



Elgin  
Community  
College

Bright Choice. Bright Future.



# Elgin Community College **Annual Security Report**

Calendar Year 2021  
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## MESSAGE FROM CHIEF OF POLICE DAVID KINTZ

Thank you for reviewing Elgin Community College's Annual Security Report for calendar year 2021. This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report outlines important information about 2021, provides instructions on how to file a report, summarizes safety programs that are provided on campus, and provides contact information. Please familiarize yourself with this information.

Our safety relies on the willingness of others to call for attention when something seems out of place. The motto "See something, say something" has never been more important. We would much rather check on something and have it turn out to be nothing. Our highly experienced police department is prepared to help all who visit our campus.

## THE JEANNE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, originally known as the Campus Security Act, is the landmark federal law that requires colleges and universities across the United States to disclose information about crime on and around their campuses.

The "Clery Act" is named for Jeanne Ann Clery, who was raped and murdered in her dorm room in 1986. Her parents, Howard and Connie, later learned there had been more than 35 violent crimes on the campus in the three years prior to Jeanne's attendance that were not disclosed to the students. Howard and Connie joined with other campus crime victims and persuaded Congress to enact this law, which was originally titled the "Crime Awareness and Campus Security Act of 1990."

In 2008, revisions were made to the Higher Education Opportunity Act that required additional reporting of hate crimes and emergency response and evacuation procedures by any Title IX institution, as well as missing student notification and fire safety issues by a Title IX institution that maintains an on-campus student housing facility. Elgin Community College does not maintain any on-campus student housing facilities.

In 2013, the Violence Against Women Reauthorization Act (VAWA) was signed, requiring institutions to compile crime statistics for domestic violence, dating violence, sexual assault, and stalking and to include applicable policies, procedures, and programs in the annual security report.

# ANNUAL SECURITY REPORT

## PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Elgin Community College Police Department (ECCPD) prepared this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the ECCPD; information provided by other campus security authorities; information provided by local law enforcement agencies surrounding the Spartan Drive Campus and the Elgin Community College Center for Emergency Services (Burlington); and law enforcement agencies having jurisdiction over off-campus buildings or property owned, leased, or controlled by the college.

The college takes all necessary steps to ensure that Clery-reportable incidents are properly collected, classified, and counted according to the definitions in the Clery Act and that each incident is reported in the Annual Security Report (ASR) and submitted to the U.S. Department of Education.

This report provides statistics for the previous three years (calendar years 2019, 2020, and 2021) concerning reported crimes that occurred on campus; in certain off-campus buildings; or property owned, leased, or controlled by the college. Included with the crime statistics is data concerning individuals referred for campus disciplinary actions for crimes specified under the Clery Act, such as alcohol and drug offenses, weapons offenses, hate crimes, and Violence Against Women Act (VAWA) crimes. This report also includes college policies and procedures about campus security including, but not limited to, policies regarding sexual and gender-based violence, alcohol and drugs, and maintaining a safe campus.

## REPORTING CRIMES AND OTHER EMERGENCIES

ECC encourages all students, employees, and visitors to report all crimes, serious incidents, and other emergencies to the appropriate college officials. Any emergency situation or in-progress crime can be reported to the ECCPD at extension **7777** using any campus phone. Cell phone users must dial **847-214-7777**. Non-emergency calls can be reported by calling extension **7778** from campus phones and **847-214-7778** from cell phones. To reach the municipal police and fire dispatchers during an emergency situation, dial 911. Cell phone users must be ready to give their exact building and campus location. The ECC Police Department is located in Building D, Room D140 at ECC's Spartan Drive Campus. At the Burlington-based Center for Emergency Services, the ECC Police Department office is located in Building BA, Room BA102.

Reporting crimes and other emergencies promptly and accurately is a community responsibility. ECC community members who observe a crime or other emergency should report it immediately, especially if it appears the victim may be unable to do so. Although the college offers many support resources, we highly encourage campus community members to report all crimes and concerning behaviors or activities to the ECCPD, whether or not they want to pursue a formal investigation. Reporting will ensure the college can assess security concerns and inform the ECC community if there is an ongoing threat.

In response to crimes reported to ECC Police, officers from the ECCPD and possibly other jurisdictions, such as Elgin, South Elgin, and Kane County will be dispatched to that location. Officers will take appropriate police or administrative action, which may include processing an arrest, issuing a trespass warning, or referring the

individual to the associate vice president of student services and development.

Persons reporting crimes to the ECCPD that did not take place on any ECC campus or location are promptly referred to the law enforcement agency with investigative jurisdiction.

## VOLUNTARY, CONFIDENTIAL REPORTING

If crimes are not reported, little can be done to hold perpetrators accountable and prevent other occurrences. We encourage ECC community members to promptly and accurately report all crimes, and to participate in and support crime prevention and safety awareness efforts. The ECC community will be much safer when all community members participate in our safety and security initiatives.

Victims of a crime, as well as those who wish to report a crime but do not want to pursue action within the college or criminal justice system, are asked to file a voluntary, confidential report. With the individual's permission, an ECC police officer can file a report with details of the incident without revealing one's identity. The purpose of a confidential report is to comply with a person's wish to keep the matter confidential, while taking steps to potentially protect the future safety of the individual and others. With this information, the college can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the ASR for the institution. When they involve allegations of sexual harassment, including sexual or domestic violence, those reports will be shared with the college's Title IX coordinator.

## REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES

While the college prefers that community members promptly report all crimes and other emergencies directly to the Elgin Community College Police Department at **847-214-7777** or **911**, we recognize that some may prefer to report to other individuals or college offices. The Clery Act recognizes certain college officials and offices as campus security authorities (CSAs). According to the *Handbook for Campus Safety and Security Reporting*, these individuals are officials of the institution who have significant responsibility for student and campus activities, including, but not limited to, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to act or respond to particular issues on behalf of the college.

While the college has several identified CSAs, the following offices are officially designated places where campus community members may report crimes:

OFFICE	CAMPUS LOCATION	PHONE NUMBER
<b>Elgin Community College Police Department</b>	Building D, Room D140	Emergency from Cell: 847-214-7777 or 911 Non-Emergency: 847-214-7778
<b>Equal Employment Opportunity/Affirmative Action Officer/Title IX Coordinator</b>	Building E, Room E210.03	847-214-7992
<b>Interim Assoc. Vice President of Student Services &amp; Development</b>	Building B, Room B105.13	847-214-7422
<b>Chief Human Resources Officer</b>	Building B, Room B210.05	847-214-7372

## WELLNESS PROFESSIONALS

According to the Clery Act, professional counselors and confidential advocates who are appropriately credentialed and hired by ECC to serve in a counseling role are not considered campus security authorities for reporting purposes when they are acting in the counseling role.

ECC's Wellness Services Office provides help to students who may need assistance. The mission of Wellness Services is to support students' personal well-being so they can focus on academic success. Wellness professionals encourage students to become active participants in their overall health and well-being and they use a holistic approach to empower students to achieve their full potential. Available wellness programs include a Student Assistance Program, which is available 24 hours per day, 7 days per week, through the confidential hotline at 847-742-4033. More information is available at [elgin.edu/life-at-ecc/wellness-services](http://elgin.edu/life-at-ecc/wellness-services).

Students may find other helpful information in CampusWell, an online magazine at [elgin.campuswell.com](http://elgin.campuswell.com). Literature concerning drug and alcohol abuse is made available throughout the year and is highlighted on Wellness Wednesdays during fall and spring semesters.



## ABOUT THE ELGIN COMMUNITY COLLEGE POLICE DEPARTMENT

Elgin Community College police officers receive their authority through the Illinois Public Community Act, 110 ILCS 808/3-42.1, which is sanctioned by the Community College District 509 Board of Trustees. ECCPD officers are fully sworn police officers who are armed and have all of the powers possessed by county and municipal police officers, including the power to conduct criminal investigations and make arrests. The ECCPD is staffed by experienced officers who receive the same basic training as county and municipal police officers throughout the state, plus additional training to meet the unique needs of a campus environment. ECCPD officers patrol the Spartan Drive Campus and the Center for Emergency Services during the campuses' hours of operation.

ECC maintains a proactive approach to crime prevention that involves not only the ECCPD but also all members of the college community, including security orientation programs for new students and staff as well as continuing education efforts throughout the year. The ECCPD has the primary responsibility for developing and deploying police-related services, programs, and strategies for maintaining a safe campus. Specifically, the ECCPD is responsible for law enforcement, crime prevention and awareness, and emergency response to critical incidents. The ECCPD provides additional support services to the college, including:

- Parking control
- Traffic enforcement
- Traffic crash investigation
- Motorist assistance with minor problems, such as jump-starts or vehicle lockouts
- Emergency first aid
- Safety escorts
- Special event security

For more information on campus safety, please call:

**Elgin Community College Police Department**

Building D, Room D140

1700 Spartan Drive

Elgin, IL 60123-7193

**847-214-7778**

# ELGIN COMMUNITY COLLEGE'S COMMITMENT TO SAFETY

## WORKING RELATIONSHIPS WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES

ECCPD officers maintain working relationships with federal, state, county, and local police agencies to manage all types of emergencies and criminal activity and partners with these agencies for training, criminal investigations, special operations, and security details during special events. The ECCPD maintains mutual aid agreements locally with law enforcement agencies throughout Kane County and statewide as a member agency of the Illinois Law Enforcement Alarm System (ILEAS), the Kane County Major Crimes Task Force (KCMCTF), the Kane County Accident Reconstruction Team (KCART), and the Incident Management Assistance Team (IMAT), all of which can be of assistance for emergencies. During periods when ECC is closed, such as overnight or on board-designated breaks and holidays, the Elgin Police Department patrols the Spartan Drive Campus and the Kane County Sheriff's Office patrols the Center for Emergency Services.

## TIMELY WARNING REPORTS

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, the college issues timely warnings and emergency alerts.

The purpose of a timely warning is to notify the campus community of an incident and to provide information that may enable community members to better protect themselves from similar incidents.

Timely warnings are issued for specific crime classifications: arson, aggravated assault, murder/non-negligent manslaughter, robbery, and sex offenses, if there is deemed to be a serious or continuing threat to the community. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the ECCPD. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to community members and a timely warning would not be distributed.

In cases involving sexual assault, which are sometimes reported long after the incident occurred, there is no ability to issue a timely warning to the community. Sex offenses will be considered for a timely warning on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the ECCPD. Timely warnings also may be issued for other Clery Act and non-Clery Act crimes as deemed necessary.

The ECCPD will ensure that the following information is included in a timely warning, when such information is available:

- The nature and severity of the threat and the persons or locations that might be affected.
- Any connections to a previous incident(s).

- A physical description of any suspect(s).
- The date and time the warning was released.
- Other relevant and important information.
- Appropriate safety tips.

ECCPD employees, the senior director of emergency management, Operations and Maintenance Department representatives, and/or other college administrators are responsible for confirming the presence of an emergency situation that requires an emergency alert or a timely warning. The decision will then be made to notify the entire campus via the Emergency Alert System or to notify a segment of the campus if the situation is limited to a specific area.

To issue a timely warning, the chief marketing and communications officer (CMCO) or the CMCO's designee will inform the campus community via email. ECC's Marketing and Communications Department may also disseminate information via press release, website, social media, and/or press conference. In addition, ECC has the capability to send alerts using a mass notification system (MNS), which broadcasts prerecorded messages using emergency speakers located throughout the college. The type of alert used will depend on the specific threat. All notices shall be provided to students and employees in a manner that is timely, that withholds the names of the victims as confidential, and that will aid in the prevention of further occurrences.

In certain circumstances, an incident may not meet the criteria of a Clery-reportable crime occurring in a Clery-reportable location, but may constitute a serious or ongoing threat to the campus community. For instances in which an Emergency Alert is not required, the chief of police (or designee) may choose to issue a timely warning notifying the campus community of the situation. The content of the timely warning will depend on the type of incident reported and the location in which it occurred.

In cases where ECC issues an emergency alert in response to an incident on campus that represents a significant threat to the health and safety of the campus community, the college is not required to issue a timely warning as long as it provides applicable updates regarding the nature of the situation.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### *Emergency Management at ECC*

The senior director of emergency management is responsible for the campus Emergency Operations Plan (EOP). This plan is designed to be an all-hazards disaster response and emergency management plan that complies with the Federal Emergency Management Agency's (FEMA) guidelines for higher education that includes planning, mitigation, response, and recovery actions.

At ECC, we prioritize:

- Life safety and infrastructure integrity.
- Coordination with ECC departments to write, maintain, test, and exercise the EOP.
- Work with local, state, and federal agencies in all phases of emergency management.

## *Emergency Notification*

ECC is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members.

Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff, the ECC Marketing and Communications Department will send an emergency notification via text message and an email alert using ECC's RAVE Alert System. The confirmation of an emergency warranting an immediate notification, the content of the notification, and the segments of the community designated to receive such notification will be determined by the senior director of emergency management in conjunction with the chief marketing and communications officer and the chief of police. The emergency notification will be issued to the community by the ECC Marketing and Communications Department, with the goal of notifying as many people as possible, as rapidly as possible. These emergency notifications will also inform the campus community of any recommended action to be taken or avoided. Designated ECC staff will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency notifications are sent via text and email messages to individuals who are registered in the ECC RAVE Alert System. All students are automatically registered in the system each semester upon registration, unless they choose to remove their contact information. All staff and faculty members are registered upon hiring and can update their contact information at any time, in order to receive these notifications. Members of the ECC community can register for this system at [emergency.elgin.edu](http://emergency.elgin.edu). Users must click on the register button, complete the registration fields, and agree to the service terms.

## *Building Evacuation*

In the event that a building evacuation is necessary, employees, students, and visitors should remain calm but leave quickly. Evacuees are reminded to use stairs and not elevators, paying close attention to surroundings as they exit. Incidents such as fire or hazardous materials releases may require alternate exit paths. Evacuees may assist special needs individuals in the evacuation process if it is possible to do so safely and they wish to accept the help. If it is not possible to evacuate special needs individuals from the building, move them to a safe stairwell (farthest from the hazard) and inform responding emergency personnel of their location. Do not use an elevator for evacuation needs.

Once outside, stay clear of the building and entryways to facilitate first responder access to the emergency. To assist emergency personnel, and ensure personal safety, go to the designated evacuation assembly point for each department or stay a minimum of 300 feet away from the building.

Do not attempt to re-enter the building until instructed to do so by the ECC Police Department or emergency responders. Employees, students, and campus visitors are not to instruct others to re-enter. This will be done by designated emergency personnel only.

Safety coordinators and administrators should assist others within their work areas in evacuating the building via the nearest accessible exit. They should also assist any disabled individuals in exiting the building or getting to an

area of safety. Once outside, they should assist in keeping individuals away from the building and clear from fire lanes to avoid impeding emergency response vehicles.

### *Campus Evacuation*

In most emergencies, complete evacuation of the entire campus is not necessary. If there is a major incident, such as a major hazardous materials release or threat of explosion, it may be necessary to relocate all college individuals to a safer location.

Areas nearest to the threat should be evacuated first, and subsequent evacuations should take place in order of proximity to the threat from nearest to farthest. If instructed by authorities to evacuate from the campus entirely, do so immediately.

Once the campus is evacuated, it will be secured and no one will be permitted to enter without proper authorization. The campus will remain closed until the decision to re-open is made by the college president (or designee).

Safety coordinators and administrators should assist others within their work areas in evacuating the campus via the nearest accessible exit. They should also assist any disabled individuals in exiting the buildings or getting to an area of safety and then notify emergency responders. Once outside, they should assist in keeping individuals away from the building and clear from the fire lanes to avoid impeding emergency response vehicles.

### *Drills, Exercises, and Training*

Annually, ECC conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year to year and include several campus departments. These exercises include drills, tabletop exercises, emergency operations center exercises, or campus-wide emergency response exercises. The college conducts after-action reviews of all emergency management exercises. The senior director of emergency management maintains records of the after-action review process and tracks the completion of corrective actions.

Two announced fire drills, including building evacuations, are conducted each year in the fall and spring semester at the Spartan Drive Campus and at the Center for Emergency Services. One announced tornado drill, which does not include building evacuation, is also conducted each year at the Spartan Drive Campus and at the Center for Emergency Services. Thus, the emergency response and evacuation procedure is tested twice annually.

During these drills, students learn the locations of the emergency exits within the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. They are also provided information on the location of the five evacuation assembly points (EAPs) located throughout campus. ECC employees do not inform students in advance about the designated locations for long-term evacuations, because those decisions are affected by the time of day, location of the building being evacuated, the availability of the designated gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, ECC employees will communicate information to students regarding the developing situation or any evacuation status changes.

The ECC senior director of emergency management coordinates these announced drills, as described above, to test ECC's emergency response and evacuation procedures and to assess and evaluate emergency evacuation

plans and capabilities. ECC will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year to include a description of the exercise, the date, the time, and whether it was announced or unannounced.

## SECURITY OF AND ACCESS TO ECC FACILITIES

The ECCPD maintains control of access to campus facilities. ECC buildings are generally open to the public and members of the campus community during normal operating hours of 7 a.m. to 11 p.m., Monday through Friday, and 7 a.m. to 5 p.m., Saturday. All buildings are closed on Sunday with the exception of Buildings E, H, and J based on contractual events. ECCPD officers are on duty and providing police coverage during these times. During the summer, ECC is closed for normal college activity on Friday, Saturday, and Sunday. Special events are still scheduled during this time, and the ECCPD may vary coverage during summer semester, depending on the needs of the college. The use of meeting rooms, classrooms, and facilities is prohibited without approval of the college. The campus is closed during board-approved holidays or other recesses. Outside of normal operating hours, entry is restricted to those with prior authorization.

The ECCPD provides police services for the Spartan Drive Campus and the Center for Emergency Services while classes are in session and at other periodic times. The Streamwood Village Hall and the Education and Work Center receive police services from the Streamwood Police Department and the Hanover Park Police Department, respectively.

The Spartan Drive Campus and the Center for Emergency Services are monitored by a sophisticated network of security cameras. College facilities are maintained by the Operations and Maintenance Department, which employs custodial staff, building engineers, and groundskeepers. They conduct regular inspections of the campus and handle work orders when repairs are needed.

ECC does not have any residence halls, dorms, or other housing facilities, either on or off campus. ECC also does not have any officially recognized student organizations with on-campus or off-campus housing facilities. Therefore, there is no policy concerning the monitoring and recording of criminal activity with local law enforcement agencies for officially recognized student organizations with non-campus housing facilities.

# ELGIN COMMUNITY COLLEGE'S RESPONSE TO SEXUAL AND GENDER VIOLENCE

## INTRODUCTION

ECC is committed to providing a safe learning and working environment and has policies and procedures to prevent and respond to incidents of sexual violence, including sexual assault, domestic violence, dating violence, stalking, and sexual harassment. These policies and procedures apply to all students, faculty, staff, contractors, and visitors.

All forms of sexual violence and harassment, including the acts described and defined in this report, are prohibited and violate the Anti-Discrimination, Harassment, Violence, and Retaliation Policy and Procedure, the Student Code of Conduct, and may violate federal and state laws. Violations of these policies are subject to disciplinary sanctions through the college and may also be subject to civil and criminal proceedings.

## REPORTING AN INCIDENT

If a student, employee, or third party has been the victim of an incident of sexual violence the person should immediately report it to the Elgin Community College Police Department by calling **847-214-7778** or in person at the police department located in Building D, Room D140. In case of an emergency or on-going threat, if possible, get to a safe location and report the incident by calling **847-214-7777** or **911**. Victims are encouraged to report incidents of sexual violence but are entitled not to report to law enforcement.

ECC encourages individuals to report sexual misconduct as soon as reasonably possible, but there is no time limit on reporting incidents of any sexual harassment, sexual misconduct, or other interpersonal misconduct. Any individuals who believe they have been a victim or have witnessed sexual misconduct are encouraged to report the incident and to seek medical care and follow-up counseling as soon as possible, if needed, depending on the incident. In addition to the ECCPD, individuals may report incidents of sexual misconduct to any of the responsible employee offices listed in the responsible employee section.

ECC's Title IX coordinator is a resource for victims of sexual violence and can assist victims with the support resources available and the process for pursuing a complaint through the campus disciplinary process. A report can be made directly to the Title IX coordinator either in person, by phone, or via email to: Marilyn Prentice, 847-214-7992 or at [mprentice@elgin.edu](mailto:mprentice@elgin.edu). Reports made to the ECCPD will be forwarded to the Title IX coordinator.

## DEFINITIONS OF COVERED OFFENSES

### *As Defined by Elgin Community College*

#### *Sexual Harassment*

Sexual harassment may take many forms. Sexual harassment may consist of repeated actions or may even arise from a single incident, if sufficiently extreme. The complainant and the alleged perpetrator may be of any gender and need not be of different genders. Sexual harassment includes unwelcome sexual advances; requests for sexual favors; and other verbal, nonverbal, or physical conduct of a sexual nature where:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education, status in a position of employment or an academic course or program, or participation in any college activity.
- Submission to, or rejection of, such conduct by an individual is used as the basis for a decision affecting an individual's employment or education, status in a position of employment or an academic course or program, or participation in any college activity.
- Such conduct is intended to cause, or would objectively be regarded by a reasonable person as causing (i) unreasonable interference with an individual's job performance or academic performance in a course or program, or participation in any college activity, or (ii) an intimidating, hostile, or offensive work, learning, or educational environment.

Depending on the circumstances, sexual harassment may include, but is not limited to, the following:

- Physical assaults of a sexual nature, such as rape, sexual assault, sexual battery, molestation, or attempts to commit these acts.
- Intentional physical conduct that is sexual in nature such as touching, pinching, patting, grabbing, poking, or brushing against another individual's body.
- Offering or implying a job- or education-related reward (such as a pay increase, a favorable employment evaluation, a job promotion, a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants, or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct.
- Threatening or taking a negative employment or educational action (such as a reduction in pay, a negative employment evaluation, or a demotion, giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual's job or academic work more difficult because sexual conduct is rejected.
- The use or display, including by electronic means, in the workplace or classroom, of pornographic or sexually harassing materials such as posters, photos, cartoons, or graffiti without pedagogical or other justification.
- Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gesture, noises, remarks, jokes, questions, or comments about a person's sexuality or sexual experience.

### *Sexual Assault and Sexual Violence*

Sexual assault/sexual violence is a particular type of sexual harassment that includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or for any other reason. This includes, but is not necessarily limited to inappropriate touching, sexual intercourse of any kind without consent, rape, and attempted rape.

### *Domestic Violence, Dating Violence, and Stalking*

- Domestic violence means violence by the complainant's current or former spouse, intimate partner, cohabitant, or person similarly situated; person with whom the complainant shares a child in common; or anyone else protected under domestic or family violence law.



- Dating violence means violence by a person who is or has been in a romantic or intimate relationship with the complainant.
- Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

### *As Defined by the State of Illinois Criminal Statutes*

#### *Consent (720 ILCS 5/11-1.70)*

Freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.

#### *Sexual Violence*

##### *Criminal Sexual Abuse (720 ILCS 5/11-1.50)*

A person commits criminal sexual abuse if that person: commits an act of sexual conduct by use of force or threat of force; or commits an act of sexual conduct and knows the victim is unable to understand the nature of the act or is unable to give knowing consent; or if the person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age; or if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.

##### *Criminal Sexual Assault (720 ILCS 5/11-1.20)*

A person commits criminal sexual assault if that person commits an act of sexual penetration and uses force or a threat of force; knows the victim is unable to understand the nature of the act or is unable to give knowing consent; is a family member of the victim and the victim is under 18 years of age; or is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

#### *Relationship Violence*

##### *Domestic Battery (720 ILCS 5/12-3.2)*

A person commits domestic battery if he or she knowingly and without legal justification by any means causes bodily harm to any family or household member; or makes physical contact of an insulting or provoking nature with any family or household member.

#### *Dating Violence*

Dating violence is not defined by Illinois statutes. Acts that constitute dating violence under Department of Education definitions are prosecuted under the domestic violence statutes.

### *Stalking (720 ILCS 5/12-7.3)*

A person commits stalking when he or she knowingly engages in a course of conduct directed at specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to fear for his or her safety or the safety of a third person; or suffer other emotional distress.

A person commits stalking when he or she, knowingly and without lawful justifications, on at least two separate occasions follows another person or places the person under surveillance or any combination thereof and at any time transmits a threat of immediate or future bodily harm or places that person in reasonable apprehension of immediate or future bodily harm.

## ECC PRESIDENT'S TASK FORCE ON DISCRIMINATION AND HARASSMENT

The college president has the ultimate responsibility for implementing this policy and for deciding the appropriate corrective action that should be taken to address violations of this policy. The president of ECC has appointed a Task Force on Discrimination and Harassment, to which the president has delegated day-to-day responsibility for this policy. The president may modify the composition of the task force at his or her discretion. The task force consists of the following college personnel:

Marilyn Prentice, Task Force Chair, Paralegal and EEO/AA, Title IX, and FOIA Compliance Officer

**847-214-7992**

[mprentice@elgin.edu](mailto:mprentice@elgin.edu)

Lauren Nehlsen, PhD, Associate Dean of Recruitment, Outreach, and Global Engagement

**847-214-7821**

[lnehlsen@elgin.edu](mailto:lnehlsen@elgin.edu)

ECC's Title IX coordinator is responsible for implementing and monitoring Title IX compliance on behalf of the college. 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.

Any inquiries regarding Title IX, the Campus SaVE Act, or the college's Anti-Discrimination and Anti-Harassment Policy should be directed to the Title IX coordinator or to one of the task force members identified above. These individuals will be available to meet with or talk to students, staff, and faculty regarding any Clery Act issues related to Title IX and this policy.

The ECC task force is also responsible for implementing and monitoring its Title IX compliance at ECC, and for notifying the Title IX coordinator of any alleged or suspected violations of this policy and the resolution of such alleged or suspected violations, regardless of whether a grievance is submitted.

The ECCPD is the primary means for the campus community to report actual criminal violations of law and

incidents which occur on campus or the surrounding public streets and sidewalks. Reports may be made in person at the ECCPD office, located in Building D, Room D140, or by calling **847-214-7777** (or ext. **7777** from any campus phone).

If any individuals reporting a perceived violation do not want the college to act on the complaint, or do not want their identity revealed, the responsible employee will notify the Title IX coordinator, who will determine whether the complainant's wishes can be honored.

Any student who is a victim or witness to a crime may report an incident directly to the ECCPD or other local police department, depending on the jurisdiction. If an incident is reported to a college administrator, the student will receive assistance, if needed, from that administrator in notifying the appropriate police department. Students may elect to not have the local police notified; however, the responsible employee will notify the ECCPD that a crime occurred.

Wellness professionals are designated as individuals with whom a member of the college community may have a confidential discussion about any Title IX concern, in particular, incidents of sexual assault or violence of any type. Unlike designated responsible employees, wellness professionals will not reveal the student's concern to the Title IX coordinator or the task force.

## FILING A COMPLAINT WITH THE COLLEGE

Cases involving a complaint of sexual assault, sexual harassment, and/or gender discrimination are first assessed by the Title IX coordinator. If a person files a Title IX complaint, the person has the right to ask for an internal investigation and reasonable academic accommodations. Any inquiries or complaints regarding Title IX, the Campus SaVE Act, or the college's Anti-Discrimination and Anti-Harassment Policy should be directed to:

Marilyn Prentice, Title IX Coordinator

**847-214-7992**

[mprentice@elgin.edu](mailto:mprentice@elgin.edu)

Lauren Nehlsen, PhD, Associate Dean of Recruitment, Outreach, and Global Engagement

**847-214-7821**

[lnehlsen@elgin.edu](mailto:lnehlsen@elgin.edu)

ECC Police Department

**847-214-7777** (Emergency) or **847-214-7778** (Non-Emergency)

## ADDITIONAL SERVICES

The college has on-site wellness professionals who respect confidentiality and are not required to report an assault, unlike faculty and staff under Title IX policy. The wellness professionals will provide free and confidential support and referrals to help determine what is best to do for each individual's self-care and healing. The college's wellness professionals may be contacted at:

Coresair Mack, Wellness Professional

**847-214-6925**

[cmack@elgin.edu](mailto:cmack@elgin.edu)

Jasmine Young, Wellness Professional

**847-214-7418**

[jyoung@elgin.edu](mailto:jyoung@elgin.edu)

Fernanda Sanchez-Ewald, Wellness Professional

**847-214-7418**

[fsanchez-ewald@elgin.edu](mailto:fsanchez-ewald@elgin.edu)

In addition, the college has resources to help students obtain mental health, general health, and victim advocacy assistance, legal assistance, and immigration assistance.

## REPORTING ALLEGED VIOLATIONS; INVESTIGATION

An individual at ECC who has a complaint against a student, faculty member, staff member, or other individual involving an alleged violation of this policy should contact the Title IX coordinator or any harassment/discrimination task force member, either by telephone or in writing. If the alleged violation involves the Policy Against Sex Discrimination, the complainant may also report the matter to a designated responsible employee, who will notify the Title IX coordinator or a member of the task force. The college will promptly and equitably investigate and resolve all suspected or alleged violations of this policy. Although there is no specific time limit for reporting a suspected violation of this policy, any individuals who believe they have been subjected to conduct that violates this policy are encouraged to contact the appropriate official as soon as possible after the alleged act of discrimination, harassment, violence, or retaliation to discuss the available options for proceeding.

In addition to contacting ECC's Title IX coordinator or a member of the task force, a student or other individual who experienced a sexual assault, sexual violence, domestic violence, dating violence, or stalking is encouraged to contact the ECCPD or the local police to initiate a criminal complaint. The Title IX coordinator and other task force members are available to assist students and others in contacting appropriate law enforcement authorities upon request. Any pending criminal investigation or criminal proceeding may affect the timing of the college's investigation, but the college will commence its own investigation as soon as is practicable under the circumstances. The college reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding. The college will investigate alleged or suspected violations even if the complainant does not pursue a criminal complaint.

The Title IX investigation of any suspected or alleged violation of this policy will be completed within 60 days of the filing of a complaint or the date on which the college becomes aware of a suspected violation of this policy, unless the college determines in its discretion that more time is required to complete the investigation. The nature and extent of the investigation will vary depending upon the circumstances, including whether the parties are amenable to pursuing an informal resolution (and the matter is eligible for informal resolution, as discussed below). As part of the investigation, the investigators will seek to interview the complainant and the accused. To help ensure a prompt and thorough investigation, complainants are asked to provide as much information as possible, such as:

- a. The name, department, and position of the person(s) allegedly causing the prohibited discrimination, harassment, violence, or retaliation.
- b. A description of any relevant incident(s), including the date(s), location(s), and the presence of any witnesses.
- c. The alleged effect of the incident(s) on the complainant's opportunity to benefit from the college's programs or activities.
- d. The names of other individuals who might have been subject to the same or similar acts of discrimination, harassment, violence, or retaliation.
- e. Although it is not required, list any steps the complainant has taken to try to stop the discrimination, harassment, violence, or retaliation.
- f. Any other information the complainant believes to be relevant to the alleged discrimination, harassment, violence, or retaliation.

Any accused parties are expected to cooperate in the investigation and to provide as much information as possible in connection with the investigation.

The college reserves the right to suspend any member of the college community suspected or accused of violating this policy or to take any other interim measures the college deems appropriate, pending the outcome of an investigation or grievance. Such interim measures can include, but are not limited to, removing a student or employee from campus, modifying course schedules, and issuing a "no contact" order. In situations involving suspected or alleged violations of the Policy Against Sex Discrimination, the college also reserves the right to take steps to protect the complainant as deemed necessary during the pendency of the investigation and resolution process (e.g., allowing for a change in academic situation, issuing a "no contact" order to the accused, police escort to and from parking where warranted, etc.). Any such interim steps will be taken in a manner that minimizes the burden on the complainant to the extent possible.

### *Informal Resolution Process*

Allegations of sexual assault, sexual violence, domestic violence, dating violence, or stalking may not be resolved using an informal resolution process (i.e., mediation). However, other alleged violations of this policy, including some allegations of sexual harassment, may be resolved using an informal resolution process overseen by one or more members of the harassment/discrimination task force if (i) the college determines, in its discretion, that such a process would be appropriate; and (ii) all parties agree to participate.

The parties to any such informal process will not be required to deal directly with one another without the college's involvement. Instead, one or more task force members may arrange for or facilitate mediation between the involved parties and coordinate other informal resolution measures. Any party may request that the informal

resolution process be terminated at any time, in which case the formal resolution process (described below) would commence. The college may also commence the formal resolution process at any time if it believes it necessary to do so to protect the interests of the college community. In addition, any party can pursue formal resolution if dissatisfied with a proposed informal resolution.

### *Formal Resolution Process*

The formal resolution process applies (i) when any party so requests in connection with a matter that is eligible for informal resolution; (ii) to all matters that are not eligible for informal resolution (e.g., matters involving alleged or suspected sexual assault, sexual violence, domestic violence, dating violence, or stalking); and (iii) to matters in which the college concludes formal resolution is necessary to protect the interests of the college community. As part of the formal resolution process, the college may determine what investigative steps are required to complete the college's investigation.

### *Standard for Determining Responsibility*

The standard used for determination of responsibility is whether it is more likely than not that the alleged violation occurred. This is often referred to as a "preponderance of the evidence" standard.

### *Rights of Complainants and Accused Parties; Timing of Resolution*

The college shall provide any individual suspected or accused of violating this policy with a written statement of the suspected or alleged violations of this policy. Complainants and accused parties shall both be provided with the following in connection with the resolution of suspected or alleged violations of this policy.

1. The opportunity for all parties to speak on their own behalf.
2. The opportunity to identify witnesses who can provide information about the alleged conduct at issue.
3. The opportunity for all parties to submit other evidence on their own behalf.
4. The opportunity to review any information that will be offered by the other party in support of the other party's position (to the greatest extent possible and consistent with the Family Educational Rights and Privacy Act (FERPA) or other applicable law).
5. If a hearing is held, the right to be present during the hearing.
6. The right to be assisted by a representative (pursuant to the applicable collective bargaining agreement, or of their choice from within the college community).
7. The right to be informed of the outcome of the investigation (to the greatest extent possible and consistent with FERPA or other applicable law).
8. The opportunity to appeal the outcome of the investigation.

### *Sanctions; Corrective Actions*

The official conducting the investigation will determine whether a violation of this policy has occurred and what, if any, corrective action is appropriate. The college will take reasonable steps to prevent the recurrence of any violations of this policy and to correct the discriminatory effects on the complainant (and others, if appropriate).

The range of potential sanctions/corrective actions that may be imposed against a student includes, but is not limited to the following: 1) written or verbal apology; 2) discrimination or harassment education; 3) verbal or written warning; 4) probation; 5) suspension; and 6) dismissal from the college.

Employees who are found to have violated this policy may be terminated and/or subjected to other disciplinary

action. Employees are advised to consult any applicable collective bargaining agreement for additional information regarding disciplinary action. Guests and other third parties who are found to have violated this policy are subject to corrective action deemed appropriate by the college, which may include removal from the college and termination of any applicable contractual or other arrangements. If the college is unable to take disciplinary or other corrective action in response to a violation of this policy, the college will nonetheless pursue other available steps to limit the effects of the conduct at issue and prevent its recurrence.

### *Notification of Outcome*

The college will provide written notification to the complainant and the accused of the outcome (i.e., whether or not a violation of this policy has occurred) within 14 calendar days after the conclusion of the investigation unless the college determines that additional time is required. This notice shall be issued contemporaneously to both parties to the extent practicable. The college may also disclose to the complainant information about any sanctions or corrective actions taken that relate directly to the complainant (e.g., a "no contact" order) and, in the case of sexual assault, violence, domestic violence, dating violence, and stalking, any sanction imposed on the transgressor.

The college will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, audio recordings, etc.). In no event will the complainant in matters involving an alleged violation of the Policy Against Sex Discrimination be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome.

### *Right to Appeal*

Once written notification of the resolution has been provided, both the complainant and the accused will have the opportunity to appeal the outcome (including the issue of whether or not there is a policy violation and any sanction(s) imposed). Absent any applicable collective bargaining agreement provision, any appeal must be submitted in writing to the president or the president's designee within seven calendar days of being notified of the outcome and must set forth the grounds upon which the appeal is based.

Both parties will be informed in writing of the outcome of any appeal within 14 calendar days of the date by which all requested information is received unless the president (or designee) determines that additional time is required. Any such appeal will be the final level of review unless further review is provided under any applicable collective bargaining agreement or other applicable college policy or procedure. In any event, both complainants and accused persons will be provided the opportunity to appeal the outcome of a complaint brought pursuant to this policy.

If, after the appeal, the complainant remains dissatisfied with the actions taken by the college, the complainant may contact either the Office for Civil Rights-Department of Education or the Equal Employment Opportunity Commission.

**Office for Civil Rights**

U.S. Department of Education – Chicago Office

500 W. Madison Street, Suite 1475

Chicago IL 60661-4544

Telephone: 312-730-1560

**U.S. Equal Employment Opportunity Commission**

Chicago District Office

1500 W. Madison Street, Suite 2000

Chicago, IL 60661

Telephone: 800-669-4000

*Prohibition Against Retaliation*

No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of such a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation exists when action is taken against a complainant or participant in the complaint process that (i) adversely affects the individual's opportunity to benefit from the college's programs or activities; and (ii) is motivated in whole or in part by the individual's participation in the complaint process. Any acts of retaliation, as defined in this policy, shall be grounds for disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff.

*Confidentiality*

To the extent permitted by law, the confidentiality of all parties involved in the resolution of alleged or suspected violations of this policy will be observed, provided that it does not interfere with the college's ability to investigate and take any corrective action deemed appropriate by the college. Consistent with the college's obligation under the Clery Act and the Campus SaVE Act, identifying information regarding complainants will not be included in any timely warnings or other publicly available records.

*Fabricated Allegations*

Any allegations suspected to be fabricated for the purpose of harassing the accused party or disrupting the college's operations are subject to these investigation and grievance procedures and could result in disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff.

**SEXUAL OFFENDER REGISTRATION**

The federal Campus Sex Crimes Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where information regarding registered sex offenders may be obtained. The Campus Sex Crimes Act also mandates that any sex offender who is already required to register in a state provide notice to the law enforcement agency having jurisdiction of the offender's registration or employment at an institution of higher education. In addition, Illinois Compiled Statutes (730 ILCS 150/3) provides that a sex offender shall also register with the public safety or security director of the institution of higher education at which he or she is employed or attends. Information regarding registered sex offenders who are employed at or attend ECC can be obtained from the ECCPD, which maintains a list of registered sex offenders on campus in Building D, Room D140.



The Illinois State Police administers the statewide Illinois Sex Offender Database. Any questions regarding the program may be directed to the Illinois State Police at 217-785-0653. Information regarding this program can be found at: [isp.illinois.gov/sor](http://isp.illinois.gov/sor).

## MISSING STUDENT NOTIFICATION

The ECCPD will accept without delay any report of a missing person given in person. ECC police may also accept a missing person report given by telephone or other electronic media as long as the report is consistent with law enforcement policies and practices. This action is in accordance with Illinois Public Act 095-0192, the Missing Persons Identification Act. Note: ECC does not have dorms or residential housing on or off campus.

## PERSONAL SAFETY

It is important to develop and follow good safety habits to reduce the chance of becoming a victim of a crime.

- Always be aware of surroundings.
- Avoid distractions that reduce awareness, such as talking on a cell phone, looking down at a phone, or having ear buds in both ears.
- Trust instincts. If a situation does not seem right, attempt to exit the area and notify campus police.
- Keep car doors locked while driving as well as after getting out of the car.
- Park in well-lit areas. All campus parking lots have adequate lighting. Please report non-functioning lights to the college.

## ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of crimes. Bystanders may witness a situation or conditions that could lead to a violent encounter. Though not directly involved, they have a chance to intervene, speak up, or notify authorities. ECC encourages bystanders to actively assist in the prevention of a crime without causing further harm. If someone is in immediate danger, notify the ECCPD or dial 911. An active bystander can assist in the following ways:

- Watch out for friends and fellow students/employees; if they look like they may need help, ask them if they are okay.
- Confront people who may attempt to engage in sexual relations with a person who may be incapacitated or incapable of providing consent.
- Believe someone who discloses a sexual assault, abusive behavior, or other situation and encourage the person to report it.
- Refer people to campus resources where needed.

## ILLINOIS CRIME VICTIMS' BILL OF RIGHTS

Marsy's Law, under article I, section 8.1 of the Constitution of Illinois, provides crime victims with the following rights as defined and provided by law:

- 1) The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process

- 2) The right to notification of court proceedings.
- 3) The right to communicate with the prosecution.
- 4) The right to make a statement to the court at sentencing.
- 5) The right to information about the conviction, sentence, imprisonment, and release of the accused.
- 6) The right to timely disposition of the case following the arrest of the accused.
- 7) The right to be reasonably protected from the accused throughout the criminal justice process.
- 8) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.
- 9) The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.
- 10) The right to restitution.

## CAMPUS SECURITY POLICIES, CRIME PREVENTION, AND SAFETY AWARENESS PROGRAMS

### BEHAVIORAL INTERVENTION/THREAT ASSESSMENT TEAM (BIT)

Elgin Community College established a Behavioral Intervention/Threat Assessment (BIT) Team to assess concerning situations and intervene if necessary. The role of the BIT Team is to assess situations where students are reported as displaying threatening behaviors that potentially impede their own or others' ability to function successfully or safely, mitigate those threats, and assist students in distress by providing early intervention to help prevent situations of safety concern from becoming more serious.

A "threat" is defined as any conduct that presents a clear and present danger to self, others, or the campus community in general. In immediate and serious threatening situations, the president (or designee) and the Elgin Community College Police Department reserves the right to waive the referral to the BIT Team and act in the best interest of campus safety.

The BIT Team consists of college personnel with expertise in law enforcement/threat assessment/tactical applications, college operations, student services, and psychological knowledge. A collaborative approach to assess threats will be used and, depending on the situation, personnel with specialized expertise may be called upon to assist. Others who have a specific concern about a student may also be consulted/notified as needed.

### CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS

In an effort to promote safety and awareness, ECC participates in a variety of programs to educate and inform students, faculty, staff, and the community on a variety of issues.

The New Student Orientation Program includes a presentation entitled Campus Sexual Assault Awareness Act. Students review a safety brochure and learn about campus safety escorts, emergency calls, and using campus phones. The Office of Student Life also presents the Campus Sexual Violence Elimination (SaVE) Act as part of the new student orientation. This act increases the knowledge about sexual violence incidents, guarantees the rights of victims, and sets the standard of discipline for perpetrators. Sexual Harassment Prevention/Campus SaVE and Violence Against Women Act (VAWA) training was provided by Marilyn Prentice, paralegal and EEO/AA, Title IX, &

FOIA compliance officer, and DeSean Coleman, manager of Upward Bound.

The Office of Student Life presented several programs throughout the year for sexual assault awareness and domestic violence awareness. The following programs were presented in conjunction with local community groups and were open to the public:

### *Sexual Violence Programs*

- Clothesline Project: A virtual presentation to increase awareness on the impact of sexual assault violence and abuse.
- Social media posts with sexual awareness facts and resources.

### *Domestic Violence Programs*

- In Her Shoes: A brief interactive activity involving true scenarios that exemplify what domestic violence victims experience and the barriers they face.
- Clothesline Project: A silent witness display sharing stories of domestic violence victims through decorated t-shirts in support of and in memory of all victims.
- Candlelight Vigil: A discussion on current domestic violence information and a candlelight vigil in memory of those who lost their lives to domestic violence.
- Social media posts with domestic violence awareness facts and resources.

## **WEAPONS POLICY**

In compliance with the Illinois Firearm Concealed Carry Act (the "act") (430 ILCS 66/1 et seq.), ECC maintains a weapons- and firearms-free campus. Except as provided elsewhere in this policy or by statute, no person shall possess, carry, or have control of a firearm, either on his or her person or in his or her vehicle, on any property owned or controlled by the college. The term "property owned or controlled by the college" includes, but is not limited to, the college's locations in Elgin, Burlington, and Hanover Park and extends to any building or portion of buildings, classrooms, grounds, venues, parking areas, sidewalks, common areas, or property owned or under the control of the college. The terms "firearm" or "concealed firearm" are defined in the act.

A person with a concealed carry license ("licensee") may enter the college's Elgin, Burlington, or Hanover Park locations with a concealed firearm in a motor vehicle only, if upon parking the vehicle in any of the college's parking areas, the licensee immediately stores the firearm and ammunition in a secure case or locked container out of plain view within the vehicle or stores the firearm out of plain view in the vehicle's trunk. In the event the licensee stores the firearm in the vehicle's trunk, the licensee may carry the concealed firearm only in the immediate area of the vehicle and must ensure that the firearm is unloaded at the time the licensee exits the vehicle.

Except for sworn police officers, no firearm may be carried or transported in any motor vehicle owned, leased, or controlled by the college. Sworn members of the ECC Police Department and visiting sworn law enforcement officers are authorized to carry firearms on all campuses in accordance with state law and departmental regulations. Notwithstanding any other provision in this policy, a licensee does not violate this policy or the act while he or she is travelling along a public right of way that touches or crosses any of the property owned or

controlled by the college, if the concealed firearm is otherwise being transported in the vehicle by the licensee in accordance with the act.

Persons who violate any of the terms of this policy shall be subject to all civil and criminal penalties as provided by law. In addition, any student found to be in violation of this policy is subject to discipline, suspension, and/or expulsion from the college. Any college employee found to be in violation of this policy is subject to discipline, suspension, or termination of employment.

## ALCOHOL AND DRUG POLICY

The college seeks to improve the work environment, as well as the campus atmosphere, by eliminating drugs and alcohol in the work place and on the college campus, except where liquor permits have been procured or alcohol is utilized for instructional purposes.

No person shall unlawfully possess, use, dispense, distribute, or manufacture any controlled substance or drugs in the workplace or on college facilities. The use of alcohol within the workplace or in college facilities, including meal periods and breaks, is absolutely prohibited except when authorized by the college for approved college functions.

Employee discipline for violating the Drug-Free Campus Procedure shall be governed by the college disciplinary and termination policies. Nothing contained herein limits the right of the college under federal, state, or local law to discipline the employee or student, up to and including termination of employment or expulsion and referral for prosecution, for violation of any college procedure.

### *Possible Disciplinary Sanctions*

ECC will impose appropriate disciplinary sanctions on students for the illegal possession, use, or distribution of drugs and/or alcohol in accordance with the Student Code of Conduct. Student disciplinary sanctions may vary from a warning to expulsion from ECC, arrest, and criminal prosecution.

ECC will impose the appropriate disciplinary sanctions on employees who violate the college's administrative procedure. Employee disciplinary sanctions may vary from warning to termination from employment and criminal prosecution.

### **Definitions of Sanctions Elgin Community College May Impose Following a Final Determination of Any Student Institutional Disciplinary Proceeding**

In keeping with the shared values of Elgin Community College, sanctions are designed to promote its educational mission. Sanctions may also serve to promote safety or to deter students from behavior that harms, harasses, or threatens people or property. Possible sanctions may include the following:

- a. **Disciplinary Warning:** This is a strong, written warning that the same conduct or other conduct in violation of the Elgin Community College Student Code of Conduct during that student's enrollment at the college shall result in additional disciplinary action. A copy of the disciplinary warning will be placed in the student's confidential file maintained in the Office of the Dean of Students for five (5) years from the disposition of the case.

- b. **Disciplinary Probation:** A student on disciplinary probation may continue to attend classes but may not participate in any student activities or intercollegiate activities during the period of disciplinary probation. Probation is for a designated period of time. Any further violations of the Student Code of Conduct may lead to suspension or expulsion from the college.
- c. **Restitution:** A student may be required to pay for the repair or replacement cost for any damage that the student causes to property, real or personal. A student may be required to provide specific in-kind services.
- d. **Educational Sanction:** A student may be required to participate in a specific program(s), either of an educational nature or counseling nature including, but not limited to, instruction or research. The student is responsible for all expenses arising out of or related to the requirements of this sanction, including expenses for education, counseling, or treatment, where such expenses are incurred.
- e. **Exclusion from College Facilities or Activities:** A student may be prohibited from attending one or more classes or courses, undertaking college employment, entering a building, participating in some or all extra-curricular activities sponsored by the college, representing the college in an official capacity, or using other services provided by the college. Such exclusion shall be:
  - 1. For a definite period of time; or
  - 2. Until certain requirements placed on the student are completed; or
  - 3. Indefinitely.
- f. **Disciplinary Suspension:** A student may be suspended from the college for a specific period of time. Such suspension may include being withdrawn from courses, denial of participation in any college-sponsored activities and/or employment with the college during the term of suspension. Upon completion of the terms of the disciplinary suspension, the student must meet with the Dean of Students to begin the process of readmittance to the college.
- g. **Expulsion:** When a student commits very serious violations of the Elgin Community College Student Code of Conduct and/or has a record of multiple violations and/or disciplinary actions, the student may be permanently dismissed from Elgin Community College.

More than one of the sanctions listed above may be imposed for any single violation.

Disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's confidential record. A disciplinary record will be maintained in the dean of students' office for five (5) years after final disposition of the case.

**See Administrative Procedures 4-401 Complaint Procedure and 4-402 Student Code of Conduct for a complete explanation of the Disciplinary Process.**

### *Health Risks*

Alcohol and drugs are mood-altering in some fashion and affect different parts of the brain, some of which are responsible for motor skills, visual and auditory perception, short- and long-term memory, as well as emotional

wellness. Depending on the dosage and duration, addiction can develop. Illicit drugs and classifications of substances include marijuana, stimulants (cocaine), depressants (valium, alcohol), opiates (heroin), and hallucinogens (LSD). Substance abuse and alcohol abuse are also risk factors associated with heart disease, ulcers, HIV/AIDS, suicide, clinical depression, and many others.

## ANNUAL DISCLOSURE OF CRIME STATISTICS

The Jeanne Clery Disclosure of Campus Security Policy and Campus Security Act requires colleges and universities across the United States to disclose information about crime on and around their campuses. The ECCPD maintains a close relationship with all police departments where ECC owns or controls property to ensure that crimes reported directly to these police departments that involve ECC are brought to the attention of the ECCPD.

As required by federal law, the ECCPD's yearly crime statistics for this report are compiled on a calendar year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting System. The report includes statistics for the previous three years concerning reported crimes that occurred on campus and at off-campus properties owned or controlled by the college and frequently used for academic purposes. This includes reports made to, but not limited to, directors, deans, department heads, Student Life staff, Student Development staff, advisors to student organizations, and athletic coaches. In addition, these statistics also include individuals referred for campus disciplinary action for categories required under the Clery Act, including liquor, drug, and weapons law violations. Statistical information for certain off-campus locations or property owned or controlled by ECC, as well as public property within or immediately adjacent to and accessible from campus, is requested from the Carpentersville, Elgin, Hanover Park, and Streamwood police departments, as well as the Kane County Sheriff's Office. For statistical purposes, crime statistics that are reported to any of these sources are recorded in the calendar year during which the crime was reported.

The ECCPD maintains a daily crime log for the most recent 60-day period. The log is available for review at the police station located in Building D, Room D140. The log contains the following information:

- The date the crime was reported.
- The date and time the crime occurred (a range may be recorded if the specific time and date can't be determined).
- The nature of the crime. The title will follow Uniform Crime Reporting titles.
- The general location of the crime. This will include a general location or building letter. The specific room will not be disclosed so as not to put any victim in jeopardy or make public any confidential information.
- The disposition, if known. Examples are no further action, cleared by arrest, pending investigation, referred to dean of students, etc.

Crime statistic tables located at the end of this report are reflective of the requirements mandated by federal law for compiling this report, which became effective July 1, 2000.

The Clery Act requires institutions to disclose four general categories of crime statistics:

1. **Reported Offenses** consisting of: criminal homicide (including murder and non-negligent manslaughter), negligent manslaughter, sex offenses (including forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, and arson.

2. **Hate Crimes:** when any of the above offenses or any other crimes involving bodily injury or any of the following crimes were motivated, in whole or in part, by the offender's bias (bias is a performed negative opinion or attitude towards a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity): larceny/theft, simple assault, intimidation, and destruction/damage/vandalism of property (except arson).
3. **Domestic Reports:** domestic violence, dating violence, and stalking.
4. **Arrests and Referrals** for disciplinary action for: illegal weapons, violations of drug laws, and violation of liquor laws.

## DEFINITIONS

### *Category 1*

**(from the Uniform Crime Reporting Handbook; sex offense definitions only are from the National Incident-Based Reporting System of the FBI)**

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

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

#### **Sex Offenses, Forcible:**

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

**Fondling:** The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

#### **Sex Offenses, Non-Forcible:**

**Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

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

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition

includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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

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

## Category 2

**(from the Uniform Crime Reporting Handbook)**

*The following definitions are only for crimes committed as hate crimes:*

**Larceny/Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Simple Assault:** The unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe lacerations, or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property (except Arson):** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

## Category 3

**(from Violence Against Women Act (VAWA))**

**Domestic Violence:** A felony or misdemeanor crime 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 in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.



For the purposes of this definition, dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

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

#### *Category 4*

***(arrests or referrals only; do not count the offenses)***

**Illegal Weapons:** The violation of laws or ordinances dealing with weapon offenses regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Drug Violations:** The violation of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

# ELGIN COMMUNITY COLLEGE GEOGRAPHY AND PROPERTY



## ECC Spartan Drive Campus Buildings and Boundaries

ECC is located at 1700 Spartan Drive in Elgin, Illinois. It is comprised of several separate standing buildings and attached building structures and grounds covering 214 acres. It is located in the corporate limits of the city of Elgin.

### Spartan Drive Campus buildings include:

- Buildings A, B, C, D, E, F, G, H, I, J, K, L, M, O, and P, along with their respective parking lots and streets.
- Building X - Maintenance Garage on south side of Spartan Drive, west of Lehr Drive.
- Building Z – Maintenance Garage on south side of Spartan Drive, west of Renner Drive.
- Athletic Fields with Concession Stand structure Y on south side of Spartan Drive, west of Renner Drive.

### Spartan Drive Campus Boundary Streets:

- Spartan Drive: South side, running east to west.
- Renner Drive: On west side of property, running north and south.
- Fleetwood Drive: On north side of property running east to west.
- Second Street: An internal road running north and south from Fleetwood Drive to Hoffer Drive.
- Gail Shadwell Drive: An internal road running north and south from Fleetwood Drive to Spartan Drive.
- Lehr Drive: An internal road running east from Renner Drive and then south onto Spartan Drive.
- Chipman Circle: An internal road running from Renner Drive east and then back west onto Renner Drive.
- Hoffer Drive: Runs east from Renner Drive, across Gale Shadwell Drive, then south to Spartan Drive.

ECC geography also covers the property along the south side of Spartan Drive from McLean Boulevard to the area of the athletic fields. It also covers a portion of the wooded and grassy area called College Park, located on the west side of the campus between Gale Shadwell Drive and Spartan Drive.



## Center for Emergency Services (CES)

The ECC Center for Emergency Services is a self-contained parcel of property located at 815 E. Plank Road in rural Burlington, Illinois, on the south side of Plank Road and east of the intersection of Plank Road and Main Street. It comprises approximately 120 acres. Crime statistics for this location include the property and public roadway adjacent to the campus.

## CES Buildings

Building BA: The main classrooms for fire and police training. Building BB: The building housing the fire trucks and equipment. Fire Tower: The tower used for fire department practice.

Building BE: Engineering and Grounds.

## Hanover Park Education and Work Center

The Education and Work Center is in the Hanover Square Shopping Center located at 6704 Barrington Road, Hanover Park, IL. For Clery Act reporting purposes, statistics include the building at 6704 Barrington Road, the parking lot, and the public sidewalks and roadway adjacent to the building.

## CLERY CRIME STATISTICS

The college prepares, publishes and disseminates statistical reports on crimes and arrests defined under the Crime Awareness and Campus Safety Act of 1990, CFR 668.41, and makes every effort to disclose accurate and complete statistics through appropriate publications and the college website. There were no incidents of hate crimes at any of the locations for years 2019, 2020, and 2021. There were also no cases of unfounded crimes for any of the locations for the years 2019, 2020, and 2021.

ELGIN COMMUNITY COLLEGE, SPARTAN DRIVE CAMPUS

Offense	Year	On Campus	Public Property
<b>CRIMINAL HOMICIDE</b>			
Murder and Nonnegligent Manslaughters	2019	0	0
	2020	0	0
	2021	0	0
Negligent Manslaughter	2019	0	0
	2020	0	0
	2021	0	0
<b>Sex Offenses</b>			
Sex Offenses	2019	0	0
	2020	0	0
	2021	0	0
<b>Robbery</b>			
Robbery	2019	0	0
	2020	0	0
	2021	0	0
<b>Aggravated Assault</b>			
Aggravated Assault	2019	0	0
	2020	0	0
	2021	0	0
<b>Burglary</b>			
Burglary	2019	0	0
	2020	0	0
	2021	0	0
<b>Motor Vehicle Theft</b>			
Motor Vehicle Theft	2019	0	0
	2020	0	0
	2021	0	0
<b>Arson</b>			
Arson	2019	0	0
	2020	0	0
	2021	1	0
<b>VAWA-COVERED OFFENSES</b>			
Domestic Violence	2019	0	0
	2020	0	0
	2021	0	0
Dating Violence	2019	0	0
	2020	0	0
	2021	0	0
Stalking	2019	0	0
	2020	0	0
	2021	1	0

ELGIN COMMUNITY COLLEGE, SPARTAN DRIVE CAMPUS

Offense	Year	On Campus	Public Property
<b>ARRESTS</b>			
Liquor Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Drug Law Violations	2019	1	0
	2020	1	0
	2021	0	0
Weapons Violations	2019	0	0
	2020	0	0
	2021	0	0
<b>DISCIPLINARY ACTIONS</b>			
Liquor Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Drug Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Weapons Violations	2019	0	0
	2020	0	0
	2021	0	0
<b>HATE CRIMES</b>			
Hate Crimes	2019	0	0
	2020	0	0
	2021	0	0

CENTER FOR EMERGENCY SERVICES, BURLINGTON

Offense	Year	On Campus	Public Property
<b>CRIMINAL HOMICIDE</b>			
Murder and Nonnegligent Manslaughters	2019	0	0
	2020	0	0
	2021	0	0
Negligent Manslaughter	2019	0	0
	2020	0	0
	2021	0	0
<b>Sex Offenses</b>			
Sex Offenses	2019	0	0
	2020	0	0
	2021	0	0
<b>Robbery</b>			
Robbery	2019	0	0
	2020	0	0
	2021	0	0
<b>Aggravated Assault</b>			
Aggravated Assault	2019	0	0
	2020	0	0
	2021	0	0
<b>Burglary</b>			
Burglary	2019	0	0
	2020	0	0
	2021	0	0
<b>Motor Vehicle Theft</b>			
Motor Vehicle Theft	2019	0	0
	2020	0	0
	2021	0	0
<b>Arson</b>			
Arson	2019	0	0
	2020	0	0
	2021	0	0
<b>VAWA-COVERED OFFENSES</b>			
Domestic Violence	2019	0	0
	2020	0	0
	2021	0	0
Dating Violence	2019	0	0
	2020	0	0
	2021	0	0
Stalking	2019	0	0
	2020	0	0
	2021	0	0

**CENTER FOR EMERGENCY SERVICES, BURLINGTON**

Offense	Year	On Campus	Public Property
<b>ARRESTS</b>			
Liquor Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Drug Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Weapons Violations	2019	0	0
	2020	0	0
	2021	0	0
<b>DISCIPLINARY ACTIONS</b>			
Liquor Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Drug Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Weapons Violations	2019	0	0
	2020	0	0
	2021	0	0
<b>HATE CRIMES</b>			
Hate Crimes	2019	0	0
	2020	0	0
	2021	0	0

EDUCATION AND WORK CENTER, HANOVER PARK			
Offense	Year	On Campus	Public Property
<b>CRIMINAL HOMICIDE</b>			
Murder and Nonnegligent Manslaughters	2019	0	0
	2020	0	0
	2021	0	0
Negligent Manslaughter	2019	0	0
	2020	0	0
	2021	0	0
<b>Sex Offenses</b>			
Sex Offenses	2019	0	0
	2020	0	0
	2021	0	0
<b>Robbery</b>			
Robbery	2019	0	0
	2020	0	0
	2021	0	0
<b>Aggravated Assault</b>			
Aggravated Assault	2019	0	0
	2020	0	0
	2021	0	0
<b>Burglary</b>			
Burglary	2019	0	0
	2020	0	0
	2021	0	0
<b>Motor Vehicle Theft</b>			
Motor Vehicle Theft	2019	0	0
	2020	0	0
	2021	0	1
<b>Arson</b>			
Arson	2019	0	0
	2020	0	0
	2021	0	0
<b>VAWA-COVERED OFFENSES</b>			
Domestic Violence	2019	0	0
	2020	0	0
	2021	0	0
Dating Violence	2019	0	0
	2020	0	0
	2021	0	0
Stalking	2019	0	0
	2020	0	0
	2021	0	0



EDUCATION AND WORK CENTER, HANOVER PARK

Offense	Year	On Campus	Public Property
<b>ARRESTS</b>			
Liquor Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Drug Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Weapons Violations	2019	0	0
	2020	0	0
	2021	0	0
<b>DISCIPLINARY ACTIONS</b>			
Liquor Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Drug Law Violations	2019	0	0
	2020	0	0
	2021	0	0
Weapons Violations	2019	0	0
	2020	0	0
	2021	0	0
<b>HATE CRIMES</b>			
Hate Crimes	2019	0	0
	2020	0	0
	2021	0	0



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