



**QUINCY  
UNIVERSITY**

**ANNUAL SECURITY  
REPORT**

**OCTOBER 1, 2024**

# 2024 QUINCY UNIVERSITY ANNUAL SECURITY REPORT

(Distributed 10-01-2024)

## INTRODUCTION

Safety and Security is an important concern for students and their loved ones, staff, faculty, and visitors. Quincy University understands this concern and is dedicated to supporting an environment that is safe and secure and minimizes distractions that interfere with the University's goals and mission.

We accept the challenge of providing a living and learning environment as free as possible from threats to safety and well-being for all who live and/or work at QU.

Quincy University Security works closely with our partners at the Quincy Police Department as necessary to provide such an atmosphere. Our Security Department provides all-day, every-day Security coverage throughout the year.

This annual security report is intended to be a visible and detailed product of our determination to be transparent in safety and security. Only by being honestly transparent will our community be better prepared to face the safety and security challenges today and tomorrow.

I hope that you find this report informative and helpful. Thank you.

Rob Copley  
Quincy University Director of Safety and Security

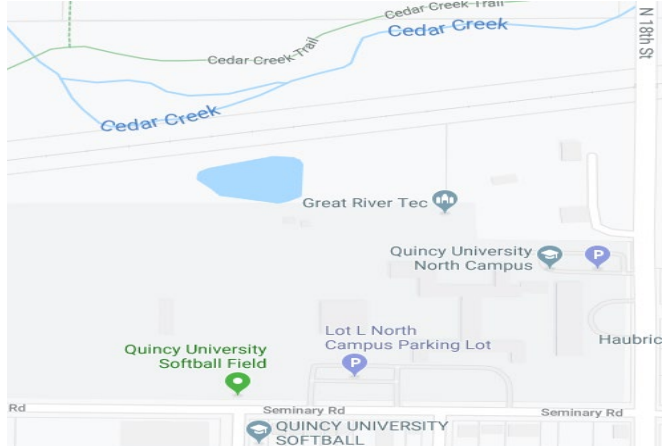
# I. GEOGRAPHY

Quincy University is comprised of two campus entities: Main Campus and North Campus. In between the two campuses, QU also has the Baseball and Football complex.

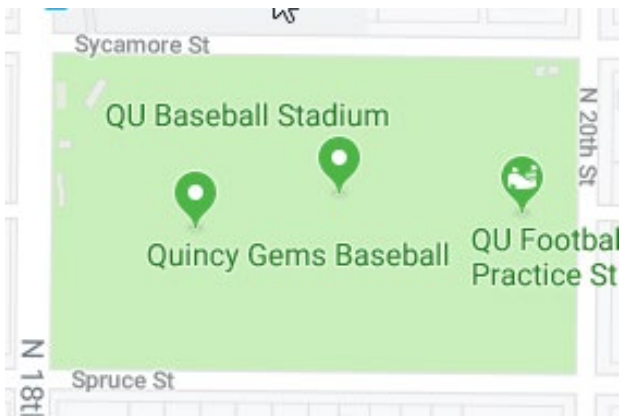
The main campus is located geographically on the streets of the City of Quincy, bordered by 18<sup>th</sup> St. on the west, Chestnut St. on the north, 20<sup>th</sup> St. on the east, and Oak St on the south.



North Campus is located geographically approximately one mile north of Main Campus on City of Quincy Streets, bordered by 18<sup>th</sup> St. on the east and Seminary Rd. on the south.



The Baseball and Football complex is roughly halfway in between both North and South Campuses on City of Quincy Streets, bordered by 18<sup>th</sup> St. on the west, Sycamore St. on the north, 20<sup>th</sup> St. on the east, and Spruce St. on the south.



**Main Campus Buildings**

Health and Fitness Center	Brenner Library/SSC	Francis Hall
Cupertine Hall	Hawk's Hangout	Friar's Hall
Padua Hall	Student Center	Padua Hall
Student Living Center	Willer Hall	Helein Hall
Garner Hall	Woods Hall	

**Main Campus Residential Houses Occupied by Students or Staff**

1700 Lind	815 N 20 <sup>th</sup>	912 N 18 <sup>th</sup>
1708 Lind	819 N 20 <sup>th</sup>	915 N 18 <sup>th</sup>
1849 Lind	823 N 20 <sup>th</sup>	918 N 18 <sup>th</sup>
1851 Lind	840 N 20 <sup>th</sup>	2015 College
1853 Lind	915 N 20 <sup>th</sup>	2017 College
1855 Lind	900 N 18 <sup>th</sup>	
1857 Lind	906 N 18 <sup>th</sup>	

**Main Campus Residential Houses Owned but Not Occupied**

906 N 20 <sup>th</sup>	914 N 20 <sup>th</sup>	2023 College
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**North Campus Buildings**

North Campus is one large structure connected yet identified by sections.

- North Campus A Building (Classrooms)
- North Campus B Building (Faculty Offices, QUTV Studios, and Music Rooms)
- North Campus C Building (Connie Nieman Center for Music)
- North Campus D Building (Franciscan Retreat Center)
- North Campus E Building (Sports lockers and indoor workout facility)

Soccer Stadium, Press box, and Locker Rooms  
 Softball Complex, Press box, and Dugouts

## II. CRIME STATISTICS

### *Criminal Offenses on Campus, in Housing Facilities, or Adjacent to Campus Area*

<b>CRIMINAL OFFENSE</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sex Offenses- Forcible	0	0	0	0
Rape	0	1	0	0
Fondling	0	0	0	0
Sex Offenses- Non-Forcible	0	1	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	1	0
Burglary	3	1	1	5
Motor Vehicle Theft	0	1	0	4
Arson	0	0	0	0

### *Hate Crimes on Campus, In Housing Facilities, or Adjacent to Campus Area*

Quincy University has no hate related crimes to report in any category 2020-2023

### *Violence Against Women Act (VAWA) on Campus, in Housing Facilities, or Adjacent to Campus Areas*

<b>CRIMINAL OFFENSE</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Domestic Violence	0	1	0	0
Dating Violence	0	0	1	0
Stalking	0	0	0	0

### *Arrests on Campus, In Housing Facilities, or Adjacent to Campus Area*

<b>CRIMINAL OFFENSE</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Weapons: Carrying, possessing, etc.	0	0	0	1
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	1	1	0	1

### *Disciplinary Actions on Campus, In Housing Facilities, or Adjacent to Campus Area*

<b>OFFENSE</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Weapons: Carrying, possessing, etc.	0	0	0	1
Drug Abuse Violations	0	0	2	14
Liquor Law Violations	43	36	21	29

### *Fires – On Campus Student Housing Facilities*

Quincy University has no housing facility fires to report for 2020-2023.

### III. CAMPUS SECURITY AUTHORITIES

The Quincy University Security Department is the Security Authority for the campus. Any crimes or security reports are directed to the Security Department. Students, staff, faculty, or visitors may appear in person at the Security main offices in Friar's Hall, room 115, or by calling the main Security number 217-228-5600. In some cases, calls have been generated by emailing the Director of Security, Rob Copley, at [r.copley58@quincy.edu](mailto:r.copley58@quincy.edu).

Occasionally, the Quincy Police will receive a call about an event on campus. The police officer assigned will contact the Security officer on duty to coordinate and inform of any such complaint.

#### Contact Information for Law Enforcement Partners

Quincy Police Department Non-Emergency Number	217-228-4470
Adams County Sheriff's Department Non-Emergency Number	217-277-2200
911 of Adams County/Quincy – Emergency Number	911
911 of Adams County/Quincy – Non-Emergency Number	217-222-9360

#### How To Report a Crime or Other Campus Security Concerns

Campus Security	217-228-5600
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#### How to Report a Title IX Violation

Quincy University may receive notice of alleged sexual misconduct and sex discrimination in several ways, including, but not limited to, the filing of a Complaint with the Office of Student Development and/or Safety and Security, formal or informal notification to the Title IX Coordinator, University Responsible Employee notification, third-party notification (parent, friend, student), and indirect notification via an at-large community member, media, or local law enforcement.

#### **Kristi Shelton, Director of Student Financial Services**

**1800 College Avenue  
Francis Hall  
Quincy, IL 62301  
217- 228-5432, ext. 3756  
sheltkr@quincy.edu**

#### **Title IX Investigator:**

**Rob Copley, Director of Safety & Security  
1800 College Avenue  
Friars' Hall, 106  
217-228-5432, ext. 3990  
r.copley58@quincy.edu**

## **IV. CAMPUS POLICY**

### **POLICY PROHIBITING DISCRIMINATION BASED ON SEX UNDER TITLE IX**

Last Updated: June 30, 2024

#### **INTRODUCTION**

This Policy sets forth Quincy University's obligations under the 2024 Title IX Regulations. It incorporates the definitions and procedural requirements from the 2013 Clery Amendments pertaining to sexual assault, dating violence, domestic violence, and stalking. Pursuant to this Policy, Quincy University will:

- Respond to all reports of sex-based discrimination and/or retaliation.
- It will take necessary measures to end conduct that violates this Policy, prevent its recurrence, and remedy its effect on individuals and the community.
- Within any process related to this Policy, Quincy University provides reasonable accommodations to persons with disabilities and reasonable religious accommodations consistent with state and federal law.

Situations involving other conduct that may violate other Quincy University student or employee conduct policies should be reported to the Office of Student Development for matters involving students or the Office of Human Resources for matters involving faculty or staff. Situations involving other conduct relating to nonaffiliates should be reported to Mark Strieker, CFO.

Any concerns related to conduct prohibited by this Policy should be reported to Quincy University's Title IX Coordinator:

Kristi Shelton

sheltkr@quincy.edu

2172285307

Francis Hall Lower Level B33

#### **Statement of Nondiscrimination**

As set forth in this Policy, Quincy University prohibits discrimination on the basis of sex in its programs and activities. As defined by Title IX, discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Quincy University does not discriminate in its admissions practices, in its employment practices, or in its educational programs or activities on the basis of sex. Quincy University also prohibits retaliation against any person opposing sex discrimination or participating in any sex discrimination investigation or complaint process, whether internal or external to Quincy

University. Sex-based harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination which are prohibited under Title IX and by this Policy.

When brought to the attention of Quincy University, conduct prohibited by this Policy will be addressed by Quincy University according to the procedures set forth in this Policy. Discrimination on the basis of any other protected category will be addressed in accordance with the University Employee and Student Handbook.

#### **Statement of Equal Access**

Quincy University shall provide certain support and modifications to people experiencing pregnancy or related conditions to ensure their equal access to Quincy University's program or activity. Pregnancy or related conditions include pregnancy, childbirth, termination of pregnancy, lactation; medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; and recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Quincy University treats pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions and must allow voluntary leaves of absence. Students, employees, or applicants should contact the Title IX Coordinator for more information. Employees or applicants for employment may also contact the Office of Human Resources for more information, because additional workplace laws and policies apply.

### **Application of Section 504/Americans with Disabilities Act to this Policy**

Quincy University complies with the requirements of the Americans with Disabilities Act of 1990, as amended 2008 ("ADAAA"); Sections 504 and 508 of the Rehabilitation Act of 1973, as amended; and all other federal and state laws and regulations prohibiting discrimination on the basis of disability. Quincy University is committed to providing individuals with disabilities equal access to Quincy University's programs and activities.

Parties may request reasonable accommodations for disabilities to the Title IX Coordinator at any point relating to the implementation of this Policy, including making a disclosure or report, and initiating a grievance procedure. Accommodations will be granted if they are reasonable and do not fundamentally alter the procedures established by this Policy. Please note that the Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the parties, even where the parties may be receiving accommodations in other Quincy University programs and activities.

With the consent of the impacted student or employee, the Title IX Coordinator will work collaboratively with the Vice President of Student Development and/or Office of Human Resources to ensure that approved reasonable accommodations (disability-related) are implemented.

### **SCOPE AND JURISDICTION OF THIS POLICY**

All members of Quincy University's community, including, but not limited to, students, student organizations, faculty, administrators, and staff, whether on or off campus, and third parties such as guests, visitors, volunteers, invitees, and alumni when they are on campus or participating in Quincy University sponsored activities, are subject to this Policy, though the procedures for resolving conduct prohibited by this Policy will vary based on one's status. This Policy applies to all students and employees and all other individuals participating in (or attempting to participate in) Quincy University programs or activities, including Quincy University sponsored events that take place off-campus.

This Policy may also pertain to instances in which the conduct occurred outside of the campus or Quincy University sponsored activity if Quincy University determines that the off-campus conduct is within the jurisdiction of its disciplinary authority or affects a substantial Quincy University interest, including access to the educational program or activity, safety and security, compliance with applicable law, and meeting its educational mission.

Any individual covered by this Policy is expected to provide truthful information in any report, meeting, or proceeding under this Policy.

Unless otherwise specified in this Policy, any individual who is accused of engaging in conduct prohibited by this Policy who is not a student, faculty member, or staff member is generally



considered a third party. Quincy University 's ability to take corrective action against a third party may be limited and will depend on the nature of the third party's relationship, if any, to Quincy University. When appropriate, the Title IX Coordinator will refer such allegations against a third party to the appropriate office.

The status of a party may impact which resources and remedies are available to them under this Policy.

If there is a conflict between the provisions of this Policy and other Quincy University policies, procedures, rules, regulations, or terms or conditions of employment, the provisions of this Policy will govern unless otherwise stated. Any capitalized terms in this Policy are defined as stated or in Section XXI.

## **PROHIBITED CONDUCT**

This Policy prohibits sex discrimination, including sex-based harassment, and retaliation as defined below. These acts shall also be referred to as Prohibited Conduct under this Policy:

### **Discrimination on the Basis of Sex**

Except as permitted by Title IX, prohibited discrimination on the basis of sex (where sex includes sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity) is defined as actions that cause an individual to be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by Quincy University.

Except as permitted by Title IX, Quincy University, including employees, students, participants and agents of Quincy University, shall not, engage in any of the following prohibited discriminatory actions on the basis of sex if it would cause more than de minimis harm:

- (1) Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
  - (2) Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
  - (3) Deny any person any such aid, benefit, or service;
  - (4) Subject any person to separate or different rules of behavior, sanctions, or other treatment;
  - (5) Apply any rule concerning the domicile or residence of a student or applicant, including eligibility for in-state fees and tuition;
  - (6) Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
  - (7) Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.
- For the purposes of this definition, unless permitted by Title IX, adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis harm on the basis of sex and will be considered prohibited discrimination.

### **Sex-Based Harassment**

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, as defined by Title IX, including harassment on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Under this Policy, prohibited Sex-based Harassment includes the following conduct:

### 1. Quid Pro Quo Harassment:

Quid pro quo harassment occurs when an employee, agent, or other person authorized by Quincy University to provide an aid, benefit, or service under Quincy University's education program or activity, explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

### 2. Hostile Environment Harassment

Hostile environment harassment is defined as unwelcome sex-based 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 Quincy University's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- The degree to which the conduct affected the individual's ability to access Quincy University's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within Quincy University's education program or activity, previous interactions, and other factors about a party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in Quincy University's education program or activity.

## **Sexual Assault & Interpersonal Violence**

### 1. Sexual assault.

Sexual assault is defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Sexual assault includes:

- Rape-The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Attempted rape falls under this prohibition.
- Fondling-The touching of the private body parts of another for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- Incest-Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape-Sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent is 18 years old.

For the purposes of these definitions, a Sexual Act is defined as conduct between persons consisting of:

- Contact between the penis and the vulva or between penises and vulvas
- Contact between the penis and the anus.
- Contact between the mouth and the penis.
- Contact between the mouth and the vulva.
- Contact with any objects, including fingers or foreign objects to the vulva, anus, or penis.
- Contact involving any of the above or the buttocks or breasts
- Private body parts include all of the body parts specified above.

## **Dating Violence**

This includes violence committed by a person:

Who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors

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

Emotional and psychological abuse do not constitute violence for the purposes of this definition.

## **Domestic Violence**

This includes felony or misdemeanor crimes of violence committed by a person who:

- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of Quincy University, or a person similarly situated to a spouse of the victim;
- Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- Shares a child in common with the victim; or
- Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of Illinois.

Emotional and psychological abuse do not constitute violence for the purposes of this definition.

## **Stalking**

This is defined as engaging in a course of conduct, on the basis of sex, 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.

## **Sexual Exploitation**

Sexual exploitation means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:

- The prostituting of another person;
- The trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion;
- The recording of images, including video or photograph, or audio of another person's sexual activity or intimate parts, without that person's consent;
- The distribution of images, including video or photograph, or audio of another person's sexual activity or intimate parts, if the individual distributing the images or audio knows the disclosure.
- The viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent, for the purpose of arousing or gratifying sexual desire.

## **Retaliation**

Retaliation is any materially adverse action taken against an individual because they were involved in the disclosure, reporting, investigation, or resolution of a report of Prohibited Conduct under this Policy. Retaliation includes threats, intimidation, harassment, coercion, discrimination, violence, or any other conduct by Quincy University, a student, or an employee or other person authorized by Quincy University to provide aid, benefit, or service under Quincy University's education program or activity, for the purpose of interfering with any right or privilege secured by this Policy or by law,

including Title IX or its regulations. Adverse action does not include perceived or petty slights, or trivial annoyances.

The prohibition against retaliation applies to any individuals who participate (or refuse to participate) in any manner in an investigation and to any student who refuses to participate in an investigation or proceeding.

Retaliation may occur even where there is a finding of "not responsible" under this Policy. Good faith actions lawfully pursued in response to a report of Prohibited Conduct are not Retaliation.

### **DELEGATION OF DUTIES UNDER THIS POLICY**

Quincy University shall respond to all allegations of Prohibited Conduct, as defined above.

Obligations created by this Policy may be delegated by Quincy University, including to external professionals.

### **CONFLICTS OF INTEREST OR BIAS**

Any individual carrying out any part of this Policy shall be free from any actual conflict of interest or demonstrated bias that would impact the handling of a matter. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator shall immediately notify Mark Strieker, CFO who will either take, or reassign, the role of Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue.

Should any Investigator, Decision Maker, or Appeals Officer have a conflict of interest, the Investigator, Decision Maker, or Appeals Officer shall notify the Title IX Coordinator upon discovery of the conflict so that the Title IX Coordinator may reassign the role as appropriate. This Policy will note where parties have the opportunity to challenge the participation of any individual implementing this Policy based on actual conflict of interest or demonstrated bias.

### **CRIME AND INCIDENT DISCLOSURE OBLIGATIONS**

The Clery Act is a federal crime and incident disclosure law. It requires, among other things, that Quincy University report the number of incidents of certain crimes, including some of the Prohibited Conduct in this Policy, that occur in particular campus-related locations. The Clery Act also requires Quincy University to issue a warning to the community in certain circumstances.

In the statistical disclosures and warnings to the community, Quincy University will ensure that a Complainant's name and other identifying information is not disclosed. The Title IX Coordinator will refer information to the Clery Officer when appropriate for a determination about Clery-related actions, such as disclosing crime statistics or sending campus notifications.

### **REPORTING SEX DISCRIMINATION, INCLUDING SEX-BASED HARASSMENT**

#### **Employee Reporting Obligations**

All employees, with limited exceptions as identified by Quincy University, are required to promptly provide to the Title IX Coordinator all complaints and/or reports of sex discrimination, including sex-based harassment and share all information reported or made available to the employee. If an employee in a supervisory capacity has direct knowledge of an incident of harassment or discrimination on the part of, or directed toward, any employee of the Title IX Coordinator community, that supervisor is required to bring the matter to the attention of the Title IX Coordinator. When providing this information to the Title IX Coordinator, the employee must include their own name and contact information, and all known details about an incident, which may include, if known, the dates, times, locations, names of involved individuals and the nature of the incident.

Aside from this reporting obligation, employees will, to the fullest extent possible, maintain the privacy of an individual's information, consistent with FERPA.

### **Public Awareness Events**

Employees are required to report to the Title IX Coordinator information about sex discrimination they learn about at public awareness events such as Take Back the Night.

The Title IX Coordinator is not obligated to respond directly to any identified Complainant in a report of sex-based harassment disclosed at a public awareness event that takes place on-campus or in a school-sponsored online platform unless there is an imminent and serious threat to someone's health or safety.

The Title IX Coordinator must respond to reports of conduct that could constitute sex discrimination other than sex-based harassment if disclosed at public awareness events, wherever they occur. In all cases, Quincy University must use the information to inform its efforts to prevent sex-based harassment, including by providing tailored training to address alleged sex-based harassment in a particular part of its education program or activity or at a specific location when information indicates there may be multiple incidents of sex-based harassment.

### **How to Make a Report to Quincy University**

All complaints of violations of this Policy will be taken seriously and in good faith. The Title IX Coordinator will provide information and guidance regarding how to file a complaint with Quincy University and/or local law enforcement, as well as information and assistance about what course of action may best support the individual(s) involved and how best to address the complaint.

Every reasonable effort will be made to maintain the privacy of those making a report to the extent possible. In all cases, Quincy University will give consideration to the party bringing forward a report with respect to how the matter is pursued. Quincy University may, when necessary to protect the community, initiate an investigation or take other responsive actions to a report, even when the person identifying a concern chooses not to participate in a resolution process and/or requests that Quincy University not initiate an investigation.

Employees, students, guests, or visitors who believe that this Policy has been violated should promptly contact the Title IX Coordinator.

There is no timeline for making a report of sex discrimination, however, Quincy University encourages the prompt reporting of a complaint as the ability of Quincy University to pursue the complaint to conclusion may be hindered by the passage of time.

### **Amnesty for Reporting**

A student making a report to the Title IX Coordinator may be eligible for Amnesty for drug or alcohol related violations of the Student Handbook that occurred on or around the same time as the incident or that was in connection with the incident.

### **Privacy and Confidentiality**

References made to privacy mean Quincy University offices and employees who cannot guarantee confidentiality, but will maintain privacy to the greatest extent possible, relaying information as necessary to investigate or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Quincy University will limit the disclosure as much as practicable.

All activities under these procedures shall be conducted with the privacy interests of those involved. While Quincy University will take all reasonable steps to protect the privacy of individuals involved in a complaint, it may be necessary to disclose some information to individuals or offices on campus in order to address a complaint or provide for the physical safety of an individual or the campus. Thus,

Quincy University cannot, and does not, guarantee that all information related to complaints will be kept confidential.

To maintain the privacy of evidence gathered as part of any resolution process, access to materials under the procedures in this Policy will be provided only by a secure method and parties and advisors are not permitted to make copies of any documents shared or make use of the documents outside of the processes described in this Policy. Parties may request to review a hard copy of materials, and Quincy University will make that available in a supervised or monitored setting. Inappropriately sharing materials provided during this process may constitute retaliation under this Policy.

Individuals may speak confidentially with a Confidential Resource. Confidential Resources (e.g., licensed mental health care providers, physicians and clergy) may not report to Title IX Coordinator any identifying information about conduct that may violate Quincy University's Policy against sex discrimination without the written consent of the individual who supplied the information, unless required by law. Such disclosures will not be reported to the Title IX Coordinator or initiate any process under this Policy.

Quincy University has employees who are not required to report information about sex discrimination to the Title IX Coordinator:

1. Privileged and Confidential Employees. On-campus licensed professional counselors, on-campus health service providers, on-campus members of the clergy, off campus licensed professional counselors, medical providers, rape crisis counselors, and attorneys, whose communications are privileged or confidential under Federal or State law. The employee must be hired for and functioning within the scope of their duties to which the privilege or confidentiality applies. For example, physicians, clergy, and mental health counselors are all confidential employees. Disclosures made to these employees means that information cannot be disclosed to anyone internal or external to Quincy University without the express permission from the individual disclosing the information.

State law requires professional counselors to report: (i) when a patient is likely to engage in conduct that would result in serious harm to the patient or others; (ii) if there is reasonable cause to suspect that a minor has been sexually abused. These reports must be made to the Department of Child and Family Services Abuse Hotline at 1-800-25-ABUSE. Or it can be reported online at <https://dcfsonlinereporting.dcf.illinois.gov/>.

### **Reporting to the Police**

Some Prohibited Conduct may constitute a violation of both the law and Quincy University policy. Quincy University encourages students to report alleged crimes promptly to local law enforcement agencies. All persons have the right to file with law enforcement, as well as the right to decline to file with law enforcement. The decision not to file shall not be considered as evidence that there was not a violation of Quincy University policy.

Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. The standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy. Conduct may constitute Prohibited Conduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and decline to prosecute.

Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. However, when a complaint is made to Quincy University as well as to law enforcement, Quincy University may delay its process if a law enforcement agency requests that Quincy University delay its process for a reasonable amount of time to allow law

enforcement to gather evidence of criminal misconduct. Criminal or legal proceedings are separate from the processes in this Policy and do not determine whether this Policy has been violated. All investigations and determinations under this Policy will be thorough, reliable and impartial, and will seek to collect evidence and names of witnesses to gather information that is directly or substantially relevant to whether the alleged policy violation occurred, and will not be based on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

In the case of an emergency, where the physical well-being of a member of Quincy University community or the safety of Quincy University as an institution is threatened, any individual with such knowledge should promptly inform the Director of Campus Safety. Quincy University may take any immediate steps as may be necessary and appropriate under the circumstances to ensure the well-being of Quincy University community and Quincy University as an institution.

## **RESPONSE TO A REPORT**

The following process will be used following the receipt of a report of Prohibited Conduct:

### **Initial Contact**

Following receipt of a report alleging a potential violation of this Policy, the Title IX Coordinator will contact the Complainant to meet with the Title IX Coordinator for an initial intake and assessment meeting, and will provide the following:

- An invitation to meet to offer assistance and explain their rights, resources, and options under this Policy;
- Access to this Policy;
- Information regarding available campus and community resources for counseling, health care, mental health, or victim advocacy. Upon request, information regarding legal assistance, visa and immigration assistance, student financial aid and other available services may be provided;
- The availability of Supportive Measures regardless of whether a complaint is filed and/or any resolution process is initiated;
- The options for resolution (no action, prevention, agreement, investigation) and how to initiate such resolution processes;
- The right to notify law enforcement as well as the right not to notify law enforcement;
- The importance of preserving evidence and, in the case of potential criminal misconduct, how to get assistance from Campus Safety or local law enforcement in preserving evidence;
- The right to an advisor of choice, if applicable, during Quincy University proceedings under this Policy including the initial meeting with the Title IX Coordinator;
- A statement that retaliation for filing a complaint, or participating in the complaint process, is prohibited; and
- Information on how to initiate the Investigation or Resolution-Based Agreement process.

### **Initial Intake & Assessment**

The Initial Assessment process seeks to gather information about the nature and circumstances of the report to determine whether this Policy applies to the report and, if so, which resolution process may be appropriate, as well as which section of the grievance procedures apply based on the conduct and the status of the parties. The Title IX Coordinator may also determine that the provision of supportive measures only is the appropriate response under the Policy. The initial assessment is not a finding of fact or responsibility. If the individual bringing forward the complaint is not the actual

Complainant, the Title IX Coordinator will limit communication to general information on policies and processes.

Should the Complainant wish to initiate a resolution process, the Title IX Coordinator will determine whether this Policy applies and, if so, the appropriate process under this Policy. The Title IX Coordinator will communicate to the Complainant this determination. If the Complainant does not wish to initiate a resolution process, the Title IX Coordinator will assess whether to proceed as set forth below.

If the information provided does not suggest a potential violation of this Policy, the Title IX Coordinator will provide the Complainant written notice that the matter is being referred for handling under a different policy, and/or to another appropriate office for handling.

### **Requests for Confidentiality or No Further Action**

When a Complainant requests that Quincy University not use their name as part of any resolution process, or that Quincy University not take any further action, Quincy University will generally try to honor those requests. However, there are certain instances in which Quincy University has a broader obligation to the community and may need to act against the wishes of the Complainant. In such circumstances, the Title IX Coordinator will notify the Complainant in writing of the need to take action. The factors the Title IX Coordinator will consider when determining whether to act against the wishes of a Complainant include:

- The Complainant's request not to proceed with the initiation of a complaint;
- The Complainant's reasonable safety concerns regarding the initiation of a Complaint;
- The risk that additional acts of Prohibited Conduct would occur if a Complaint is not initiated;
- The severity of the alleged Prohibited Conduct, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the Respondent is an employee of Quincy University;
- The scope of the alleged discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a Decision Maker in determining whether sex discrimination occurred;
- Whether Quincy University could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures under this Policy; and
- Whether the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other persons, or that the conduct as alleged prevents Quincy University from ensuring equal access on the basis of sex to its education program or activity.

### **Emergency Removal**

For sex discrimination and sex-based harassment, Quincy University retains the authority to remove a Respondent from Quincy University's education program or activity on an emergency basis, where Quincy University:

- Undertakes an individualized safety and risk analysis;
- Determines that an immediate and serious threat to the health or safety of a Complainant or any student, employee, or other individual arising from the allegations of sex discrimination justifies a removal; and
- Provides the Respondent with notice of and an opportunity to challenge the decision immediately following the removal.



The Respondent may challenge the decision immediately following the removal, by notifying the Title IX Coordinator in writing. Quincy University will designate an impartial individual, not otherwise involved in the case, to consider the challenge to the removal and determine if the emergency removal was reasonable. For all other Prohibited Conduct, Quincy University may defer to its interim suspension policies for students and administrative leave for employees.

### **Administrative Leave**

Quincy University retains the authority to place an employee Respondent on administrative leave during a pending complaint process under this Policy, with or without pay, as appropriate. Administrative leave implemented as a supportive measure or as emergency removal is subject to the procedural provisions above, including the right to challenge the decision to implement that measure.

### **Student Withdrawal or Employee Resignation While Matters Are Pending**

If a student or employee Respondent permanently withdraws or resigns from Quincy University with unresolved allegations pending, Quincy University will consider whether and how to proceed with the resolution process. Quincy University will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s) and any ongoing effects of the alleged Prohibited Conduct.

A student Respondent who withdraws or leaves while the process is pending may not return to Quincy University without first resolving any pending matters. Such exclusion applies to all Quincy University campuses and programs.

An employee Respondent who resigns with unresolved allegations pending is not eligible for rehire with Quincy University and the records retained by the Title IX Coordinator will reflect that status. All Quincy University responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

### **Dismissal of a Complaint**

Before dismissing a complaint, Quincy University will make reasonable efforts to clarify the allegations with the Complainant.

Quincy University may dismiss a complaint if:

- Quincy University is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in Quincy University's education programs or activities and/or is not employed by Quincy University;
- The Complainant voluntarily withdraws their complaint in writing and the Title IX Coordinator declines to initiate a complaint;
- The Complainant voluntarily withdraws some but not all allegations in a complaint in writing, and Quincy University determines that, the conduct that remains alleged in the complaint would not constitute Prohibited Conduct under this Policy; or
- Quincy University determines the conduct alleged in the complaint, even if proven, would not constitute Prohibited Conduct under this Policy.

Upon dismissal, Quincy University will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, then Quincy University will notify the parties simultaneously, in writing. If a dismissal of one or more allegations changes the appropriate decision-making process under these procedures, the Title IX Coordinator will include that information in the notification.

Quincy University will notify the Complainant that a dismissal may be appealed on the basis outlined in the Appeals section. If dismissal occurs after the Respondent has been notified of the allegations,

then Quincy University will also notify the Respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, Quincy University will follow the procedures outlined in the Appeals section of these procedures.

When a complaint is dismissed, Quincy University will, at a minimum:

- Offer supportive measures to the Complainant, as appropriate;
- If the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within Quincy University education program or activity.

A Complainant who decides to withdraw a complaint or any portion of it may later request to reinstate it or refile it.

## **REFERRALS FOR OTHER MISCONDUCT**

Quincy University has the discretion to refer complaints of misconduct not covered by this Policy for handling under any other applicable Quincy University policy or code. As part of any such referral for further handling, Quincy University may use evidence already gathered through any process covered by this Policy.

## **CONSOLIDATION OF COMPLAINTS**

Quincy University may consolidate Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular "party," "Complainant," or "Respondent" include the plural, as applicable. Where multiple policies may be implicated by the same set of facts or circumstances, Quincy University may bifurcate the proceedings in accordance with the requirements of the individual policies.

Quincy University also reserves the right to use this Policy to adjudicate other allegations and conduct charges as defined by policies outside of the scope of this Policy in instances when the conduct is associated with an alleged issue of prohibited conduct under this Policy. The Title IX Coordinator will address these consolidated complaints in collaboration and coordination with other appropriate offices, such as Student Services and Human Resources. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this Policy.

## **OPTIONS FOR RESOLUTION**

There are multiple ways to resolve a complaint or report of sex discrimination. During the resolution of a complaint, the Title IX Coordinator will determine whether to implement reasonable supportive measures designed to assist all parties (Complainants and Respondents) and community members in maintaining access to and participation in Quincy University's educational programs, services and activities during the resolution of the complaint.

### **Support-Based Resolution**

A support-based resolution is an option for a Complainant who does not wish Quincy University to take any further steps to address their concern, and when the Title IX Coordinator determines that another form of resolution, or further action, is not required. Some types of support that may be

appropriate include but are not limited to: adjustments or changes to class schedules; moving from one residence hall room to another; adjusted deadlines for projects or assignments; adjustments to work schedule or arrangements; escorts to and around campus; and/or counseling.

A support-based resolution does not preclude later use of another form of resolution, for example if new information becomes available to Quincy University and the Title IX Coordinator determines there is need for additional steps to be taken, or the Complainant later decides to pursue a Resolution Agreement or investigation and decision making.

### **Agreement-Based Resolution**

Agreement-Based Resolution is an alternative where the Parties each voluntarily agree to resolve the complaint in a way that does not include an investigation and does not include any finding of responsibility. Agreement-Based Resolution is a voluntary, structured interaction between or among affected parties that balances support and accountability. If Quincy University offers Agreement-Based Resolution to the parties, and they voluntarily consent to engage in that process, the Title IX Coordinator must still take other prompt and effective steps as needed to ensure that sex discrimination does not continue or recur within the education program or activity.

Any party may design the proposed agreement between the parties. The Title IX Coordinator must approve of the use of the Agreement-Based Resolution process and approve the final agreement between the parties. Agreement-Based Resolution may be initiated at any time prior to the release of the final determination. Because Agreement-Based Resolution does not involve an investigation, there is not any determination made as to whether a Respondent violated this Policy.

The Title IX Coordinator has the discretion to determine that Agreement-Based Resolution is not an appropriate way to address the reported conduct, and that the matter must instead be resolved through an alternate process.

### **Initiating the Agreement-Based Resolution Process**

Prior to the initiation of Agreement-Based Resolution, the Title IX Coordinator will provide the Parties written notice that includes:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The requirements of the Agreement-Based Resolution process;
- Any consequences resulting from participating in the Agreement-Based Resolution process, including the records that will be maintained or could be shared, and whether
- grievance process, including an investigation and resolution process arising from the same or different allegations, as may be appropriate;
- Notice that an agreement resulting from the Agreement-Based Resolution process is binding only on the parties and is not subject to appeal;
- Notice that once the Agreement is finalized and signed by the Parties, they cannot initiate or continue an investigation procedure arising from the same allegations;
- A statement indicating that the decision to participate in the Agreement-Based Resolution process does not presume that the conduct at issue has occurred;
- A statement that the Respondent is presumed not responsible for violating this Policy, unless Respondent admits to violations of this Policy;
- An explanation that all parties may be accompanied by an advisor of their choice, who may be a parent, colleague, friend, or attorney;
- A statement that any party has the right to withdraw from the Agreement-Based Resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;

- The date and time of the initial meeting with staff or the Title IX Coordinator, with a minimum of 3 days' notice;
- Information regarding Supportive Measures, which are available equally to the parties; and
- The potential terms that may be requested or offered in an Agreement-Based Resolution agreement.

### **Facilitating an Agreement**

If all Parties are willing to explore Agreement-Based Resolution, the Title IX Coordinator will then meet separately with each party to discuss the Agreement-Based Resolution process and facilitate an agreement. If an agreement cannot be reached, either because the Parties do not agree, determine they no longer wish to participate in the Agreement-Based Resolution process, or the Title IX Coordinator does not believe that the terms of the agreement or continuing the Agreement-Based Resolution process is appropriate, the Title IX Coordinator may decide that the reported conduct will instead be addressed through the investigation and decision-making process. The Title IX Coordinator will inform the parties of such a decision, in writing.

Agreement-Based Resolution processes are managed by facilitators who do not have a conflict of interest or bias in favor of or against Complainants or Respondents generally or regarding the specific parties in the matter. The Title IX Coordinator may serve as the facilitator, subject to these restrictions. The Investigator or Decision Maker for the matter may not facilitate an Agreement-Based Resolution in that same matter.

Any party may craft or create the terms of their agreement and will be asked for their suggestions or ideas. Examples of agreements may include but are not limited to:

- An agreement that the Respondent will change classes or housing assignments;
- An agreement that the Parties will not communicate or otherwise engage with one another;
- An agreement that the Parties will not contact one another;
- Completion of a training or educational project by the Respondent;
- Completion of a community service project by the Respondent;
- An agreement to engage in a restorative justice process or facilitated dialogue; and/or
- discipline agreed upon by all parties.

To facilitate Agreement-Based Resolution, information shared by any party will not be used in any related resolution process of the same complaint under this policy. No evidence concerning the allegations obtained within the Agreement-Based Resolution process may be disseminated to any outside person, provided that any party to the Agreement-Based Resolution process may generally discuss the allegations under investigation with a parent, advisor, or other source of emotional support, or with an advocacy organization. An admission of responsibility made during an Agreement-Based Resolution process, however, may not be incorporated into the investigation and adjudication proceeding.

### **Finalizing the Resolution Agreement**

Once the final terms of the Resolution Agreement have been agreed upon by all parties, in writing, and approved by the Title IX Coordinator, the matter will be considered closed, and no further action will be taken. Once signed, no appeal is permitted. The Agreement-Based Resolution process is generally expected to be completed within thirty (30) days and may be extended by the Title IX Coordinator as appropriate. All parties will be notified, in writing, of any extension and the reason for the extension.

Records of an Agreement-Based Resolution process can be shared with other offices as appropriate.

Any violations of the terms of the Resolution Agreement may result in disciplinary action.

## **INVESTIGATION & DECISION-MAKING RESOLUTION**

This Policy includes two types of investigation and decision-making procedures.

- Procedures covering all Prohibited Conduct matters except for sex-based harassment involving a student as a party; and
- Procedures covering sex-based harassment involving a student as a party.

The following information applies to both types of the investigation and decision-making procedures:

### **Acceptance of Responsibility**

If a Respondent accepts responsibility for all or part of the Prohibited Conduct alleged, the Title IX Coordinator or designated sanctioning officer will issue an appropriate sanction or responsive action as to those violation(s) and continue processing remaining allegations of Prohibited Conduct, if any.

### **Assignment of the Investigator and/or Decision Maker**

Quincy University will assign a trained Investigator and/or Decision Maker to conduct an adequate, reliable, and impartial investigation and determination, as applicable, in a reasonably prompt timeframe. Quincy University reserves the right to all the Investigator and decision maker to be the same person or utilize internal or external Investigators and Decision Makers.

All parties have the option to participate in the investigation, and each have the same rights during the resolution process including the right to an advisor, to submit relevant witness names and evidence, and to review the evidence gathered by the Investigator prior to the Investigator providing the final report to the Decision Maker.

The Investigator will establish deadlines for submission of names of relevant witnesses and submission of evidence and communicate those deadlines to the parties in writing.

### **Conflict of Interest or Bias**

After a Notice of Investigation, as described below, is issued to all parties, any party may object to the participation of the Title IX Coordinator or designated Investigator on the grounds of a demonstrated bias or actual conflict of interest. All parties will have three (3) days from the date of the Notice of Investigation to object to the selection of the Investigator or the Title IX Coordinator. Objections to the Title IX Coordinator are to be made, in writing, to Mark Strieker, CFO. Objections to the appointment of the Investigator are to be made in writing, to the Title IX Coordinator. All objections will be considered, and changes made as appropriate. If the objection is substantiated as to either the Title IX Coordinator or the Investigator, that individual shall be replaced. Any change will be communicated in writing.

### **Timeline**

Quincy University strives to complete the investigation process within ninety (90) days from the date of the Notice of Investigation.

The timeline for any part of the resolution process may be extended for good cause by the Title IX Coordinator. All parties shall be notified, in writing, of any extension to the timeline that is granted, the reason for the extension, and the new anticipated date of conclusion of the investigation and/or hearing. Good cause reasons for extension may include ensuring availability of witnesses and other participants and ensuring participants have sufficient time to review materials.

Quincy University shall not unreasonably deny a student party's request for an extension of a deadline related to a complaint during periods of examinations or school closures.

The Investigator and/or Title IX Coordinator shall provide the Parties with periodic status updates, in writing.

### **Burden of Evidence**

Quincy University has the burden of conducting an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred. This burden does not rest with any party, and any party may decide to limit their participation in part or all of the process, or to decline to participate. This does not shift the burden of proof away from Quincy University and does not indicate responsibility.

### **Standard of Proof**

The standard of proof used in any investigation and decision-making process is the preponderance of the evidence standard, which means that the allegation(s) are more likely than not to have occurred.

### **Written Notice of Meetings**

Quincy University will provide to a party or witness whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time to prepare to participate.

### **Evidence Gathering**

#### **Interviews**

The Investigator will interview all parties and relevant witnesses and gather relevant documentary evidence provided by the parties and any identified witnesses. Interviews may be conducted in person, or via video conference. When a party meets with an Investigator, the Investigator will ask questions related to the allegations in the complaint and a party is given the opportunity to speak to the allegations and related events. Parties may identify fact witnesses and provide evidence that is relevant to the allegations and not otherwise impermissible. This will include inculpatory evidence (that tends to show it more likely that someone committed a violation) and exculpatory evidence (that tends to show it less likely that someone committed a violation). The Investigator ultimately determines whom to interview to determine the facts relevant to the complaint.

### **Impermissible Evidence**

The following types of evidence, and questions seeking that evidence, are impermissible. This means this information will not be accessed or considered, except by Quincy University to determine whether one of the exceptions listed below applies. This information will not be disclosed or otherwise used, regardless of relevance:

- Evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- Evidence provided to an employee designated by Quincy University as exempt from internal reporting under this Policy, unless the person who made the disclosure or otherwise provided evidence to that employee has voluntarily consented to re-disclosure;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless Quincy University obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered

to prove consent to alleged sex-based harassment. The fact of prior consensual sexual conduct between the parties does not by itself demonstrate or imply the Complainant's consent to other sexual activity or preclude a determination that Prohibited Conduct occurred.

## **INVESTIGATION & DECISION-MAKING PROCEDURES FOR ALL PROHIBITED CONDUCT EXCEPT SEX-BASED HARASSMENT INVOLVING A STUDENT PARTY**

This procedure is for all allegations of Prohibited Conduct being investigated and determined under this Policy, except for sex-based harassment involving a student as a party.

### **Notice of Allegations and Investigation**

Prior to the start of an investigation, the Parties will be provided a written Notice of Investigation communicating the initiation of an investigation. Should additional allegations be brought forward, or information regarding location or date of the incident(s), a revised written Notice of Investigation shall be provided to all parties.

The Notice shall include, at a minimum:

- Quincy University's resolution procedures, including the applicable determination procedure, and any alternative resolution process, with a link to the full procedures;
- The specific allegations, including the identity of the parties, and dates and location if known;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), a description of the facts alleged to constitute Prohibited Conduct, the type of Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s);
- A statement that Retaliation is prohibited;
- Contact information for the assigned Investigator and Decision Maker, as well as the process for raising a challenge to the appointed Investigator, Decision Maker, or Title IX Coordinator, and the deadline for doing so;
- A statement indicating the expected length of the major stages of the resolution process, as well as any applicable deadlines;
- Whether the Investigator, or another individual, shall serve as the Decision Maker;
- A statement that the Respondent is presumed not responsible for Prohibited Conduct until a determination is made at the conclusion of the investigation and decision-making
- relevant and not otherwise impermissible evidence to a trained, impartial Decision Maker;
- A statement indicating that the parties may have an advisor of their choice who may be a friend, colleague, therapist, or attorney;
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence, and to provide a response;
- A statement that Quincy University prohibits knowingly making false statements or knowingly submitting false information during grievance procedures, with a link to the relevant policy(ies); and
- The date and time of the initial interview with the Investigator, with a minimum of five (5) days' notice.

### **Individual Interviews**

The Investigator will hold individual interviews with parties and witnesses to ask relevant and not otherwise impermissible questions and follow-up questions, including questions exploring credibility. Only the Investigator and the party or witness may attend each individual interview. A party's

advisor may attend these meetings, subject to the rules described above in this Policy. Additional attendees may be permitted at the discretion of the Title IX Coordinator in connection with an approved disability-related accommodation. All persons present at any time during any part of the investigation or resolution process are expected to maintain the privacy of the proceedings and not discuss or otherwise share any information learned as part of those proceedings, and may be subject to further Quincy University discipline for failure to do so.

The individual interviews may be conducted with all participants physically present in the same geographic location, or, at Quincy University's discretion, with all participants joining virtually through a video conferencing option.

Quincy University may also adopt and apply other reasonable rules regarding decorum, provided they apply equally to the parties. Quincy University will share expectations of decorum to be observed at all times in any meeting or proceeding under this Policy. These expectations are applied equally to all parties and advisors. Quincy University has the discretion to remove, with or without prior warning, from any meeting or proceeding an involved party, witness, or advisor who does not comply with these expectations and any other applicable Quincy University rules.

### **Evidence Review**

At the conclusion of all fact-gathering, the Investigator will provide each party and their advisor, if any, the opportunity to review all relevant and not otherwise impermissible evidence gathered. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation, to submit any additional relevant evidence, and the names of any additional witnesses with relevant information. This is the final opportunity to offer evidence, or names of witnesses. Given the sensitive nature of the information provided, Quincy University will facilitate this review in a secure manner. None of the parties nor their advisors may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this may be subject to discipline. Any advisor who fails to abide by this may be subject to discipline and/or may be excluded from further participation in the process.

The parties will have a minimum of 5 days to inspect and review the evidence and submit a written response in writing to the Investigator. Quincy University will provide access to copies of the parties' written responses to the Investigator to all parties and their advisors, if any. The Title IX Coordinator shall have the discretion to extend the evidence review period based on the volume and nature of the evidence. At the conclusion of the evidence review, when deemed appropriate by the Investigator, the Investigator shall then conduct any additional fact-gathering as may be necessary. If new, relevant evidence is gathered during this second fact-gathering period, the new evidence will be made available for review by the parties and their advisors. The parties shall have 5 days to provide a response to the newly-gathered evidence. No new evidence will be accepted as part of any response, except that the Investigator shall have the discretion to accept relevant evidence that was not previously available or known to exist, and that was not previously discoverable with the exercise of reasonable diligence.

The Investigator will consider the parties' written responses before finalizing the investigation report. The Parties may each submit a written impact statement prior to the conclusion of the resolution process. The impact statement is not evidence and will be reviewed only after a determination of responsibility is reached.



## **Investigation Report**

The Investigator, who may also serve as the Decision Maker, shall evaluate the relevant and not impermissible evidence and make factual determinations regarding each allegation, using preponderance of evidence as standard of proof, and also determine whether a violation of the Policy occurred. The Investigator may choose to place less or no weight upon statements by a party or witness who refused to respond to questions deemed relevant and not impermissible, or declined to participate. The Investigator will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to questions. The Investigator shall prepare a report which shall include:

- A description of the allegations of Prohibited Conduct;
- Information about the policies and procedures used to evaluate the allegations;
- A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, and methods used to gather other evidence;
- An evaluation of the relevant and not otherwise impermissible evidence and the rationale for that evaluation;
- Findings of fact for each allegation, with rationale; and
- Conclusions regarding which section of this Policy or other Quincy University policy, if any, the Respondent has or has not violated, with rationale.

This report shall be provided to the Title IX Coordinator. In the event that the Decision Maker has determined that a violation of Quincy University policy has occurred, the Title IX Coordinator shall then provide the report to the appropriate Sanctioning Officer to determine the sanction, and the Title IX Coordinator shall then determine the appropriate remedy(ies) for the Complainant and any impacted parties.

The Title IX Coordinator shall then provide the parties and their advisors, if any, with a written Notice of Outcome and a copy of the investigation report. The Notice of Outcome shall include:

- A statement of, and rationale for, any disciplinary sanctions Quincy University imposed on the Respondent;
- A statement as to whether remedies will be provided to the Complainant;
- For the Complainant, a description of any remedies that apply to the Complainant;
- Quincy University's procedures and the permitted reasons for the parties to appeal, including identifying the Appeals Officer; and
- How to challenge participation by the Appeals Officer for bias or conflict of interest, which the Title IX Coordinator will resolve in their sole discretion.

The determination regarding responsibility becomes final either on the date that Quincy University provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

## **INVESTIGATION & DECISION-MAKING PROCEDURES IN CASES OF SEX-BASED HARASSMENT INVOLVING A STUDENT**

This procedure is for all allegations of sex-based harassment involving a student as a party, regardless of the status of the other party.

### **Notice of Investigation**

Prior to the start of an investigation, the Parties will be provided a written Notice of Investigation communicating the initiation of an investigation. Should additional allegations be brought forward, or

information regarding location or date of the incident(s), a revised written Notice of Investigation shall be provided to all parties.

The Notice shall include, at a minimum:

- Quincy University's investigation procedures, including the applicable determination procedure that will be used in this investigation and resolution, and a link to the relevant policies;
- Information about the agreement-based resolution procedures, with a link to the full procedures;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), a description of the facts alleged to constitute Prohibited Conduct, the type of Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s);
- A statement that retaliation is prohibited;
- A statement indicating whether the Investigator, or another individual, shall serve as the Decision Maker;
- At the discretion of Quincy University, the Investigator may serve as the Decision Maker;
- A statement indicating the expected length of the major stages of the resolution process, as well as any applicable deadlines;
- A statement informing the parties that the Investigator will establish and communicate, in writing, all investigation deadlines, including the final deadlines for submitting names of witnesses, evidence, and relevant questions to ask a party or witness. These deadlines may be extended by the Title IX Coordinator for good cause, and any changes will be provided, in writing, to the parties, along with the rationale for the revised deadline(s);
- A statement explaining the process for raising a challenge to the appointed resolution officer or Title IX Coordinator, and the deadline for doing so;
- A statement that the Respondent is presumed not responsible for Prohibited Conduct until a determination is made at the conclusion of the resolution process. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial Decision Maker;
- A statement that the parties may have an advisor of their choice who may be a friend, parent, therapist, colleague, or attorney;
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigation report that accurately summarizes this evidence.
- Under University Policies in Quincy University's Student Handbook, the university prohibits knowingly making false statements or knowingly submitting false information during the accountability process/grievance procedures could result in disciplinary action.
- The identification of the Decision Maker; and
- The date and time of the initial interview with the Investigator, with a minimum of five (5) days' notice.

The Decision maker shall then determine, based upon the factual findings, whether a violation of this Policy occurred. The Decision maker shall prepare a report which shall include:

### **Individual Interviews**

The Investigator and/or Decision Maker will hold individual interviews with parties and witnesses to ask relevant and not otherwise impermissible questions and follow-up questions, including

questions exploring credibility, and to request of the parties the names of relevant witnesses and relevant evidence. Only the Investigator and the party or witness may attend each individual interview. A party's advisor may attend these meetings, subject to the rules described above. Additional attendees may be permitted at the discretion of the Title IX Coordinator in connection with an approved disability-related accommodation. All persons present at any time during any part of the investigation or resolution process are expected to maintain the privacy of the proceedings and not discuss or otherwise share any information learned as part of the grievance process and may be subject to further discipline for failure to do so.

The Investigator will then gather from parties, witnesses, and other sources, all relevant evidence. At the initial interview with each party, the Investigator will invite the parties to provide, in writing and in advance of the individual interviews, questions to ask of the parties and witnesses that are relevant and not otherwise permissible, including questions exploring credibility. Upon receiving the question list, the Investigator will determine whether a proposed question is relevant and not otherwise impermissible and will explain, in writing in advance of the individual interview, any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The Investigator must give a party an opportunity to clarify or revise any question that the Investigator has determined is unclear or harassing and, if the party sufficiently clarifies or revises a question, the question will be asked.

An Investigator will not permit questions that are unclear or harassing of any party or witness being questioned.

Quincy University will share expectations of decorum to be observed at all times in any meeting or proceeding under this Policy. These expectations are applied equally to all parties and advisors. Quincy University has the discretion to remove, with or without prior warning, from any meeting or proceeding an involved party, witness, or advisor who does not comply with these expectations and any other applicable Quincy University rules.

The individual interviews may be conducted with all participants physically present in the same geographic location, or, at Quincy University's discretion, with all participants joining virtually through a video conferencing option. All interviews will be recorded.

The Investigator will determine, in their sole discretion, whether parties and witnesses are likely to provide relevant information about the allegations and has the sole discretion to determine which parties and witnesses to call to an interview. The Investigator may conduct follow-up interviews as they deem appropriate.

### **Investigator Determination of Relevance**

The Investigator will determine whether parties and witnesses are likely to provide relevant information about the allegations and has the sole discretion to determine which parties and witnesses to call to individual follow-up meetings.

The Investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. Character evidence is not relevant evidence, and therefore will not be considered. If the Decision Maker is not the Investigator, the Decision Maker is not bound by the Investigator's determinations about relevance.

### **Evidence Review**

At the conclusion of all fact-gathering, the Investigator will provide each party and their advisor the opportunity to review all relevant and not otherwise impermissible evidence gathered. In the event that an audio or audiovisual recording is shared, the recording will only be made available at an in-

person and monitored meeting on campus, and will not otherwise be transmitted for review, so as to maintain the privacy of those participating in the process.

The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation, to submit any additional relevant evidence, and the names of any additional witnesses with relevant information. This is the final opportunity to offer evidence or names of witnesses. Evidence not provided during the investigation process will not be considered by the Decision Maker. Given the sensitive nature of the information provided, Quincy University will facilitate this review in a secure manner. None of the parties nor their advisors may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this may be subject to discipline. Any advisor who fails to abide by this may be subject to discipline and/or may be excluded from further participation in the process.

The parties will have a minimum of 5 days to inspect and review the evidence and submit a written response in writing to the Investigator. The Title IX Coordinator shall have the discretion to extend the evidence review period based on the volume and nature of the evidence.

When deemed appropriate by the Investigator, the investigator shall then conduct any additional fact-gathering as may be necessary. If new, relevant evidence was submitted as part of evidence review, or is gathered during this second fact-gathering period, the new relevant evidence will be made available for review by the parties and their advisors. The parties shall have 5 days to provide a response to the newly-gathered evidence. No new evidence will be accepted as part of any response, except that the investigator shall have the discretion to accept relevant evidence that was not previously available or known to exist, and that was not previously discoverable with the exercise of reasonable diligence.

The Investigator will consider the parties' written responses before finalizing the investigation report.

### **Determination**

The Investigator may serve as the Decision Maker. The Decision Maker shall evaluate the relevant and not impermissible evidence and make a factual determination regarding each allegation.

The Decision Maker may choose to place less or no weight upon statements by a party or witness who refused to respond to questions deemed relevant and not otherwise impermissible, or who was not available, despite reasonable diligence, for a follow-up interview. The Decision Maker will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to questions. The Decision Maker should issue a written determination which shall include the following:

- A description of the alleged sex-based harassment;
- A reference to the policies and procedures used to evaluate the allegations;
- Description of all procedural steps taken to date;
- The Decision Maker's evaluation of the relevant evidence along with the finding of facts;
- Determinations for each allegation, with the rationale;
- Sanction determination (if applicable);
- Whether remedies will be provided; and
- The procedures for an appeal.

This report shall be provided to the Title IX Coordinator. In the event that the Decision Maker has determined that a violation of Quincy University policy has occurred, the Decision Maker, in consultation, when necessary, with appropriate governing authority over the respondent, will determine the appropriate sanction, and the Title IX Coordinator shall then determine the appropriate remedy(ies) for the Complainant and any impacted parties.

The Title IX Coordinator shall then provide the parties and their advisors, if any, with a written Notice of Outcome and a copy of the Decision Maker's report.

The Notice of Outcome shall include:

- Any disciplinary sanctions for the Respondent;
- Whether remedies will be provided;
- And the procedures for appeal.

In addition, the Complainant shall be informed of any remedies that apply to the Complainant. The Title IX Coordinator will provide each party, and their advisor, written communication regarding the decision, the sanction determination, and the procedures for appeal, along with a copy of the Investigation Report. The Title IX Coordinator will also provide written communication to the Complainant regarding any appropriate remedies.

## **REMEDIES & SANCTIONS**

Remedies must be designed to restore or preserve equal access to Quincy University's education program or activity.

A student found responsible for a violation of this Policy will be subject to sanction(s) regardless of whether legal proceedings involving the same incident are underway or anticipated. An employee found responsible for a violation of this Policy will be subject to sanction(s) up to and including termination of employment.

Possible sanctions and remedies that Quincy University may implement following any determination of responsibility may include: expulsion, removal from institutional housing, a no-contact order, written warning, suspension, a fine, restitution, community service, probation, reference to counseling, termination of employment, and notation in the Respondent's official student or personnel file of the fact of a violation and the sanction.

The Title IX Coordinator is responsible for effective implementation of any remedies.

### **Failure to Complete Sanctions/Comply with Responsive Actions**

All responding parties are expected to comply with conduct sanctions/responsive actions/ corrective actions within the timeframe specified by Quincy University. Responding parties needing an extension to comply with their sanctions must submit a written request to the Title IX Coordinator stating the reasons for needing additional time.

Failure to follow through on conduct sanctions/responsive actions/corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/responsive actions/corrective actions, such as suspension, expulsion, termination, or a transcript notation. Students who fail to comply will be referred to Vice President of Student Development in accordance with Quincy University's accountability process located in the Student handbook.

## **APPEALS**

Determinations may be appealed in writing by either party. Appeals will be sent to the Title IX Coordinator, who will then send the appeal to the designated Appeals Officer assigned to conduct a written review of the appeal(s) and to make a final determination. Appeals must be in writing and filed within ten (10) days following the issuance of the Notice of Outcome.

When an appeal is filed, the other party shall be notified and provided with a copy of the filed appeal within one (1) day and have five (5) days to respond to the appeal in writing. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal.

Within three (3) days of an Appeal Officer being assigned, either party may provide written objection to the Appeal Officer on the basis of an actual bias or conflict of interest. Any objection is to be sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator will appoint another Appeal Officer.

Appeals may be filed only on the following three grounds:

- **Procedural Error:** A procedural error occurred would change the outcome. A description of the error and its impact on the outcome of the case must be included in the written appeal; or
- **New Evidence:** New evidence or information has arisen that was not available or known to the party during the investigation, that would change the outcome. Information that was known to the party during the resolution process but which they chose not to present is not considered new information. The new evidence, an explanation as to why the evidence was not previously available or known, and an explanation of its potential impact on the investigation findings must be included in the written appeal; or
- **Actual Conflict of Interest or Demonstrated Bias:** The Title IX Coordinator, Investigator, or others with a role in the process with an actual conflict of interest or demonstrated bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that would change the outcome. Any evidence supporting the alleged conflict of interest or demonstrated bias must be included in the written appeal.

The Appeal Officer will make a determination regarding the appeal and communicate that decision, along with a rationale for the decision to the Title IX Coordinator who will communicate the Appeal Officer's decision to the parties. The decision of the Appeals Officer is final.

## **PROHIBITION AGAINST RETALIATION**

No one may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right established by this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of sexual harassment, for the purpose of interfering with any right under this Policy constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this section.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination available at Quincy University Student Handbook under University policies.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy does not constitute retaliation prohibited under of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## **RECORD RETENTION**

In implementing this Policy, records of all reports and resolutions will be kept by the Title IX Coordinator in accordance with the applicable Quincy University records retention schedule. All records will be afforded the confidentiality protections required by law, including but not limited to

the Family Educational Rights and Privacy Act governing confidentiality of student information. This means that Quincy University will protect the party's privacy consistent with this Policy but may disclose information to those who have a legitimate need to know and in order to process complaints under this Policy.

### **ADDITIONAL ENFORCEMENT INFORMATION**

- The U.S. Equal Employment Opportunity Commission (EEOC) investigates reports of unlawful harassment, discrimination, and retaliation, including sex-based harassment, in employment.
- The U.S. Department of Education, Office for Civil Rights (OCR) investigates complaints of unlawful discrimination and harassment of students and employees in education programs or activities.

Questions about Title IX may be referred to the Title IX Coordinator or to the assistant secretary for civil rights:

- Office for Civil Rights,
- U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-1100 Customer Service Hotline # (800) 421-3481
- Any person may report conduct prohibited by this Policy to the Title IX Coordinator. A complaint about the Title IX Coordinator may be made to Mark Strieker, CFO.
- U.S. Equal Employment Opportunity Commission (EEOC)  
<https://www.eeoc.gov/contact-eeoc>

### **POLICY REVIEW & REVISION**

These policies and procedures will be reviewed and updated regularly by the Title IX Coordinator. The Title IX Coordinator will submit modifications to this Policy in a manner consistent with institutional policy upon determining that changes to law, regulation or best practices require policy or procedural alterations not reflected in this Policy and procedure. Procedures in effect at the time of its implementation will apply. The Policy definitions in effect at the time of the conduct will apply even if the Policy is changed subsequently, unless the parties consent to be bound by the current Policy.

This Policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon posting to Quincy University website.

This Policy is effective as of August 1, 2024.

### **KEY DEFINITIONS**

Advisor: Each party has the right to choose and consult with an advisor of their choice at their own expense. The advisor may be any person, including a friend, family member, therapist, union representative, or an attorney. Quincy University will not limit their choice of advisor. Parties in this process may be accompanied by an advisor of choice to any meeting or proceeding to which they are required or are eligible to attend. Except where explicitly stated by this Policy, advisors shall not participate directly in the process. Quincy University will provide the parties equal access to advisors; any restrictions on advisor participation will be applied equally.

An Advisor may not represent, advocate, or speak on behalf of a Complainant or Respondent. An Advisor may not disrupt or impede any resolution proceeding.

Affirmative Consent: means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that they have

the affirmative consent of the other or others to engage in the sexual activity. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time.

- Lack of protest or resistance does not mean consent;
- Silence does not mean consent;
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent;
- It shall not be a valid excuse that the Respondent believed that the Complainant affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

Affirmative Consent cannot be given if any of the following are present: Incapacitation, Force, or Coercion.

Coercion/Force: Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, or coercion. Sexual activity accompanied by coercion or force is not consensual.

- Coercion refers to unreasonable pressure for sexual activity. When someone makes it clear that they do not want to engage in sexual activity or do not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive. The use of coercion can involve the use of pressure, manipulation, substances, or force. Ignoring objections of another person is a form of coercion.
- Force refers to the use of physical violence or imposing on someone physically to engage in sexual contact or intercourse. Force can also include threats, intimidation (implied threats), or coercion used to overcome resistance.

Complaint: A complaint means an oral or written request to Title IX Coordinator that objectively can be understood as a request for Quincy University to investigate and make a determination about alleged sex discrimination under this Policy. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail [sheltkr@quincy.edu](mailto:sheltkr@quincy.edu), by using the contact information listed on the Title IX/Equal Opportunity website <https://www.quincy.edu/title-ix/>, or as described in this Policy. Individuals who would like more information about filing a complaint are invited to contact the Title IX Coordinator for additional information.

Complainant: Any individual who has reported being or is alleged to be impacted by Prohibited Conduct as defined by this Policy, and who was participating in a Quincy University program or activity (or attempting to participate) at the time of the alleged misconduct.

Confidential Resources: any individual identified by Quincy University who receives information about conduct prohibited under this Policy in their confidential capacity and who are privileged under state law will not report prohibited conduct disclosed to them without written consent. Designation as a confidential resource under this Policy only exempts such individuals from disclosure to the Title IX Coordinator. It does not affect other mandatory reporting obligations under state child abuse reporting laws, the Clery Act as a campus security authority, or other laws that require reporting to campus or local law enforcement.

Decision Maker: Trained professional designated by Quincy University to decide responsibility, sanction, or appeals. A Decision Maker may be one person or a panel of multiple people as determined by Quincy University. When there is no hearing, the Investigator may be appointed as the Decision Maker.



Disclosure or Report: A disclosure or report may be made by anyone, whether they learned about conduct potentially constituting sex discrimination under this Policy, or whether they personally experienced such conduct. A person making a disclosure or report may or may not be seeking to initiate an investigation.

Education Program or Activity: Quincy University's "education program or activity" includes all campus operations, including off-campus settings that are operated or overseen by Quincy University: including, for example, field trips, online classes, and athletic programs; conduct subject to Quincy University's disciplinary authority that occurs off-campus; conduct that takes place via Quincy University-sponsored electronic devices, computer and internet networks and digital platforms operated by, or used in the operations of, Quincy University. Conduct that occurs outside of the education program or activity may contribute to a hostile environment within the program or activity.

Finding: a written conclusion by a preponderance of the evidence, issued by an Investigator, that the conduct did or did not occur as alleged.

Incapacitation: occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing and informed consent (e.g., to understand the "who, what, when, where, why, and how" of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of a person's state and is not synonymous with intoxication, impairment, or being under the influence of drugs or alcohol. This Policy also covers a person whose incapacity results from temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs, or who are sleeping.

No-Contact Directive: A No Contact Directive is a document issued by Quincy University administrator that is designed to limit or prohibit contact or communications between the parties. A No-Contact Directive may be mutual or unilateral, with the exception that a No-Contact Directive issued as either a sanction or remedy shall be unilateral, directing that the Respondent not contact the Complainant.

- When requested by a Complainant or otherwise determined to be appropriate, Quincy University shall issue an interim, unilateral no-contact directive prohibiting the Respondent from contacting the complaint during the pendency of the decision-making process under this Policy, including any appeal.
- Upon issuance of an interim no-contact directive, Quincy University shall provide the parties with a written justification for the directive and an explanation of the terms of the directive, including the circumstances, if any, under which a violation could be subject to disciplinary action.
- Where a unilateral no-contact directive is issued after a decision of responsibility, it shall only apply against the party found responsible.

Notice: All notices under this Policy are written and sent to the student or employee's assigned Quincy University email address or delivered via Certified Mail to the local or permanent address(es) of the parties as indicated in official Quincy University records, or personally delivered to the intended recipient.

Remedies: Remedies means measures provided, as appropriate, to a Complainant or any other person Quincy University identifies as having had their equal access to Quincy University 's education program or activity limited or denied by sex discrimination or other prohibited conduct covered by this Policy. These measures are provided to restore or preserve that person's access to the education program or activity after a Quincy University determines that sex discrimination occurred. Only the Complainant will be informed of any remedies pertaining to them. Some

examples are academic support and/or opportunity to retake a class or resubmit work or time extensions on course or degree completion, or non-academic support such as counseling, or changes to work assignments or locations. The Title IX Coordinator is responsible for implementation of remedies.

Respondent: an individual, or group of individuals such as a student organization, who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct under this policy; or retaliation for engaging in a protected activity.

Sanctions: One or more of the sanctions or disciplinary steps listed here may be imposed on a Respondent who is found responsible for a violation of Quincy University's policies. Sanctions or disciplinary steps not listed here may be imposed in consultation with the Title IX Coordinator. The form of sanction or discipline used will depend on the nature of the offense, as well as any prior disciplinary history. Such discipline or sanction will be imposed pursuant to and in accordance with any and all applicable Quincy University rules, policies, and procedures. Factors considered when determining a sanction/responsive action may include:

- The nature, severity of, and circumstances surrounding the violation;
- An individual's disciplinary history;
- Previous grievances or allegations involving similar conduct;
- The need for sanctions/responsive actions to bring an end to the sex discrimination or retaliation;
- The need for sanctions/responsive actions to prevent the future recurrence of sex discrimination or retaliation;
- The need to remedy the effects of the sex discrimination or retaliation on the victim and the campus community.

Student sanctions imposed are implemented when the decision is final (after an appeal, or, if there was no appeal, after the appeals period expires).

Faculty found responsible for violating this Policy may be referred to the appropriate academic official for any other applicable processes.

Possible sanctions and disciplinary steps for student Respondents include, but are not limited to the following:

- **Warning**: A formal statement that the conduct was unacceptable and a warning that further violation of any Quincy University policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Required Counseling**: A mandate to meet with and engage in either Quincy University-sponsored or external counseling to better comprehend the misconduct and its effects.
- **Probation**: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- **Suspension**: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Quincy University.
- **Expulsion**: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Quincy University-sponsored events. This sanction will be noted

permanently as a Conduct Expulsion on the student's official transcript, subject to any applicable expungement policies.

- Withholding Diploma: Quincy University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- Revocation of Degree: Quincy University reserves the right to revoke a degree previously awarded from Quincy University for fraud, misrepresentation, and/or other violation of Quincy University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Organizational Sanctions: Deactivation, loss of recognition, loss of some or all privileges (including Quincy University registration) for a specified period of time.
- Other Actions: In addition to or in place of the above sanctions, Quincy University may assign any other sanctions as deemed appropriate.

Possible sanctions and disciplinary steps for staff and faculty Respondents include, but are not limited to:

Warning: - Verbal or Written

- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Loss of Annual Pay Increase
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Suspension with pay
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, Quincy University may assign any other sanctions as deemed appropriate.

Student: Any person who has (or will have) attained student status by way of:

- Admission, housing or other service that requires student status.
- Registration for one or more credit hours.
- Enrollment in any non-credit, certificate or other program offered by Quincy University.

Supportive Measures: Individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to:

- Restore or preserve that party's access to Quincy University 's education program or activity, including measures that are designed to protect the safety of the parties or Quincy University's educational environment; or
- Provide support during Quincy University's grievance procedures or during an alternative resolution process.

Supportive Measures: may include but are not limited to: counseling; extensions of deadlines and 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; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; no-contact directives (which may be mutual or

unilateral at the discretion of the Title IX Coordinator); and training and education programs related to sex-based harassment. Supportive measures are non-disciplinary and non-punitive. Supportive Measures will also be offered to Respondents when they are notified of the allegations.

Any Supportive Measures put in place will be kept confidential, except when doing so impairs the ability of Quincy University to provide the Supportive Measures.

Quincy University will offer and coordinate supportive measures as appropriate for the parties as applicable to restore or preserve their access to Quincy University's program or activity or provide support during Quincy University's alternative resolution process or grievance procedures.

Prohibited Conduct under this Policy have the right to request supportive measures from Quincy University regardless of whether they desire to make a complaint or seek alternative resolution.

A party may challenge Quincy University 's decision to provide, deny, modify, or terminate supportive measures when such measures are applicable to them. An impartial employee will be designated to consider modification or reversal of Quincy University 's decision to provide, deny, modify, or terminate supportive measures. When the individual providing Supportive Measures is a Deputy Title IX Coordinator or other individual identified by the Title IX Coordinator to provide Supportive Measures, the Title IX Coordinator will be designated to consider the challenge regarding supportive measures. The impartial employee will typically respond to the challenge within five (5) days.

The Title IX Coordinator has the discretion to implement or modify supportive measures. Violation of the parameters of supportive measures may violate existing codes or handbooks.

## **RESOURCES**

- Privileged & Confidential Resources for Students & Employees
- Quincy Medical Group Mental Health Counselors

Employees Exempt from Reporting, for Students & Employees

- Father John Doctor, VP Mission and & Ministry
- Father Daren Zahnle, Director of Campus Ministry

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## **ALCOHOL & OTHER DRUGS POLICY**

In compliance with the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226), Quincy University has policies regarding the use of alcohol and drugs. The University requires individuals to obey all local, state, and federal laws. For the purposes of this policy, alcohol is defined as any traditional liquid alcoholic beverage or any other alcoholic product, in any other form, meant for human consumption, including but not limited to powdered alcohol. Drinking games of any kind played on campus with or without alcohol or any other behavior that promotes the overconsumption of alcohol is a violation of the University Alcohol Policy. Students, regardless of age, displaying any negative behavior associated with the consumption of alcohol, including, but not limited to, vomiting, unsteady on his/her feet, slurring his/her words, etc., will be considered in violation of the University Alcohol Policy. Kegs of any kind are not permitted on campus unless authorized for a function catered by Chartwells and/or another authorized vendor. Specific policies regarding alcohol in on-campus housing and at University events are outlined in this handbook.

## ***Other Drugs***

Controlled substances are subjects of federal and state laws. Therefore, information coming to the attention of the University involving the sale, exchange, or transfer of drugs from one person to another may be communicated to public officials for the purpose of prosecution. The following are against University policy:

- The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or illegal drug.
- The selling or distributing of any controlled substance.
- The possession or use of all forms of drug paraphernalia.
- The use of performance-enhancing drugs or the use of any drugs (e.g., painkillers, steroids) for purposes other than those prescribed by a physician.

## ***Marijuana***

Although current Illinois law allows for the possession and consumption of limited amounts of both Medical Marijuana and Recreational Marijuana, these state laws conflict with federal laws governing marijuana. Quincy University is subject to the federal Drug-Free Schools and Communities Act Amendments, which mandates campus communities be free of controlled substances (including marijuana). Therefore, the use, possession, manufacture, cultivation, dissemination, or being under the influence of medical marijuana on University property or at University-related activities is and shall remain prohibited.

All students will be required to complete alcohol and drug education yearly through a medium provided by the university. A registration hold will be placed on a student's account if not completed during a designated time.

For information regarding alcohol and drug violation sanctions and accountability, please refer to the Student Accountability Process section of this handbook. Quincy University provides alcohol and drug education and resources.

## ***Alcohol Use at University Events***

Because of the potential for abuse of alcohol, the University also has policies for alcohol use at designated events designed to create an atmosphere of responsibility and moderation. This policy covers all events held on campus or off-campus events sponsored by the University, its representatives or organizations. An event is defined as any activity registered through the Office of Student Development or sponsored by the University.

Sponsoring persons and/or officers of the organization are responsible for the conduct of their event. Events held off campus and sponsored by representatives of the University are subject to federal, state, and local laws along with applicable University policy.

1. Any activity on campus at which students will participate and that involves the use of alcohol must have the written approval of the Vice President of Student Development. Permission to Serve Alcohol form must be completed at the Office of Student Development. The use of alcoholic beverages is restricted to those areas approved by the Vice President of Student Development and to those community members who are of legal age according to state law. Guidelines for serving alcohol at events sponsored by University organizations and representatives follow:
2. Student officers of sponsoring organizations are responsible for ensuring that underage individuals are not served alcohol. The following are approved options:
3. Allow only individuals of legal drinking age admittance to the event.
4. Create a controlled area where alcohol is to be served and consumed and where only "of

age" individuals are admitted.

5. Create a system that clearly designates both the underage and "of age" individuals. Monitors must circulate through the event to ensure underage individuals do not consume alcohol.
6. Alcohol may not be given away free under any circumstances.
7. A system for assurance against inappropriate consumption must be in place.
8. The amount of time during which alcohol is served may be limited.
9. Attractive non-alcoholic beverages, such as name-brand sodas or "mock-tails," must be available at events where alcohol is served. A portion of these beverages must be available free of charge.
10. Food, a portion of which is non-salted, must be available when alcohol is served.
11. Food and non-alcoholic beverages must last the entire event.
12. Contests or games that promote the consumption of alcohol are not permitted.
13. Serving of alcoholic beverages must be suspended one-half hour before the scheduled end of the event.
14. Intoxicated individuals will not be allowed into University events. Organizational advisors are expected to hold follow-up discussions with intoxicated individuals and to make appropriate referrals.
15. The Office of Student Development must approve a security plan for any event in which alcohol will be served.

### **Specific Alcohol Guidelines Related to Campus Housing**

1. Students may possess and/or consume alcohol, if age 21 and older, in the student's private room/suite/ apartment/house if all residents of the room/suite/apartment/house are age 21 and older. For example, a suite is considered a wet suite, and alcohol is permitted if all students and guests are 21 or older, and a suite is considered a dry suite, and no alcohol is permitted in the room if at least 1 student or guest is under the age of 21.
2. Students may not display, possess, or consume alcohol in any public area (defined as any area outside of a private room/suite/apartment/house). For the purposes of this policy, house porches, patios, decks, and yards are considered a public area.
3. Students (regardless of age) **MAY NOT DISPLAY** alcohol containers, including beer boxes, beer steins, shot glasses, etc. (full or empty) in their room/suite/apartment/house.
4. Students and guests under the age of 21 are not permitted to be in the presence of alcohol in any on-campus housing area.
5. Possession, consumption, or display of any alcohol or alcohol containers is not permitted in any area designated as alcohol-free, including but not limited to any first-year halls, rooms/suites/apartments/ houses where any residents within are under 21, etc. Garner and Padua are dry buildings.

### **HARASSMENT POLICY**

Harassment is defined as the act of systematic or continued unwanted attention by one party or group towards another and/or the act of intentionally creating a hostile educational or living environment. Harassment is prohibited. Allegations of harassment will be investigated and adjudicated through the Student Accountability Process.

### **DRONE POLICY**

#### ***Recreational Use***

Recreational use of Unmanned Aerial Vehicles (UAV's) – commonly known as drones - is not permitted on or above any Quincy University owned or controlled property.

Any University employee or student who wishes to operate a UAV as part of University educational

programs or employment must first notify and obtain authorization from the Office of Safety & Security. The requesting student or employee must be in full compliance with all applicable FAA regulations prior to the request. Additional details and questions are available in the Office of Safety and Security.

### ***Non-Compliance***

Any UAV use other than as permitted by these guidelines will be referred for Student Accountability Process adjudication.

### **ELECTRONIC BULLYING**

Electronic Bullying (cyber bullying) is the sending or posting of cruel, hurtful, threatening, or harmful materials via the Internet or cell phone. Electronic Bullying may be limited to a single instance or be a pattern of intimidation. Forms of cyber bullying include but are not necessarily limited to electronic fights (flaming), offensive messages (harassment), threatening messages designed to instill fear (cyber stalking), denigration (dissing), electronic identity theft, or sharing secrets or embarrassing information (outing). If a student feels they have been a victim of electronic bullying, they should report the event to Security without delay. Any student in violation of electronic bullying will be referred to Student Accountability Process.

### **FIREARMS, EXPLOSIVES, FIREWORKS, and INFLAMMABLES**

The possession or use of firearms, bows and arrows, paint-ball guns, airsoft guns, slingshots, explosives, fireworks, candles, halogen lamps, gas grills, incense, inflammable fluids, dangerous chemical mixtures, propelled missiles, or similar items is strictly prohibited unless under the supervision of faculty while participating in a University course.

## **V. STATISTICS FROM LOCAL LAW ENFORCEMENT AGENCIES**

Quincy University makes a good-faith effort to report accurate crime data. This includes not only data collected from on-campus sources but also includes data from our local police, who provide data on events that occur immediately adjacent to campus. The Quincy Police Department was asked to report crime data on any reportable events that took place adjacent to campus in our defined campus geography.

In this reporting year, no reportable events occurred in this geographical boundary.

## **VI. DAILY CRIME AND FIRE LOG**

The purpose of the daily crime log is to record all criminal and alleged criminal incidents reported to the campus security department. In some cases, this can also include traffic-related events such as Driving Under the Influence or other vehicular crimes. The daily Fire Log is a record of campus fire events.

The Daily Crime and Fire Log may be accessed upon request by contacting the Safety and Security Director at 217-228-5432, ext. 3990.

## **VII. CAMPUS BUILDING SECURITY**

Campus buildings are secured by a card access system. Students, staff, and faculty are required to have their university-issued ID card on them at all times. The ID card is an RFID-based card that gains the holder access to areas where they have been given permission to be. For example, a professor may have access to Francis Hall 24 hours a day but not have access to a dorm building. Each individual is vetted and given appropriate permission by Security staff as the ID is issued.

In the event that a building is not card-accessed, then appropriate and vetted persons will receive a key for that area. Keys are issued by the Security department. Upon issue, the key holder will sign for their keys, and the Security department will keep and file the signature page.

## **VIII. TIMELY WARNINGS**

Under the Clery Act, every institution is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees.

Confirmation means that a University official (or officials) has verified that a legitimate emergency or dangerous situation exists. Confirmation doesn't necessarily mean that all pertinent details are known or available.

The University will issue a timely warning for all Clery Act crimes that occur on the University's Clery Act geography that are reported to campus security authorities or local police agencies; and considered by the University to represent a serious or continuing threat to students and employees.

The decision to issue a timely warning will be evaluated on a case-by-case basis, and the nature of the crime as well as the continuing danger to the campus community will be taken into consideration.

As soon as the University has confirmed that a significant emergency or dangerous situation exists, the University will:

- Consider the safety of the campus community
- Determine what information to release about the situation
- Begin the notification process
- The only reason the University would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to:
  - Assist a victim
  - Contain the emergency
  - Respond to the emergency
  - Otherwise mitigate the emergency

An "immediate" threat, as used here, includes an imminent or impending threat. Some other examples of significant emergencies or dangerous situations include but are not necessarily limited to:

- On or near campus fires
- On or near campus serious criminal or safety concerning events
- Approaching tornado or other extreme weather conditions
- Gas leak
- Armed intruder
- Bomb threat
- Civil unrest
- On or near campus explosions
- On or near campus chemical spills
- Outbreak of meningitis, norovirus or other serious illness

### **Campus Notification System**

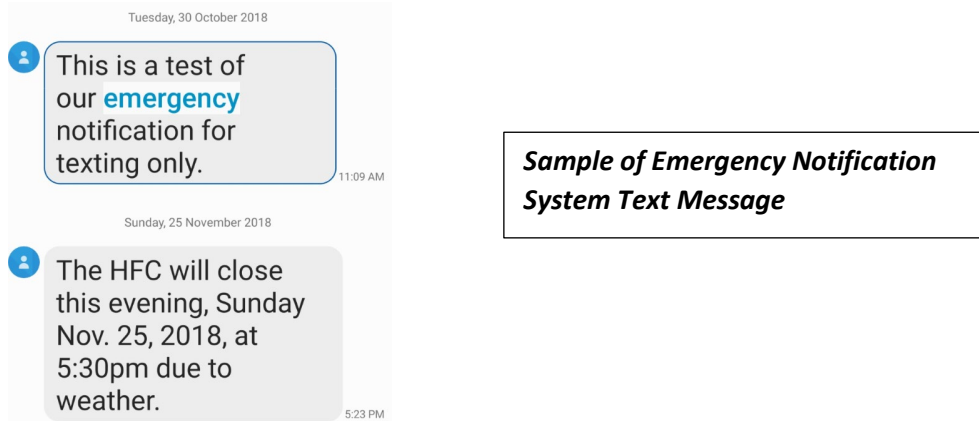
The University will activate its campus emergency notification system when a timely warning is necessary. The primary point of contact for the emergency notification system is the VP for Student Development or, in their absence, the Director of Communications.



The system sends multiple simultaneous messages by telephone call, text messages, and email to students, staff, and faculty in the system. The notification system is updated at the beginning of the fall and spring semesters with current student, faculty, and staff information.

It is possible that if an event is isolated to one area of campus, such as a specific dormitory for example, the University may choose to target the message to that specific community of the campus, depending on the nature of the emergency or the situation requiring notification.

The notification system is tested at least once annually. The mandatory expectation is that the system will be tested at the beginning of the Fall semester.



## IX. MISSING STUDENT NOTIFICATION PROCEDURES

This policy and the accompanying procedures establish a framework for cooperation among members of the university community in the event that a student, staff, or faculty member is perceived to be and is reported missing.

1. A student, staff, or faculty member shall be deemed “missing” when he or she is reported absent from the university for more than 24 hours without any known reason. Regardless of the time period, they shall be deemed “missing” when their whereabouts are unknown and unexplainable for a period that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of their behavior pattern, plans, or routines.
2. Anyone who suspects or confirms another person to be missing should immediately contact Campus Security, which shall investigate each report. Officers receiving information on a missing student, staff, or faculty member will notify the Director of Safety and Security without delay. The Director of Safety and Security will advise the Vice President for Student Development of the missing person investigation as soon as practical.
3. Each student living in an on-campus student housing facility has the option to identify an individual to be contacted by the university not later than 24 hours after the time that the student is determined to be missing. All students will be sent the contact form by the Office for Student Development for their emergency contact at the beginning of each semester. This contact information is confidential and may be accessed and/or used by authorized campus officials or law enforcement officers in the furtherance of this investigation or other authorized notifications.

4. If a missing student is under the age of 18 and not an emancipated individual, the university will notify a custodial parent or guardian of the missing student as soon as practical, but not later than 24 hours after the determination that the student is missing.
5. The Safety and Security Department will summon the appropriate law enforcement agency as soon as the determination has been made that a student, staff, or faculty member is missing. In most cases, this will be the Quincy Police Department, but it may also include a police agency in the jurisdiction of the home of the missing student, staff, or faculty member, depending upon circumstances and information.

## **X. FIRE SAFETY AND STATISTICS**

### **Fire Safety**

Quincy University administers an aggressive program of regular inspection, testing, egress drills, and maintenance of university premises to ensure compliance with applicable fire and life safety codes and standards.

### **Fire Safety Tips:**

- In case of a fire, pull the fire alarm and evacuate the building immediately.
- Fires produce deadly gases; stay close to the ground.
- Pull stations are located on each floor of your residence hall near the exits.

### **Fire Safety Reminders:**

- Do not allow trash to accumulate. It is the student's responsibility to remove trash from their room. It can be taken to the nearest dumpster, NOT THE BATHROOM OR OUTSIDE TRASH RECEPTACLES. Students found in violation of this policy will be assessed a \$75 fine per trash bag, no matter the size.
- Careless disposal of cigarettes is the cause of many fires. Students are not permitted to smoke in the residence halls, including using electronic smoking devices.
- The use of any open flame, including candles, incense, and lanterns, is prohibited in residence halls.
- Do not overload electrical outlets
- Holiday decorations can be dangerous, so consult your residence assistant for advice on decorating safely. Live trees are prohibited.
- Students are not permitted to grill inside their room.
- Never leave your stove unattended when cooking.
- Window Treatments: All curtains, decorations, or displays used in windows must be made of fire-resistant materials.

### **Tampering with Fire Equipment**

Tampering with pull stations, smoke detectors, and fire extinguishers that cause false alarms inside of residence halls is a crime. False alarms endanger building occupants and responding firefighters. Students may not tamper with the smoke detector by covering it up.

### **Fire Statistics**

There were no fires to report in any on-campus or campus geographical reporting areas for the 2023 calendar year.