

Public Safety Handbook 2017-2018

Security Policies and Procedures

In cases where incidents require Public Safety Officers filing reports, call ext. 5265 (on campus) or 815-939-5265 (off campus). If necessary, the Bourbonnais Police Department will be contacted to issue a police report.

Information about incidents that are considered by the institution to represent a threat to students and to employees will be reported to the campus community. Public Safety personnel are the University's first responders and are available to aid and assist police or emergency providers according to their level of professional training.

Safety and Responsibility

The Department of Public Safety is required by the U.S. Department of Education, specifically the Jeanne Clery Act, to maintain incident reports and daily crime logs for seven years. Crime statistics are available for review on the Olivet website or in the Department of Public Safety office. Any incident considered to be a serious threat to the campus community will be reported to the campus community immediately. Students, faculty members, staff and visitors must be aware that safety is everyone's responsibility. Any crime, violation, suspicious person(s) or suspicious activity must be reported immediately.

The Department of Public Safety is further required by 20 USC 1092 (f)(1)(I) to advise the campus community of where information concerning registered sex offenders may be obtained. Persons wishing to review local sex offender registrations may visit the local law enforcement agency of jurisdiction, the Bourbonnais Police Department, to view the information in person. To view this information online, visit the Illinois State Police's Sex Offender website at <http://www.isp.state.il.us/sor/>. This information is not available for review in the Office of Public Safety at Olivet Nazarene University. Convicted sex offenders who are students or employees of Olivet Nazarene University are required by law to register with ONU and the Bourbonnais Police Department.

Access to Campus Facilities

It is University policy to lock the doors of buildings that are not in use; however, most buildings on campus are utilized for academic purposes well into the evening. Other buildings, such as Kelley Prayer Chapel, are kept open for longer hours so that students may have free access to them. All academic buildings are closed during Sunday morning church services. See the "Campus Buildings and Office Hours" section for detailed information.

Arrangements to open buildings for special programs approved by the University should be made utilizing the Astra schedule, located on the Portal (my.olivet.edu). Faculty and staff will be given access to their offices. Any student wishing to utilize University facilities after hours must have written approval from a department chair or building director from the specific area.

Residential Facilities

Inner-campus residence halls are locked at curfew and re-opened at approximately 6 a.m. Access to buildings after curfew is via the main entrance of the residence hall and must be arranged with the Resident Director or with a Resident Assistant. The Department of Public Safety will not admit individuals into residence halls after hours without approval from the Resident Director or from a Resident Assistant.

For personal safety and for the protection of personal belongings, students should keep the doors to their rooms locked at all times. Residence hall lobbies are closed to guests of the opposite sex after curfew. Guests of the opposite sex are permitted in the hallways and in rooms of residence halls only during designated times.

Public Safety Information

Information about campus security procedures and about the prevention of crime can be obtained in several ways. Security issues are discussed at a residents' meeting held on campus. Security information is printed annually in the Public Safety section within the University Life Handbook. Information is addressed periodically in the *GlimmerGlass* (student newspaper) and in chapel. Information can also be obtained through the Office of Student Development, Counseling & Health Services, or at <http://www.olivet.edu/public-safety-and-parking/>. Workshops are offered dealing

with crime prevention topics and are open to all students and employees.

For information regarding the University Judicial Council, please refer to this handbook or contact the Office of Student -Development.

Drug-Free Campus and Workplace

- 1.** In compliance with the Drug-Free Workplace Act of 1989 and with Drug-Free Schools and Campuses Amendment of 1989, Olivet Nazarene University prohibits the unlawful possession, use or distribution of drugs, alcohol and unlawful substances by students or by employees on University property or as part of any University activities.
- 2.** Olivet Nazarene University will impose sanctions on students and on employees (consistent with local, state and federal laws) up to and including expulsion or termination of employment and referral for prosecution for violation of standards of conduct. As the University campus is a smoke-free work environment, this includes the use of tobacco.
- 3.** The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace, and violation of any of the aforementioned is cause for immediate dismissal. The “workplace” encompasses all of the Olivet Nazarene University campus. It is a student’s and/or an employee’s responsibility to notify Olivet Nazarene University of any criminal drug conviction occurring in the workplace no later than five days after conviction. (Faculty/Staff Handbook)

Title IX/Sexual Harassment Policy Statement

This policy supplements the University’s general Policy Against Discrimination, Harassment and Retaliation set forth above and addresses the requirements of Title IX of the Education Amendments of 1972 (“Title IX”). Title IX is a federal law that prohibits sex discrimination in federally funded education programs and activities. Title IX states as follows:

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

Consistent with Title IX, the University prohibits discrimination on the basis of sex or gender in any University program or activity. Discrimination on the basis of sex (i.e., sex discrimination) includes sexual harassment, which, in turn, includes sexual assault and sexual violence. In addition, the Violence Against Women Reauthorization Act of 2013 requires colleges and universities to have particular policy statements and offer educational programming regarding domestic violence, dating violence, sexual assault, and stalking.

The University is committed to maintaining an environment that is free from all forms of sex discrimination and sexual harassment, including sexual assault and sexual violence. In keeping with this commitment, the University prohibits and does not tolerate sexual harassment against any member of the University community, including students, faculty or staff, by any member of the University community, or by contractors, consultants or vendors doing business with or providing services to the University. The University also prohibits and does not tolerate domestic violence, dating violence, and stalking against any member of the University community.

This Policy applies to on campus and off campus conduct, including online or electronic conduct, when the off campus conduct: (a) occurs during a College sponsored employment or education activity or program; (b) adversely impacts the education or employment of a member of the College community; or (c) otherwise threatens the health and/or safety of a member of the College community.

Title IX Committee

Any inquiries or reports regarding Title IX, the University’s Policy Against Sex Discrimination, including Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking, or the University’s general Policy Against Discrimination, Harassment and Retaliation should be directed to the Title IX Coordinator identified below or to any other member of the University’s Title IX Committee. Contact the Title IX Coordinator to receive a copy of the University’s Investigation and Resolution Procedures Guide for completing Title IX related investigations.

Tom Ascher
Director of Benefits and Compensation/ Title IX Coordinator
Olivet Nazarene University
One University Avenue
Bourbonnais, IL 60914

Phone 815-928-5473
Fax 815-928-5781
tascher@olivet.edu

The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance on behalf of Olivet Nazarene University. This includes coordination of training, education, communications and administration of the complaint and grievance procedures for the handling of suspected or alleged violations of this policy.

Title IX Committee Members:

David Pickering – EVP for Administration and Human Resources 815-939-5161
Tom Ascher – Director of Benefits and Compensation 815-928-5473
Dale Newsome – Director of Public Safety 815-928-5622
Gary Newsome – Athletic Director 815-939-5120
Lisa Vander Veer – Director of Wellness and Career Services 815-939-5143
Phil Steward – Dean of Residential Life 815-939-5060
Stacey Hutton - Director of SGCS Student Success 815-928-5527
Alyssa Bass – Director of Student Employment 815-928-5508
Freddy Tung – Staff Psychologist and Training Director 815-928-5786

A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www.hhs.gov/ocr or calling 1-800-368-1019.

Definition of Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, physical or graphic conduct of a sexual nature, without regard to whether the parties are of the same or different gender, when: (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or status in a course, program or College-sponsored activity, or is used as the basis for employment or educational decisions affecting that individual (also referred to as "quid pro quo" harassment); or (2) such conduct is sufficiently severe, pervasive, or persistent that it has the purpose or effect of limiting or interfering with an individual's educational experience or working conditions (also referred to as "hostile environment").

In considering whether the conduct constitutes sexual harassment, the University considers the totality of the circumstances. Some examples of sexual harassment may include:

- Unwelcome sexual propositions
- Unwelcome sexual contact, such as touching, kissing, hugging, or massaging
- Pressure for or forced sexual activity
- Suggestive comments or sexual innuendo
- Unnecessary references to parts of the body
- Remarks about a person's gender, nonconformity with gender stereotypes, or sexual orientation
- Sexually oriented teasing, practical jokes, jokes about gender-specific traits
- Obscene gestures
- Displays of sexually suggestive material
- Bullying, stalking or cyberbullying that is based on gender or sex
- E-mail, texting ("sexting") and Internet use that violates this policy
- Sexual assault or violence

Any person enrolled at or employed by the University is responsible for complying with this policy and for helping to ensure that harassment is avoided. Any person who feels that he or she has experienced or witnessed harassment should report such incidents promptly to the University's Director of Human Resources; the Department of Public Safety; the Office of Student Development; or to a Residential Life staff member.

Definition of Domestic Violence

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under

the domestic or family violence laws of the jurisdiction, or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction.

Definition of Dating Violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, 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. It includes but is not limited to sexual abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence, above.

Definition of Stalking

Stalking occurs when a person engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of a third person or suffer substantial emotional distress. For purposes of this definition, course of conduct means two or more acts, including but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Examples of stalking include, but are not limited to:

- Following a person;
- Being or remaining in close proximity to a person
- Entering or remaining on or near a person's property, residence, or place of employment;
- Monitoring, observing, or conducting surveillance of a person;
- Threatening (directly or indirectly) a person or a family member of that person;
- Communicating to or about a person;
- Giving gifts or objects to, or leaving items for, a person;
- Interfering with or damaging a person's property (including pets); or Engaging in other unwelcome contact.
- Has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion:
 1. follows that same person or places that same person under surveillance; and transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.

Definition of Sexual Assault

- Sexual assault means actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to, physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent. Sexual assault may involve individuals who are known to one another or have an intimate and/or sexual relationship, or may involve individuals not known to one another. . Sexual assault includes: Sexual Penetration without Consent (e.g., rape): Any 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.
- Sexual Contact without Consent (e.g., fondling): The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim. This includes contact done directly or indirectly through clothing, bodily fluids, or with an object. It also includes causing or inducing a person, when consent is not present, to similarly touch or fondle oneself or someone else.
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by the laws of the state in which the incident occurred.¹
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent under the laws of the state in which the incident occurred.²

Definition of Sexual Exploitation

Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. This includes, but is not limited to:

- Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's consent;
- Indecent or lewd exposure or inducing others to expose themselves when consent is not present;
- Recording any person engaged in sexual or intimate activity in a private space without that person's consent;
- Distributing sexual information, images, or recordings about another person without that person's consent;
- Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation;
- Inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.

¹ For incidents that occur outside of the U.S. (e.g., study abroad programs), Illinois law will apply in determining a violation of this policy.

Definition of Consent

Consent to engage in sexual activity must be informed, freely given and mutual. Consent is present when clearly understandable words or actions manifest a knowing, active, voluntary, and present and ongoing agreement to engage in specific sexual or intimate conduct.

Consent must be all of the following:

- *Knowing*: Consent must demonstrate that all individuals understand, are aware of, and agree to the “who” (same partners), “what” (same acts), “where” (same location), “when” (same time), and “how” (the same way and under the same conditions) of the sexual activity.
- *Active*: Consent must take the form of clearly understandable words or actions that reveal one's expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a “no”) should not – in and of themselves – be understood as consent. Consent cannot be inferred by an individual's manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.
- *Voluntary*: Consent must be freely given and cannot be the result of force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), intimidation (extortion, menacing behavior, bullying), coercion (undue pressure) or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- *Present and ongoing*: Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. In addition, consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another. Consent may also be withdrawn at any time – provided the person withdrawing consent makes that known in clearly understandable words or actions.

Consent is not present when an individual does not have the capacity to give consent, voluntarily or involuntarily, due to age (generally 17 in Illinois), physical condition, or disability that impairs the individual's ability to give consent. Reasons why one could lack capacity to give consent due to a physical condition include, but are not limited to, consumption of drugs or alcohol (voluntarily or involuntarily) or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring.

Signs of incapacitation include when an individual demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Some indicators of a lack of capacity to give consent due to consumption of drugs or alcohol may include, but are not limited to:

- Lack of full control over physical movements (for example, difficulty walking or standing without stumbling or

- assistance)
- Lack of awareness of circumstances or surroundings (for example, lack of awareness of where one is, how one got there, who one is with, or how or why one became engaged in sexual interaction)
- Inability to effectively communicate for any reason (for example, slurring speech, difficulty finding words)

A person may appear to be giving consent but may not have the capacity to do so, in which case the apparent consent is not effective. If there is any doubt as to another person's capacity to give consent, community members should assume that the other person does not have the capacity to give consent.

Being intoxicated or impaired by drugs or alcohol does not excuse one from the responsibility to obtain consent. Being intoxicated or impaired by drugs or alcohol is never an excuse to commit sexual misconduct.

Sexual Assault and Sexual Violence

Sexual assault will not be tolerated at Olivet Nazarene University. All students, faculty, staff and visitors are subject to this policy statement. Violators may be subject to discipline including, but not limited to, termination, expulsion or suspension. Prosecution by the criminal and/or civil justice system may also occur but will not substitute for a prompt and thorough investigation by the University. ONU affiliates (students, faculty, staff and visitors) suspected and/or accused of sexual assault may be subject to disciplinary proceedings as per University policy.

The University urges any individual who has been sexually assaulted to report the incident to the Department of Public Safety or a trusted University official. Reporting is encouraged, even if the victim opts not to pursue legal prosecution. The University can make resources available to the reporting victim to assist in the associated healing process.

The University will investigate all complaints of sexual harassment, sexual assault, domestic violence, dating violence, and stalking thoroughly, impartially and promptly.

IF YOU HAVE BEEN SEXUALLY ASSAULTED:

- Seek medical attention immediately.
- With the intent of preserving evidence, and not disturbing the crime scene, victims should not shower, should not change clothes, or disturb the scene of the attack, but should go to the emergency room of a hospital. It is suggested that a friend accompany the victim to the hospital, if possible.
- Local hospital/sexual assault resources are as follows:
 - Riverside Medical Center, Kankakee, 815-933-1671
 - Presence St. Mary's Hospital, Kankakee, 815-933-0000
 - The Kankakee County Center Against Sexual Assault (KC-CASA), Kankakee, 24-Hour Crisis Line at 815-932-3322

Hospital personnel will treat the physical consequences of assault (injury, infection, disease and pregnancy). Hospitals can also collect evidence that will be needed in the event the victim decides to report the crime to law enforcement. Hospitals are required to inform local law enforcement agencies of sexual assault cases; however, the victim may choose whether or not to speak with police personnel, University Counseling Services or to Department of Public Safety personnel. In the event a victim of sexual assault does not have the financial means (healthcare insurance, self-pay, etc.) to pay for medical treatment resulting from the assault, upon request, local hospitals do have resources that can grant funding to pay for expenses related to sexual assault, including medical procedures, exams, prescriptions and other medications.

Reporting Sexual Assault to the Police

Although it is not required and is left entirely to the discretion of the victim, the ONU Department of Public Safety encourages reporting sexual assault to the police. Reporting a sexual assault to the police may seem intimidating, but there is no need to be afraid. Police officers are specially trained to handle such situations with sensitivity and compassion, and victims can feel free to bring a friend or advocate accompanying a police interview regarding the assault. Properly reporting assault crimes can assist the victim in regaining a sense of personal power and control over the situation.

- For sexual assault that occurs on ONU properties, contact should be made with the ONU Department of Public Safety at 815-939-5265, or by calling the Bourbonnais Police Department at 911 (for emergencies) or the non-emergency number at 815-937-3577.
- For off-campus incidents, victims may also feel free to contact the ONU Department of Public Safety as noted above, or the local police department for the city in which the incident occurred.

When Sexual Assault Is Reported to the Police

When a sexual assault case is reported to the police department, the assigned officer will respond to meet the victim in a location as preferred by the victim. The victim may request to speak with a male or female officer, depending on personal preference (if there is a preference). The officer will take a preliminary statement in order to obtain the basic facts of the case and will likely recommend the victim seek medical attention as a result of the assault.

Some victims of sexual assault are not certain if they want to pursue criminal charges. This is a personal decision that must be made by the victim. Regardless of the choice, the ONU Department of Public Safety and the University will respect the decision of the victim as to whether criminal charges are pursued, but the University will nonetheless investigate and take any appropriate corrective action to the greatest extent possible, regardless of whether criminal charges are investigated or pursued by law enforcement. As means of preventing recurrence of similar crimes, the victim is encouraged to report the crime and the name of the accused so that necessary resources can be dedicated to recurrence prevention. Additionally, reporting allows for the provision of expanded support service information to the victim.

University Services to Sexual Assault Victims

The ONU Department of Public Safety, in collaboration with the University Title IX Coordinator, offers provision of the following services to victims of sexual assault:

- Assurance of confidentiality regarding reporting and associated choices and investigation
- Private meeting for report submission/guidance referrals at a time and place as determined by the victim
- Assistance with notice of the assault to individual(s) designated by the victim, if the victim chooses to give this type of notice
- Assistance with reporting the assault to law enforcement, if the victim chooses to report the crime
- Assistance and/or referral in arranging for medical services
- Referral to local counselor and resource services
- Assistance in arranging alternative housing accommodations within 24 hours of receipt of report
- Assistance in arranging alternative academic class schedule within 24 hours of receipt of report

Protecting Yourself Against Sexual Assault

Although we cannot guarantee that you will never be a victim, there are steps that can be taken to minimize these risks. The following are suggestions to incorporate into daily routines:

ON THE STREET

- Do not walk alone unless it is absolutely necessary.
- Be aware of what is happening in your surroundings. Know where you are and where you are going.
- If you walk regularly, vary your route. Do not be predictable! Walk away from bushes, alleys and dark entryways. Stay in well-lit areas.
- Take precaution to prevent being surprised. Attackers rely on the element of surprise. Do not wear headphones when walking alone.
- Trust your instincts. If you think you are being followed, walk toward a busy, well-lit area. Scream loudly to attract attention and tell someone to call the police.
- If someone bothers you from a car, turn and walk in the opposite direction. If possible, get a license plate number. When you are in a safe place, notify the police, and then the Department of Public Safety.

JOGGING IN ATHLETIC PARKS AND STREETS

- When possible, run with a friend or in a group.
- Try to avoid running alone during the evening hours.

IN YOUR VEHICLE

- Always have keys in your hand as you approach your vehicle. Avoid having to look through bags or purses to find keys.
- Always maintain focus and attention on surroundings. Be aware of what is happening around you.
- Always look inside your vehicle in the back seat, and on the floor before you get into it.
- Upon entry to your vehicle, immediately lock doors. Keep the car doors locked and your windows up when driving.
- Always have plenty of gasoline in your car.

Preparing for Vehicular Emergencies

- Know how to change a flat tire. Make certain that the spare tire is in good condition and that the proper auto safety equipment is in your car.
- If your car breaks down at night, turn on your emergency flashers. Remain in your car with the doors locked and the windows closed until the police arrive.
- If another motorist stops to assist you, roll the window down slightly, and ask him or her to call the police.
- Always carry your mobile phone or enough money to make an emergency call.

The University provides counseling services through the Counseling Center, located in the Center for Student Success. Students will find a ready acceptance from the counseling staff. The counseling services are voluntary use without charge. A professional code of ethics is observed. In addition, Olivet Nazarene University maintains working relationships with several local providers of medical care, including Presence St. Mary's Hospital and Riverside Medical Center.

Campus Crime Statistics

In 1990, the Federal Government, through the U.S. Department of Education, passed the Student Right-to-Know and Campus Security Act. This act requires colleges and universities to provide information to students and employees regarding campus crime statistics. These statistics are compiled per the calendar year, January 1 through December 31. This information is provided so that current students, prospective students and employees are aware of their environment. Statistics regarding occurrences of campus crime, as reported to the Department of Education, are provided on the Olivet website and in the Office of Public Safety.

VAWA: Violence Against Women's Act

VAWA or Violence Against Women's Act, which includes "domestic violence," "dating violence" and stalking, is a broad-based law passed in 1994 in response to the increasing violence against women in the U.S. The Act has provisions starting from funding of domestic-violence programs to new civil rights remedies for women who have been victims of gender-based attacks.

Just as with sexual assault or sexual violence, the University will not tolerate such behavior and urges individuals to report these incidents to the Department of Public Safety or a trusted University official. Reporting is encouraged; even if the victim opts not to pursue legal prosecution, the University can make resources available under VAWA provision to the reporting victim to assist in the associated healing processes.

VAWA provides for education, research, treatment of domestic and sex-crime victims, creation of rape crisis centers and battered women's shelters. The Act also authorizes additional local police, prosecutors, victim advocates, and a domestic violence hotline to check the increasing violence.

https://www.whitehouse.gov/sites/default/files/docs/vawa_factsheet.pdf o