforcement agencies, but the agencies did not comply with our request.

### Criminal Offenses - On campus

For each of the following criminal offenses, enter the number reported to have occurred On Campus.

Criminal offense	Total occurrences On campus		
	2023	2022	2021
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0
k. <u>Arson</u>	0	0	0







## VAWA Offenses - On Campus

For each of the following crimes, enter the number reported to have occurred On Campus.

Crime	Total occurrences On Campus		
	2023	2022	2021
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

## VAWA Offenses - Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

Crime	Total occurrences on Public Property		
	2023	2022	2021
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

## Arrests - On campus

Enter the number of Arrests for each of the following crimes that occurred On Campus.

Crime	Number of Arrests		
	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Arrests - Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.

Crime	Number of Arrests		
	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Disciplinary Actions - On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories. Do not include disciplinary actions that were strictly for school policy violations. If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Number of persons referred for Disciplinary Action			
Crime	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Disciplinary Actions - Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories. Do not include disciplinary actions that were strictly for school policy violations. If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Number of persons referred for Disciplinary Action			
Crime	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Unfounded Crimes

Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded. The total number of unfounded crimes should include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Arrests and disciplinary actions cannot be unfounded.

Number			
	2023	2022	2021
a. <u>Total unfounded crimes</u>	0	0	0

# New Lenox Campus: Campus Crime Statistics

## 1. Does your institution provide On-campus Student Housing Facilities?

- No.
- Yes. (If Yes is selected, you must enter the number of student housing facilities below and enter Fire Statistics for each facility.)

Number of On-campus Student Housing Facilities:

## 2. Does your institution have any noncampus buildings or properties?

- Yes
- No

## 3. Have you combined statistics that you received from the local or state police with your institution statistics for this report? If you answer No to this question, you will be asked to provide the data you received from the local and state police separately.

- Yes. Local and/or state law enforcement agencies provided us with statistics that we are combining with statistics collected by our campus security authorities.
- No. We are not combining the statistics because we cannot determine whether the statistics, we obtained from local and/or state law enforcement agencies are for on-campus incidents or public property incidents.
- Not available. We cannot determine if the statistics we obtained from local and/or state law enforcement agencies are for our Clery geography.
- Not available. We made a good-faith effort to obtain statistics from local and/or state law enforcement agencies, but the agencies did not comply with our request.

## Criminal Offenses - On campus

For each of the following criminal offenses, enter the number reported to have occurred On Campus.

Criminal offense	Total occurrences On campus		
	2023	2022	2021
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0
k. <u>Arson</u>	0	0	0









## VAWA Offenses - On Campus

For each of the following crimes, enter the number reported to have occurred On Campus.

Crime	Total occurrences On Campus		
	2023	2022	2021
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

## VAWA Offenses - Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

Crime	Total occurrences on Public Property		
	2023	2022	2021
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

## Arrests - On campus

Enter the number of Arrests for each of the following crimes that occurred On Campus.

Crime	Number of Arrests		
	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Arrests - Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.

Crime	Number of Arrests		
	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Disciplinary Actions - On Campus

Number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

Number of persons referred for Disciplinary Action			
Crime	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Disciplinary Actions - Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories.

**Do not include disciplinary actions that were strictly for school policy violations.**

**If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.**

Number of persons referred for Disciplinary Action			
Crime	2023	2022	2021
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Unfounded Crimes

Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

**The total number of unfounded crimes should include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Arrests and disciplinary actions cannot be unfounded.**

	Number		
	2023	2022	2021
a. <u>Total unfounded crimes</u>	0	0	0