

1.0 General Policies

- 1.1 Introduction**
- 1.2 Mission and Purpose Statement**
- 1.3 Code of Ethics**
- 1.4 Definitions**
- 1.5 Statement of Compliance**
- 1.6 Non-Discrimination**
- 1.7 Prohibition of Harassment & Discrimination**
- 1.8 Chronic Communicable Disease**
- 1.9 Conflicts Between Policy and Collective Bargaining Agreements**
- 1.10 Harassment and Discrimination** (eliminated and merged with 1.7 on 8/24/16)
- 1.11 Alcohol, Tobacco and Other Drugs**
- 1.12 Fraternalization**
- 1.13 Nepotism**
- 1.14 Posting of Items of College Property**
- 1.15 Solicitation on Campus**
- 1.16 Emergency/Disaster Procedures**
- 1.17 Academic Freedom**
- 1.18 Duplication of Copyrighted Materials**
- 1.19 Intellectual Property Rights**
- 1.20 Regional Education and Service Centers**
- 1.21 Learning Resource Center**
- 1.22 Sustainability**
- 1.23 Registered Sex Offender**
- 1.24 Prohibition of Concealed Carry on Campus**
- 1.25 Prohibition of Sexual Harassment and Sex Discrimination**
- 1.26 Service Animals**
- 1.27 Protection of Human Subjects in Research**
- 1.28 Expressive Activity on Campus**
- 1.29 Community Standards of Conduct**

Subject	Introduction
Policy Number	1.1
Officer Responsible	President

Policy Statement:

Included in this manual are the legally adopted policies of the Board of Trustees of Lincoln Land Community College. Policies, referred to as “rules” in state statutes, are general principles guiding the operation of the college. The authority for boards of trustees to adopt policies/rules is in 110 ILCS 805/3-25, Illinois Statutes.

Policies are implemented by way of administrative procedures, established by the President and the President’s staff. Administrative procedures quite simply provide the specifics as to how policies may be implemented or administered. The College specifically reserves the right to modify and/or amend any or all of the procedures at any time, at its discretion. In the event the College determines that circumstances warrant modification or amendment of any part of these procedures, timely notice shall be provided, in writing, to all relevant and affected parties.

In this manual, each policy is immediately followed by an administrative procedure, where appropriate. The administrative procedure bears the same title and number as the policy it implements. Administrative procedures assure consistent and accurate implementation of policy.

Not included in this manual are handbooks, forms, schedules, job descriptions, plans, and a wide variety of details that are utilized by various entities within the college to implement policies and procedures.

Subject	Mission and Vision Statement
Policy Number	1.2
Officer Responsible	President

Policy Statement:

The mission of Lincoln Land Community College is to transform lives and strengthen our communities through learning. This direction is inspired by our guiding vision:

Lincoln Land Community College aspires to provide high quality learning experiences for all seeking to improve their knowledge and skills while serving as a catalyst for economic growth that enriches our communities.

This mission statement emanates from the belief that there are certain values Lincoln Land Community College embraces:

- Diversity & Equity
- Affordability
- Collaboration
- Teaching & Learning
- Agility
- Integrity

Lincoln Land Community College is committed to using its mission, vision, and values to serve its communities and to drive offerings in:

- Programs leading to transfer degrees, occupational degrees, and certificates
- Workforce training and economic development
- College preparatory, continuing, and adult education and
- Community based programs and services

Subject	Code of Ethics
Policy Number	1.3
Officer Responsible	President

Policy Statement:

The Illinois General Assembly has enacted the State Officials and Employees Ethics Act (the “Act”) as codified at 5 ILCS 430/1-1, et seq., which requires community college districts to adopt a policy that regulates activities covered by the Act. Board members and employees must perform their duties in a proper and ethical manner and avoid even the appearance of impropriety. Thus, in the best interests of the College, the Board and College employees shall subscribe to the following Code of Ethics:

A. *Definitions*

The following terms shall be given the definitions as set forth in Section 1-5 of the Act, except that where “State” or “State Agency” is used in such definitions, such terms shall be construed to refer to the College.

1. Campaign for elective office
2. Candidate
3. Collective bargaining
4. Compensated time
5. Compensatory time off
6. Contribution
7. Gift
8. Leave of absence
9. Political activity
10. Political organization
11. Prohibited political activity
12. Prohibited source

For the purposes of this policy, “officer” shall mean any member of the Board of Trustees and “employee” shall mean any person employed by the Board, whether on a full-time or part-time basis, or pursuant to a contract, whose duties are subject to the direction and control of the Board and/or its administrative employees with regard to the material details of the work performed. The term “employee” does not include a volunteer or an independent contractor. “Employer” shall mean the Board of Trustees (sometimes referred to herein as the “Board” or the “College”).

B. *Prohibited Political Activities*

1. No officer or employee shall intentionally perform any prohibited political activity during any compensated time. No officer or

- employee shall intentionally use any property or resources of the College in connection with any prohibited political activity.
2. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity as part of that officer's or employee's duties, as a condition of employment, or during any compensated time off (including holidays, vacations, and personal time off).
 3. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration of that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration of the employee's participation in any prohibited political activity.
 4. Nothing in this section shall prohibit activities that are permissible for an officer or employee to engage in as part of such employee's official duties or activities.

C. *Gift Ban*

Subject to the exceptions set forth herein, no officer or employee and no spouse or immediate family member living with any officer or employee (collectively referred to herein as "Recipient") shall solicit or accept any gift from any prohibited source or which is otherwise prohibited by law. No prohibited source shall offer or make a gift that violates this provision. The following exceptions shall apply to this section:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Recipient pays fair market value.
3. Any contribution that is lawfully made under the Election Code or activities associated with a fund-raising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses in connection with any meeting for business purposes.
6. Any gift from the following relatives of the Recipient: father, mother, son, daughter, brother, sister (including corresponding in-laws, step-relations, and half-relations), uncle, aunt, great-aunt, great-uncle, first cousin, nephew, niece, spouse, grandparent, grandchild.
7. Any gift from an individual on the basis of a personal friendship unless the Recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the Recipient and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the Recipient shall consider the

- circumstances under which the gift was offered (such as the history of the relationship between the parties, including any previous exchange of gifts, whether, to the actual knowledge of the Recipient, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift, and whether, to the actual knowledge of the Recipient, the individual who gave the gift also gave the same or similar gift to other Recipients).
8. Food or refreshments not exceeding \$75 per person in value during a single day, provided that the food or refreshments are consumed on the premises where they were purchased or prepared or catered.
 9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities. If the benefits have not been offered or enhanced, because of the official position or employment of the officer or employee and are customarily provided to others in similar circumstances.
 10. Intragovernmental and intergovernmental gifts. For the purposes of this section, “intragovernmental gift” means any gift given to an officer or employee from another officer or employee and “intergovernmental gift” means any gift given to an officer or employee by an officer or employee of another governmental entity.
 11. Bequests, inheritances, and other transfers at death.
 12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.
 13. Any item provided by the College in support of the employee’s or officer’s discharge of official duties.

There shall be no violation of this provision if the Recipient promptly takes reasonable steps to return a gift from a prohibited source or promptly donates the gift (or makes a monetary contribution equal in value to the gift) to a charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended.

D. *Ethics Advisor*

The President may appoint an Ethics Advisor for the College, and in such event shall advise the Board of such appointment. In the absence of such appointment, the attorney serving as general counsel to the College shall serve as Ethics Advisor. The Ethics Advisor shall provide interpretation and guidance to officers and employees of the College concerning compliance with this policy and the Act and shall perform such other investigative and reporting requirements as the President and/or Board shall authorize from time to time.

E. *Ethics Commission*

The Board may from time to time appoint and constitute no less than three of its members to serve as an Ethics Commission to investigate any complaints arising under this policy and/or the Act. Such Commission shall discharge its duties in accordance with the Act and shall make recommendations to the full Board as it shall deem appropriate.

Legal Citation:

* 5 ILCS 430/1-1, et seq.

Subject	Definitions
Policy Number	1.4
Officer Responsible	President

Policy Statement:

The following terms, herein defined, are used throughout this manual:

<i>District</i>	The legal entity defined in Section 1.1.
<i>College</i>	Lincoln Land Community College, the name by which the College in the District is commonly known.
<i>Board</i>	The Board of Trustees of Lincoln Land Community College, consisting of seven members elected by the voters of the District and one student member elected by the student body of the College.
<i>Academic Year</i>	The consecutive fall and spring academic semesters.
<i>The Act et.</i>	The Illinois Public Community College Act (110 ILCS 805/1-1 seq.)
<i>State Board</i>	The Illinois Community College Board
<i>President</i>	The Chief Executive Officer of the District and the College

Subject	Statement of Compliance
Policy Number	1.5
Officer Responsible	President

Policy Statement:

Lincoln Land Community College commits to being in full compliance with all applicable local, state and federal laws and regulations; including, but not limited to, the following:

- A. Americans with Disabilities Act
- B. Campus Crime and Security Act
- C. Civil Rights Act
- D. Fair Labor Standards Act
- E. Family Education Rights and Privacy Act
- F. Family Medical Leave Act
- G. Freedom of Information Act
- H. Health Insurance Portability and Accountability Act (HIPPA)
- I. Occupational Safety and Health Act, OSHA
- J. Open Meetings Act
- K. Prevailing Wage Act

Subject	Non-Discrimination
Policy Number	1.6
Officer Responsible	VP, Administrative Services

Policy Statement:

Lincoln Land Community College shall not discriminate against any student, employee, prospective employee, or any other person because of their actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, political affiliation, sexual orientation, pregnancy, order of protection status, unfavorable discharge from military service, or any other status protected by the provisions of the Illinois Human Rights Act or other applicable law. As such, it will not tolerate derogatory references by any student or employee with respect to differences regarding any such protected status. Discrimination by a student or employee shall be cause for disciplinary action including, but not limited to, expulsion of the student or termination of the employee. The College shall designate a compliance officer to ensure compliance with these provisions.

In accordance with Illinois law, Lincoln Land Community College shall reasonably accommodate the religious observance of individual students in regard to admissions, class attendance, and the scheduling of examinations and work requirements. Any student who believes that there has been unreasonable denial of an educational benefit due to such student's religious belief or practices may seek redress through the Student Grievance and Appeals Process as provided in Board Policy 5.40.

Legal citation:

775 ILCS 5/1-101, et seq.

110 ILCS 110/0.01

Subject	Prohibition of Harassment & Discrimination
Policy Number	1.7
Officer Responsible	VP, Administrative Services

Policy Statement:

Lincoln Land Community College (the “College”) is committed to maintaining a learning and working environment that is free from all forms of harassment and discrimination against a person because of their actual or perceived race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, political affiliation, or any other such status protected by the provisions of the Illinois Human Rights Act or other applicable laws.

Harassment and discrimination are prohibited under Titles VI and VII of the Civil Rights Act of 1964, as amended in 1991, Title IX of the Educational Amendment of 1972, the Illinois Workplace Transparency Act, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, Age Discrimination Act of 1975, and the Illinois Human Rights Act. Any individual who believes they have experienced harassment, discrimination, or unreasonable denial of an educational or employment benefit based on an actual or perceived protected status may seek redress through this policy as outlined in the procedures. Claims of discrimination on the basis of sex that fall under Board Policy 1.25: Prohibition of Sex Discrimination should be pursued under that policy and its accompanying procedures. Inquiries and/or grievances may also be directed to the Assistant Secretary of the Department of Education, the Illinois Department of Human Rights or the Equal Employment Opportunity Commission. Discrimination by a student or employee shall be cause for disciplinary action including, but not limited to, expulsion of the student or termination of the employee. The preponderance of evidence shall be used in determining whether a violation of this policy has occurred. Retaliation for making a good-faith complaint of harassment or discrimination or for participating in an investigation is also prohibited by law.

The College has designated officers to ensure compliance with these provisions. The College will provide up-to-date contact information for these individuals in the procedures of this policy, on the College website, within handbooks and catalogs, and physically posted outside of the Human Resources Office and Student Life Office. All applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the College will be notified of this policy as well as the title, address, email address, and telephone number of the employees designated as compliance officers.

Procedure:

I. Procedure

The College has adopted the following procedures to promptly and fairly address concerns and complaints regarding harassment or discrimination that would constitute a violation of Policy 1.7. Any complaint of conduct that would constitute a violation of Policy 1.7 shall be subject to the procedures set forth below.

II. General Provisions

All members of the College community, including volunteers and other college representatives, are required to comply with this policy and the procedures outlined to address complaints. In addition to the procedures outlined herein, complaints may be filed with the Illinois Department of Human Rights, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education, Office for Civil Rights, or a law enforcement agency. Any complaint filed under this policy shall be processed by the College even if the complainant also files a complaint with an outside agency. The College shall not tolerate retaliation against any person who makes a complaint or participates in the complaint process. The College, in its discretion, may at any point in the complaint or appeal process take such administrative or disciplinary measures as it shall deem appropriate to assure the safety and security of students and staff.

The College shall:

- a. Respond to every complaint under the policy;
- b. Implement supportive measures, as appropriate, through the course of an investigation;
- c. Take action to provide remedies when a complaint is founded;
- d. Impose appropriate sanctions on offenders on a case-by-case basis; and
- e. Protect the privacy of all involved in the complaint and investigative process to the extent possible.

III. Discrimination

Discrimination includes not only intentional discrimination based on race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation but also practices that have the effect of discrimination. For example, discrimination includes the denial or threatened denial of educational or employment opportunities or benefits where such denial or threatened denial is motivated by race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation.

IV. Non-Sex-Based Forms of Harassment

A. Verbal or physical conduct relating to an individual's race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation when:

1. The harassing conduct is sufficiently severe, persistent, or pervasive that affects a reasonable individual's ability to participate in or benefit from his/her education or employment or creates an intimidating, threatening, or abusive educational or employment environment;
2. The harassing conduct has the purpose or the effect of substantially or unreasonably interfering with a reasonable individual's full enjoyment or advantage of educational or employment opportunities; or
3. The harassing conduct otherwise adversely affects a reasonable individual's

educational or employment opportunities.

B. Examples of race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation harassment include, but are not limited to, the following:

1. Intimidation and implied or overt threats of physical violence motivated by race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation;
2. Physical acts of aggression or assault upon another or damage to another's property that is motivated by the individual's race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation;
3. Depending upon the circumstances and context, demeaning jokes, taunting, slurs and derogatory nicknames, innuendos, or other negative or derogatory remarks relating to race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation;
4. Depending upon the circumstances and context, graffiti and/or slogans or visual displays such as cartoons, posters, or bumper stickers depicting slurs or derogatory sentiments directed at race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation; or
5. Criminal offenses directed at persons because of their race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation.

Harassment based on race, color, national origin, ancestry, religion, age, physical or mental disability, marital status, order of protection status, military status, unfavorable discharge from military service, or political affiliation does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the College's educational mission.

V. Application and Scope

This policy applies to all members of the College community, including students, employees, visitors, volunteers, and other representatives of the College and governs conduct by and between all such persons, whether on College property or while participating in a College-sponsored activity off campus. Under certain circumstances this policy also applies to third parties, such as College contractors and subcontractors, sales representatives, repair persons, and vendors of products or services to the College.

VI. Rights and Responsibilities

It is the responsibility of each individual student, employee, volunteer, or other College representative to refrain from any type of harassment or discrimination, and it is the right of each individual student and employee to learn and work in an environment free from harassment or discrimination. Any person who violates this policy shall be subject to

disciplinary action up to and including expulsion or discharge from employment and referral to appropriate law enforcement authorities. Disciplinary action shall depend on the repetitive nature of any misconduct and/or the magnitude or severity of the misconduct.

VII. Education and Training

The College shall take measures to periodically educate and train employees regarding conduct that could constitute a violation of this policy. All personnel are required to participate in such education and training and to be knowledgeable concerning the College's policy, including to whom and how to report such conduct. In addition, students are expected to be knowledgeable concerning the College's policy.

VIII. Investigation of Complaints

Unless otherwise provided herein, investigation of complaints shall be the responsibility of the College's Equal Opportunity Compliance Officer and/or Compliance and Prevention Coordinator ("Resolution Coordinator"). The President has the authority to appoint an alternate Resolution Coordinator as circumstances require and in the President's sole discretion. The procedures outlined herein shall still control in the event an alternate Resolution Coordinator is appointed under any provision of this policy.

The Resolution Coordinator may gather information from any sources deemed necessary in an effort to fully investigate and resolve the complaint.

IX. Resolution Coordinators

The College has designated two Resolution Coordinators, who shall conduct the initial intake of information related to potential violations of this policy and shall facilitate the processing of all reports and/or complaints under these procedures.

Students who report conduct wherein a student may have experienced any form of identity-based harassment and/or discrimination shall be referred to the College's Compliance and Prevention Coordinator ("the Student Resolution Coordinator"). Employees who report conduct wherein an employee may have experienced any form of identity-based harassment and/or discrimination shall be referred to the College's Equal Opportunity Compliance Officer ("the Employee Resolution Coordinator").

If a report involves both students and employees and/or members of the public, then the report may be placed with either the Student Resolution Coordinator or the Employee Resolution Coordinator, and these Resolution Coordinators shall work collaboratively to process the report.

Contact information for the Resolution Coordinators is as follows:

Student Resolution Coordinator

Shelley Vaughan

Compliance and Prevention Coordinator

Location: Menard Hall, Room 0006

Phone: 217-786-3682

Email: StudentRights@llcc.edu

Employee Resolution Coordinator

Kirsten Taylor

Equal Opportunity Compliance Officer

Location: Menard Hall, Room 1225

Phone: 217-786-2258

Email: EOCO@llcc.edu

X. Conflict of Interest

The complainant, respondent, and/or Resolution Coordinator may allege that the Resolution Coordinator has a conflict of interest.

In that event, details supporting the alleged conflict of interest must be submitted in writing to the President within five business days of the date the person alleging the conflict has notice of the Resolution Coordinator's identity. The President shall determine whether a conflict of interest may exist, and if so, the President shall appoint an alternate Resolution Coordinator in an expeditious manner. The President's decision is final. In the event a request for an alternate Resolution Coordinator is made and/or an alternate Resolution Coordinator must be appointed, the specific timelines provided herein shall be suspended pending that appointment.

XI. Confidentiality

Complaints shall be addressed as confidentially as possible, considering the specific circumstances of the allegations, to protect the rights of both the complainant and the respondent(s). Reasonable efforts shall be made to protect the privacy of those involved in complaints to the extent possible. Disclosure of information regarding a complaint and investigation shall be limited to those people who have a legitimate reason to know at the discretion of the Resolution Coordinator. All individuals involved in the investigation of complaints are expected to make such reasonable effort.

XII. Retaliation

The College prohibits retaliation against any individual because they have participated in, or declined to participate in, the College's complaint resolution procedures, or because they have opposed conduct that they reasonably and in good faith believe to be harassing or discriminatory. Any retaliatory behavior should be reported to the Resolution Coordinator. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board Policy.

XIII. Amnesty Provision

A student who in good faith participates in the complaint/investigative process hereunder shall not be removed from an education program or activity or receive a disciplinary sanction for misconduct that is revealed in the course of such complaint/investigative process (e.g., underage drinking) except in circumstances where the College reasonably determines that the student's misconduct was sufficiently egregious to risk the health and/or safety of others.

XIV. False Accusation

Any person making a knowingly false accusation shall be subject to disciplinary action as otherwise provided by Board policy.

XV. Written Record of Complaints

Written or electronic records of complaints shall be marked “CONFIDENTIAL” and shall be retained in a separate and secure file in the office of the appropriate Resolution Coordinator. Records shall be retained as required by law. Written records relating to a finding in support of a policy violation shall be placed in the respondent’s official personnel file (if an employee) or official College file (if a student) and shall be retained according to retention policies.

XVI. Reporting Suspected Violations of Policy

All members of the College community, employees, and students are required to promptly report conduct that could be in violation of this policy. Individuals who believe they may have experienced harassment or discrimination or who believe that they have observed harassment or discrimination taking place are to report this information immediately. Students who wish to report an alleged violation of Policy 1.7 shall submit the report to the College’s Student Resolution Coordinator. Employees who wish to report an alleged violation of Policy 1.7 shall submit the report to the College’s Employee Resolution Coordinator. Reports can also be filed through the College’s online reporting form that can be found at LLCC’s Equal Opportunity Webpage, at <https://www.llcc.edu/equal-opportunity>. Anonymous reporting is available through the College’s online reporting form, although it should be noted that anonymous reporting may prohibit the College from conducting a thorough investigation.

All employees have a responsibility to maintain a work and educational environment free of unlawful harassment and discrimination. Any employee who becomes aware of any possible harassment or discrimination is obligated to report the matter to an appropriate Resolution Coordinator. Supervisors who become aware of any possible harassment or discrimination are required to report the matter immediately to the Employee Resolution Coordinator.

The names and telephone numbers of the individuals holding the positions of the Employee Resolution Coordinator and Student Resolution Coordinator shall at all times be posted outside the Office of Human Resources and Office of Student Life as well as on the College’s website.

If a complainant does not wish for his/her name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the complainant may make such a request to one of the Resolution Coordinators, who will evaluate the request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor such request. In cases where the complainant requests confidentiality and the circumstances allow the College to honor that request, the College will offer supportive measures and remedies to the complainant but will not otherwise pursue formal action. A complainant has the right, and can expect, to have reports taken seriously by the College when formally reported, and to have those incidents investigated and properly resolved through these procedures.

XVII. Supportive Measures and Emergency Removals

Upon receiving a report related to a potential violation of this policy, the Resolution Coordinator must provide all parties with information about supportive measures available to them. Supportive measures are temporary, reasonable, non-disciplinary, non-punitive, individualized services offered as appropriate, reasonably available, and without fee or charge to either party. Supportive measures can be provided before or after the filing of a formal complaint, or where no formal complaint has been filed. Such measures are designed to restore and preserve access to the recipient's employment or education program or activity, without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipients' educational environment, working environment, or deter behavior(s) prohibited by this policy. Supportive measures shall be provided confidentially, to the extent that they can be, without interfering with the College's ability to provide them.

Upon receipt of all allegations which may constitute a violation of this policy, the Resolution Coordinator will initiate an individualized safety and risk analysis in accordance with the College's threat assessment procedures to determine whether there is an immediate threat to the health or safety of any member(s) of the campus community arising from the allegation. In cases where a safety and risk analysis indicate an immediate threat to the health or safety of the campus community, the Resolution Coordinator shall initiate an emergency removal of this individual from the College's educational programs and activities or, in cases with an employee as a respondent, place on administrative leave to the extent necessary. The Respondent will be provided with written notice of the emergency removal containing information regarding the parameters of the emergency removal as well as their right to challenge the decision.

XVIII. Initial Assessment

Upon receipt of a report of a potential Policy 1.7 violation from a complainant or any other source, the Resolution Coordinator shall meet and/or confer with the potential complainant to gain a basic understanding of the nature and circumstances of the report. The potential complainant shall be provided with information about College supportive measures (see Section XVII hereof, Supportive Measures and Emergency Removals) and remedial options under this policy.

The Resolution Coordinator will gather relevant information to make a jurisdiction determination. If, based on the initial assessment and evaluation of jurisdiction, the alleged conduct would constitute a violation of Policy 1.7, then the Resolution Coordinator shall advance the complaint pursuant to the following procedures. An informal complaint or report by itself will not activate the formal grievance process.

If the alleged conduct does not indicate a potential violation of Policy 1.7 or identifies conduct that is not related to any education program or activity of the College that is within the administrative control of the College, then the Resolution Coordinator may forward the information to appropriate Student Services or Human Resources officials for consideration under other College policies and procedures.

XIX. Informal Resolution Process

Individuals who feel they have been harassed or discriminated against may desire to resolve their complaints informally. Informal complaints are not required to be made in

writing. An example of an informal complaint resolution is one where the complainant requests only that an appropriate college official counsel the respondent to cease and desist the alleged conduct and requests no other specific action(s) be taken against the respondent. The College shall attempt to balance the wishes of a complainant who does not want to file a formal complaint with the College's responsibility to respond to serious allegations and take prompt, appropriate corrective action. The College reserves the right in all cases to implement such disciplinary or employment actions as it shall deem necessary if it is determined that this policy has been violated.

Any information obtained during the informal process may be used in the subsequent formal resolution process.

Attempts to resolve an informal complaint shall be completed within 30 business days from the date of receipt of the complaint by the Resolution Coordinator. The complainant and the respondent shall be informed in writing of the outcome of the informal process.

XX. Formal Complaint Process

A. Filing a Complaint

Upon filing of the complaint, the respondent shall be entitled to a presumption of innocence and supportive measures pending resolution of the complaint. Formal complaints must be submitted as identified in Section XVI. The formal complaint must be filed as soon as possible after the alleged incident occurred or after attempts to resolve the situation informally have been unsuccessful. The formal complaint shall include the following information:

- a. Details concerning the incidents or conduct giving rise to the complaint;
- b. Dates and locations of incidents;
- c. Names of any witnesses to the alleged incidents or conduct; and
- d. Action requested to resolve the complaint and prevent future violations of the policy.

B. Notifying the Respondent/Supervisor

The respondent shall be provided with a copy of the complaint along with any supplemental information gathered during the initial assessment by the Resolution Coordinator within five business days of the Resolution Coordinator's receipt of the complaint. The Resolution Coordinator shall notify the supervisor of the respondent (if the respondent is an employee) or the Vice President, Student Services (if the respondent is a student) and other appropriate College administrative officials regarding the complaint in order that appropriate supportive measures and/or temporary remedial actions may be taken during the investigation (i.e., temporary reassignment, investigatory leave of absence, etc.).

C. Investigative Process

The respondent, or designee, shall be required to submit a written response to the complaint within five business days of receipt of the complaint, a copy of which shall be provided to the complainant by the Resolution Coordinator. The Resolution Coordinator shall interview the complainant and the respondent. The Resolution Coordinator may also interview witnesses, supervisors, and/or any other persons who may have information about the alleged incident and may review personnel and other records relevant to the

complaint. The complainant and the respondent shall be permitted to suggest witnesses and/or other evidence to be considered by the Resolution Coordinator.

D. Investigative Findings

The standard of proof for determining whether a violation has occurred shall be that a preponderance of the evidence supports such a finding. Within 30 business days of receiving the formal written complaint the Resolution Coordinator shall determine whether a violation of the policy has occurred and shall submit findings in writing to the complainant, the respondent, and appropriate College administrative officials, including but not limited to, the immediate supervisor (if the respondent is an employee), the Vice President, Student Services or designee (if the respondent is a student), the Vice President, Academic Services (if the respondent is a faculty member), the Associate Vice President, Human Resources (if the respondent is an employee), and the President. The written determination of findings shall include the procedures and basis for appeal by either party.

XXI. Disciplinary Action

In accordance with College disciplinary policies and procedures, the supervisor (if the respondent is an employee) or the Vice President-Student Services or designee (if the respondent is a student) shall consult with appropriate College administrative officials regarding formal disciplinary actions to be taken against the respondent. In making a decision regarding discipline, the appropriate College administrative officials shall consider records of previous misconduct and the seriousness of the violation. A complaint made more than 12 months after an alleged incident may not be the basis for taking formal disciplinary action. However, where there are allegations made within the 12-month period that a pattern or practice exists or prior complaints have been confirmed, the appropriate College administrative official shall consider the totality of information in determining appropriate discipline. The appropriate College administrative officials may review any part of the investigative records. Appropriate discipline for employees may range from verbal warning or written reprimand up to and including termination/dismissal for cause. Appropriate discipline for students may range from written warning up to and including suspension or expulsion.

Within ten business days of receiving the Resolution Coordinator's findings, the supervisor (if the respondent is an employee) or the Vice President, Student Services (if the respondent is a student) and other appropriate College administrative officials shall meet with the respondent to discuss the findings and recommendations for appropriate disciplinary action.

The respondent and the Resolution Coordinator shall be notified in writing of the disciplinary decision. The Resolution Coordinator shall, in turn, notify the complainant regarding the resolution of the complaint and the corrective action(s), if any, shall be taken, and/or, in general, whether any discipline shall be imposed.

XXII. Appeals

Both the complainant and respondent shall have the right to appeal a final determination of responsibility and/or the resulting disciplinary sanction or other remedy on the grounds of a material procedural error that affected the outcome of the complaint and/or new evidence not reasonably available during the investigation. Written request for appeal must be submitted to the Resolution Coordinator within five business days following

delivery of the Resolution Coordinator's findings and any subsequent discipline or remedy and shall include the grounds for appeal.

If the Resolution Coordinator determines that there are legitimate grounds for appeal, then the matter shall be advanced to an objective and appropriately trained third party who shall not be an employee of the College. Each party shall be given an opportunity to respond in writing, within five business days, to any appeal submitted to the Resolution Coordinator by the other party, and such response will be included with the appeal and shall be provided to the third party.

College in consultation with appropriate College personnel and a consulting physician, the student's primary physician, public health personnel, the College's legal counsel, and the student.

A student who has a chronic communicable disease or who is a carrier of a chronic communicable disease may be denied admission to, or may be dismissed from, a particular program or course of study whenever such chronic communicable disease has a direct effect on the student's ability to perform so as to render the student not qualified for the program or course of study.

The College shall respect the right to privacy of any student who has a chronic communicable disease or is a carrier. The student's medical condition shall be disclosed only to the extent necessary to minimize the health risks to the student and others. Persons deemed to have "a direct need to know" will be provided with the appropriate information; however, these persons shall not further disclose the information. The multidisciplinary team responsible for making initial evaluations and placement decisions will be responsible for determining who has "a direct need to know."

Employees with Chronic Communicable Diseases

Employees with identified chronic communicable diseases or who are carriers will be permitted to retain their positions whenever, through reasonable accommodation of the employee's physical condition and without undue hardship to the employer, there is no reasonable risk of transmission of the disease to others. Such employees will remain subject to the Board's employment policies, including, but not limited to, the current collective bargaining agreements in effect, personal disability leave, physical examinations, temporary and permanent disability, and termination. Employment decisions will be made by utilizing the general legal standard in conjunction with current, available Illinois Department of Public Health guidelines concerning the particular disease in question. The determination of whether an employee with a chronic communicable disease may retain his or her position will be made on an individual basis, according to procedures implemented by the College in consultation with appropriate College personnel and a consulting physician, the employee's primary physician, the Assistant Vice President of Human Resources, the LLCC Health & Wellness Coordinator, public health personnel, the College's legal counsel, and the employee.

The College will respect the privacy of any employee who has chronic communicable disease or is a carrier. The employee's medical condition will be disclosed only to the extent necessary to minimize the health risks to the employee and others. Persons deemed to have "a direct need to know" will be provided with the appropriate information; however, these persons will not further disclose this information. The multidisciplinary team responsible for making initial evaluations and placement decisions will be responsible for determining who has "a direct need to know".

Procedure:

The Lincoln Land Community College Health & Wellness Coordinator will be responsible for complying with current standards of medical practice and public health guidelines from recognized authorities (e.g., Centers for Disease Control and Prevention, World Health Organization, etc.) for keeping current with pending legislation relevant to these diseases and for keeping others informed.

Students with Chronic Communicable Diseases

Placement Procedures:

A. Temporary Exclusion

Upon being informed that a student is suspected of having a communicable disease, a staff member shall inform the Health & Wellness Coordinator who will consult with a multidisciplinary team consisting of appropriate College personnel and a consulting physician, the student's primary physician, public health personnel, the College's legal counsel, and the student. Pending determination of placement, a student who has a chronic communicable disease or a carrier of a chronic communicable disease, or a student who is reasonably suspected of having a chronic communicable disease or being a carrier, may be temporarily excluded from the College.

B. Initial Evaluation

Each student's case shall be evaluated within one week of the report by the multidisciplinary team convened by the LLCC Health & Wellness Coordinator. The student's failure to cooperate with the evaluation procedure shall not prevent the multidisciplinary team from performing its job and providing recommendations regarding the case.

C. Placement Decision

Upon completion of a case study evaluation, one or more conferences shall be convened for the purpose of determining the student's placement. Recommendations concerning the student's placement shall be made at these multidisciplinary conferences by consensus of the participating personnel and shall be determined in accordance with the standards set forth in College policy and based upon the following factors:

1. the risk of transmission of the disease to others
2. the health risk to the particular student and
3. reasonable accommodations that can be made without undue hardship to reduce the health risk to the student and others.

- D. **Appeal**
A decision on a student's placement may be appealed in accordance with the College's grievance procedures.
- E. **Subsequent Evaluations**
The student shall be reevaluated on a regular basis by the multidisciplinary team to determine whether the student's placement continues to be appropriate. The frequency for the reevaluation shall be determined by the team, but in no event shall the student be reevaluated less frequently than twice per academic year. In the event of a change in the student's medical condition or change in the College environment, the multidisciplinary team shall determine if a change in placement is appropriate. If an emergency occurs, the LLCC Health & Wellness Coordinator shall have the right to take appropriate action. Any such action will be reviewed by the multidisciplinary team as soon as possible.

Employees with Chronic Communicable Diseases

Placement Procedures:

- A. **Temporary Exclusion**
Upon being informed that an employee is suspected of having a communicable disease, a staff member will inform the LLCC Health & Wellness Coordinator who will consult with a multidisciplinary team consisting of appropriate College personnel and a consulting physician, the employee's primary physician, public health personnel, the College's legal counsel, and the employee. Pending determination of placement, an employee who has a chronic communicable disease or is a carrier of a chronic communicable disease, or an employee who is reasonably suspected of having a chronic communicable disease or being a carrier, may be temporarily excluded from working at the College.
- B. **Initial Evaluation**
Each employee's case will be evaluated within a week of the report by the multidisciplinary team convened by the Vice President, Administrative Services or designee. The employee's failure to cooperate with the evaluation procedure will not prevent the multidisciplinary team from performing its job and providing recommendations regarding the case.
- C. **Placement Decision**
Upon completion of a case study evaluation, one or more conferences will be convened for the purpose of determining the employee's placement. Recommendations concerning the employee's placement will be made at these multidisciplinary conferences by consensus of the participating personnel and will be determined in accordance with the standards set forth in the College policy and based upon the following factors:
1. the risk of transmission of the disease to others
 2. the health risk to the particular employee and
 3. reasonable accommodations which can be made without undue hardship to reduce the health risk to the employee and others.
- D. **Appeal**

A decision on the employee's placement may be appealed in accordance with the College's grievance procedures.

E. Subsequent Evaluations

The employee will be reevaluated on a regular basis by the multidisciplinary team to determine whether the employee's placement continues to be appropriate. The frequency for the reevaluations will be determined by the team, but in no event will the employee be reevaluated less frequently than twice per academic year. In the event of a change in the employee's medical condition or a change in the College environment, the multidisciplinary team will determine if a change in placement is appropriate. If an emergency occurs, the LLCC Health & Wellness Coordinator will have the right to take appropriate action. Any such action will be reviewed by the multidisciplinary team as soon as possible.

Subject	Conflicts Between Policy & Collective Bargaining Agreements
Policy Number	1.9
Officer Responsible	Board of Trustees

Policy Statement:

If any provision of College policy conflicts with any provision of the collective bargaining agreements in effect between the Board and the Lincoln Land Faculty Association, the Facilities Services Council, or any other collective bargaining unit that may be established, then the provision of the collective bargaining agreement shall prevail.

Subject **Harassment & Discrimination**
Policy Number **1.10**
Officer Responsible **VP, Administrative Services**

Policy Statement:

Eliminated and merged with Board Policy 1.7 on 8/24/16.

policy also applies to third parties, such as subcontractors, sales representatives, repair persons, or vendors of the College.

II. Definition: Personal Relationship

A personal relationship is defined as follows: A consensual romantic or sexual relationship where one of the involved individuals has a power or status advantage over the other. A power or status advantage exists when:

- A. One of the individuals performs functions including, but not limited to supervising, evaluating, hiring, coaching, formally counseling or advising, grading, teaching, or formally recommending and/or making decisions that confer benefits such as compensation, promotions, transfers, academic grades/progress, financial aid awards or other remuneration or any other condition that may impact upon the other's academic or employment opportunities; or
- B. One of the individuals involved has the power to and takes affirmative steps to directly influence those recommendations or decisions that alter the educational or employment experience or opportunities of the other.

The College's prohibition against fraternization applies whether the personal relationship is between people of the same or different genders.

III. Rights and Responsibilities

No individual who has a power or status advantage over a student, employee, or other College representative, may be in a personal relationship with such person. It is the responsibility of the individual with such power or status advantage to refrain from becoming involved in a personal relationship and to take any and all steps necessary to avoid personal relationships at the College.

IV. Reporting

- A. In the event that a personal relationship arises or exists, the individual with the power or status advantage shall promptly notify his or her immediate supervisor. Failure to report such relationship will result in discipline up to and including termination.
- B. An employee or student who may become aware that a personal relationship exists between other employees or employees and students at the College, is encouraged to promptly report the personal relationship to his/her immediate supervisor or to his/her advisor or to the Assistant Vice President, Human Resources, or the Vice President, Student Services. An immediate supervisor or advisor who becomes aware of or receives a report of a personal relationship shall promptly report such personal relationship to the Assistant Vice President, Human Resources, or the Vice President, Student Services. If the Assistant Vice President, Human Resources, or the Vice President, Student Services is involved in the personal relationship, then in that event,

the report shall be made to the President or a member of the Board of Trustees.

- C. In the event, a personal relationship is reported under either Section IV, A or B, one or more of the following will occur:
1. Applicants whose employment would give rise to a personal relationship with an employee of the College will not be hired for any position that creates such personal relationship; or
 2. In cases where both individuals are employees of the College, one of the following will occur:
 - a. Employees will not be assigned or transferred to a department where such assignment or transfer creates a personal relationship; or
 - b. The individual with the power or status advantage will be transferred or reassigned, if such a transfer or reassignment is in the interest of the College; or
 - c. If transfer or reassignment of the individual with the power or status advantage is not in the interest of the College, then, if practicable, all supervisory, evaluative or other duties, the exercise of which can alter the terms and conditions of the other's employment or educational opportunities, shall be transferred to another supervisory employee of equal or greater power or status; or
 - d. If the transfer or reassignment of the individual with the power or status advantage is not in the interest of the College and the transfer of the referenced duties is not practicable, the individual with the power or status advantage shall be asked to resign effective on a date determined by the College and if such resignation is not given, the individual shall be terminated.

V. Retaliation

The College prohibits retaliation against individuals because they have reported conduct that they reasonably and in good faith believe to give rise to a violation of this fraternization policy and procedure or because they have made a complaint regarding such fraternization. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board policy.

VI. False accusation

Any person making a knowingly false accusation regarding a violation of this fraternization policy and procedure will be subject to disciplinary action as otherwise provided by Board policy.

VII. Exemptions

The disciplinary provisions of Section IV.A shall not apply in the following circumstances:

- A. Where the individual in the personal relationship who does not have a power or status advantage over the other is a student who wishes to take a class that is taught by a person with whom they have a personal relationship, and that class is not taught by any other instructor.

- B. Where the personal relationship exists as of the effective date of this policy and the parties wish to continue such relationship, provided the individual with the power or status advantage over the other discloses the relationship to his/her direct supervisor as soon after the effective date of the policy as practicable and both individuals supply affidavits to the College stating that the relationship is consensual and is/was not either explicitly or implicitly a term or condition of employment or educational opportunities and is/was not used as the basis for employment or educational decisions. If such affidavits are not supplied to the College, then the provisions of Section IV.A shall apply.

However, in the case of personal relationships covered by Section VII.A, the policy may be waived at the student's request upon good cause shown. Such request must be submitted in writing to the Vice President, Academic Services and shall detail the grounds for the request. The Vice President, Academic Services shall determine whether good cause exists to waive this policy for the class requested, unless the request is submitted by a student who has a familial relationship with the Vice President, Academic Services, and then, in that event, the request shall be submitted to the Vice President, Student Services.

Further, in the case of a personal relationship covered by Section VII.B, such relationship shall be eliminated through compliance with Section IV.C.2 (a-c) as soon as possible after the effective date of this policy and in all cases no later than 60 days after such effective date.

Finally, the exemption contained in Section VII.B shall not apply to the position of trustee, president or vice-president, or positions of equal power or authority by whatever designation such position may be known.

Subject	Nepotism
Policy Number	1.13
Officer Responsible	VP. Administrative Services

Policy Statement:

Lincoln Land Community College is committed to providing a working and learning environment that provides equal educational and employment opportunities to all students, employees and other individuals at all its College facilities. In circumstances where employees or employees and students have familial ties and also are in positions in which one individual has a power or status advantage over the other, the College's ability to provide such equal employment and educational opportunities may be hindered. The College, therefore, prohibits familial relationships as defined in this Policy and Procedure.

Procedure:

Lincoln Land Community College has adopted the following procedures to promptly and fairly address events of nepotism. Reports may be submitted informally or formally. If a complaint is made regarding nepotism which implicates or involves both this policy and any other College complaint or grievance policy or procedure, College administration may in its discretion suspend the procedures relating to other complaints or grievance policies pending completion of procedures hereunder. In addition, the Board of Trustees may suspend the following procedures when appropriate. In accordance with College policy, the following procedures will be used:

I. Scope

This nepotism policy applies to all members of the College community, including students, employees, and other representatives of the College, and governs conduct by and between all such persons, whether on College property or while participating in a

College-sponsored activity off campus. Under certain circumstances, this nepotism policy also applies to third parties, such as subcontractors, sales representatives, repair persons, or vendors of the College.

II. Definition: Familial Relationship

A familial relationship is defined as follows:

A relationship in which one family member (grandparent, parent, spouse, child, sibling, grandchild; the corresponding step relations of each; or, a mother, father, brother or sister in-law) has a power or status advantage over another family member.

A. A power or status advantage exists when:

B. One of the individuals performs functions including, but not limited to supervising, evaluating, hiring, formally counseling or advising, or formally recommending and/or making decisions that confer benefits such as compensation, promotions, transfers, academic grades/progress, financial aid awards or other remuneration or any other condition that may impact upon the other's academic or employment opportunities; or

C. One of the individuals involved has the power to and takes affirmative steps to directly influence those recommendations or decisions that alter the educational or employment experience or opportunities of the other.

III. Rights and Responsibilities

No individual who has a familial relationship with an employee, student, or other College representative may occupy a position in which he/she has a power or status advantage over such employee, student, volunteer, or other College representative. It is the responsibility of the individual with such power or status advantage to take any and all steps necessary to prevent or, where appropriate to eliminate circumstances in which he/she would occupy such a position with regard to a family member.

IV. Reporting

A. In the event that a familial relationship arises or exists, the individual with the power or status advantage shall promptly notify his or her immediate supervisor. Failure to report such relationship will result in discipline up to and including termination.

B. An employee or student who may become aware that a familial relationship exists between other employees or employees and students at the College is encouraged to promptly report the familial relationship to his/her immediate supervisor or to his/her advisor or to the Assistant Vice President, Human Resources, or the Vice President, Student Services. An immediate supervisor or advisor who becomes aware of or receives a report of a familial relationship shall promptly report such familial relationship to the Assistant Vice President, Human Resources, or the Vice President, Student Services. If the Assistant Vice President, Human Resources, or the Vice President, Student Services is involved in the familial relationship, then in that event, the report shall be made to the President or a member of the Board of Trustees.

- C. In the event a personal relationship is reported under either Section IV. A or B, one or more of the following will occur:
1. Applicants whose employment would give rise to a familial relationship with an employee of the College will not be hired for any position that creates such familial relationship; or
 2. In cases where both individuals are employees of the College, one of the following will occur:
 - a. Employees will not be assigned or transferred to a department where such assignment or transfer creates a familial relationship; or
 - b. The individual with the power or status advantage will be transferred or reassigned, if such a transfer or reassignment is in the interest of the College; or
 - c. If transfer or reassignment of the individual with the power or status advantage is not in the interest of the College, then, if practicable, all supervisory, evaluative, or other duties, the exercise of which can alter the terms and conditions of the other's employment or educational opportunities, shall be transferred to another supervisory employee of equal or greater power or status; or
 - d. If the transfer or reassignment of the individual with the power or status advantage is not in the interest of the College and the transfer of the referenced duties is not practicable, the individual with the power or status advantage shall be asked to resign effective on a date determined by the College and if such resignation is not given, the individual shall be terminated.

V. Retaliation

The College prohibits retaliation against individuals because they have reported conduct that they reasonably and in good faith believe to give rise to a violation of this Nepotism Policy and Procedure or because they have made a complaint regarding such nepotism. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board policy.

VI. False accusation

Any person making a knowingly false accusation regarding a violation of this Nepotism Policy and Procedure will be subject to disciplinary action as otherwise provided by Board policy.

VII. Exemptions

The disciplinary provisions in Section IV.A shall not apply in the following circumstances:

- A. Where the familial relationship exists because a family member wishes to take a class or play a sport that is taught or coached by another family member; or,
- B. Where the familial relationship exists as of the effective date of this policy.

However, in the case of familial relationships covered by Section VII.A, such circumstances may raise the appearance of impropriety or favoritism and are, therefore inappropriate and strongly discouraged, except where the class/sport is taught/coached only by the family member and would otherwise be unavailable to the student.

Further, in the case of familial relationships covered by Section VII. B, such relationship shall be eliminated through compliance with Section IV.C.2. (a-c) as soon as possible after the effective date of this policy and in all cases no later than 60 days after such effective date.

Subject	Posting of Items on College Property
Policy Number	1.14
Officer Responsible	Chief Communications Officer

Policy Statement:

All items posted on bulletin boards or elsewhere on campus shall have prior approval. Identified posting areas may be approved for specific programs or functions.

Subject	Solicitations
Policy Number	1.15
Officer Responsible	Vice President, Student Services & Chief Communications Officer

Policy Statement:

Any solicitation of sales or purchases on any College owned or controlled facility by outside vendors requires prior approval and shall be conducted in accordance with procedures established by the College.

Candidates for public office may campaign on campus provided that campaign activities do not interfere with College programs and activities.

Procedure:

“Not for Profit” Organizations

1. Organizations or agencies that are “Not for Profit” may request to have a display table by submitting a Table Request Form to the Student Life Office at least two weeks in advance of the desired date. Proof of “Not for Profit” status must accompany the form.
2. A specific organization or agency is limited to one date per semester with the exception of events in which an invitation has been extended to the agency for a college sponsored event.
3. Requests will be honored on a first come, first serve basis. Previously scheduled activities will be taken into consideration when scheduling space with preference given to any college sponsored events.

4. Non-profit organizations may not sell any products or services or fundraise while on campus.
5. Due to contractual agreements and safety, outside food/beverage must be authorized by the College's food service vendor and documented with the Student Life Office. Candy and/or other promotional items are acceptable for distribution.
6. Organizations or agencies are expected to conduct themselves in a professional manner while on campus. Representatives from organizations/agencies may not physically approach students or staff nor may they detain students or staff from their class or work responsibilities while on campus. Representatives are expected to stay at their table location. If such an incident occurs the organization or agency may be asked to leave campus and/or the opportunity for future campus displays may be revoked.
7. Any damages that may occur as a result of an organization/agency's display table will be the responsibility of that organization/agency.
8. Approved organization/agency displays will be provided with one table, two chairs, and electrical access if requested in advance.

Commercial Vendors

1. Commercial vendors are prohibited from soliciting on campus with the exception of those sales associated with approved College sponsored events. Such events may include but are not limited to Vendor Days or performer sales associated with student club/organization sponsored performers/concerts/speakers.
2. Commercial vendors participating in Vendor Days are prohibited from entering into contractual agreements with students and/or setting up personal accounts for students on site. Vendors are also prohibited from marketing activity that involves the offer of giveaways, gifts, coupons, or other tangible personal property to students that is conditioned upon the student's completing an application for banking and/or credit services or entering into a contractual agreement.
3. Due to contractual agreements and safety, outside food/beverage must be authorized by the College's food service vendor and documented with the Student Life Office. Candy, coupons and/or other promotional items are acceptable for distribution from vendor tables during designated vendor days as long as they are not contingent upon students entering into any agreements and are available to any individual visiting the table.
4. Organizations or agencies are expected to conduct themselves in a professional manner while on campus. Representatives from organizations/agencies may not physically approach students or staff nor may they detain students or staff from their class or work responsibilities while on campus. Representatives are expected to stay at their table location. If such an incident occurs the organization or agency may be asked to leave campus and/or the opportunity for future participation may be revoked.
5. Any damages that may occur as a result of an organization/agency's display table will be the responsibility of that organization/agency.

Student Clubs and Organizations

1. Student clubs and organizations that wish to solicit the campus community as part of fundraising efforts must have all activities registered with and approved by the Student Life Office.

Political candidates, parties and organizations

1. Any political candidate, party or organization that wishes to campaign on campus or at an LLCC location must have such visits authorized in advance by the Chief Communications Officer.
2. The Chief Communications Officer will inform candidates, political parties or organizations that:
 - a. An appearance on campus or at an LLCC location does not constitute an endorsement by the College of the candidate, political party or organization or the advocacy by the College of a position on a public issue.
 - b. No direct solicitation of funds or distribution of campaign fundraising literature is permitted on College premises.
 - c. No campaign material which states or implies that the College supports or opposes a candidate, political party or organization or a public proposition may be distributed on College premises or elsewhere.
3. Once approved, the candidate, political party or organization may reserve a display table on campus through the Student Life Office, or for another LLCC location, through that location. Such a table will be reserved as outlined in these procedures under "Not for Profit" Organizations/Agencies.
4. Candidates or representatives of political parties or organizations wishing to conduct a petition drive may reserve a display table as outlined in these procedures under "Not for Profit" Organizations/Agencies.
5. According to the American Association of University Professors' 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments, "Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject." Consistent with the AAUP's statement, such appearances by political candidates should have a direct correlation to the course content.

Subject	Duplication of Copyrighted Materials
Policy Number	1.18
Officer Responsible	Legal, multitude of areas

Policy Statement:

In concurrence with its goals and philosophy, the Board seeks to provide the widest range of educational, administrative, and program materials possible to assist in the delivery of a broad, quality education to the community and to promote the efficient operation of the District. Recognizing that much of the available educational, administrative, and program materials, including electronic software, are covered by the United States Copyright Code, employees shall duplicate materials in accordance with established procedures.

Subject	Intellectual Property Rights
Policy Number	1.19
Officer Responsible	Legal, multitude of areas

Policy Statement:

The Board of Trustees supports and encourages its employees to develop scholarly and creative works and educational materials and products – intellectual property which may be subject to copyright or patent and which may generate income. Such development may involve the use of College time and resources. In order to balance, protect, and define the respective rights of LLCC and its employees regarding intellectual property that may be subject to copyright or patent, the following policy is established.

The following types of published and unpublished materials may be subject to copyright:

- All written works, including books, journal articles, texts, glossaries, bibliographies, study guides, resource materials, laboratory and other manuals, syllabi, tests, and proposals
- lectures, musical or drama compositions, and unpublished scripts
- films, filmstrips, charts, transparencies, and other visual aids and teaching devices
- video and audio tapes and cassettes
- live video or audio broadcasts
- programmed instructional material
- computer programs
- pantomimes and choreographic works
- pictorial, graphic, and sculptural works
- sound recordings
- other materials subject to the U.S. copyright laws and controls.

An invention or discovery of any new and useful process, machine, manufacture, or composition of matter, or any new or useful improvement thereof, may be patented. To determine the disposition of rights to copyrightable materials and patents developed by College employees, materials or patents will be assessed within the framework of the following four categories as defined in Administrative Procedure:

- Individual effort
- College assisted individual effort
- College initiated and supported efforts
- Sponsor supported efforts

Income from copyrighted materials and patents shall be disbursed in accordance with Administrative Procedure.

Subject **Regional Education & Service Centers**
Policy Number **1.20**
Officer Responsible **Vice President, Student Services**

Policy Statement:

The College shall maintain regional education and service centers, at appropriate locations throughout the District:

- to consolidate and expand the College’s educational and support services so that they are readily accessible to residents of the major geographic regions of the District and
- to facilitate opportunities for the College to enter into collaborative partnerships with communities, businesses, government agencies, and school districts within each of the major geographic region of the District.

Subject	Learning Resource Center
Policy Number	1.21
Officer Responsible	Vice President, Academic Services

Policy Statement:

The College shall develop, implement, and evaluate a program which provides adequate learning resource materials, equipment, faculty and staff to meet the needs of the College community.

The Learning Resource Center shall make its materials available to any resident of the District.

Procedure:

The general principles expressed in the *Resolution on Censorship* of the National Council of Teachers of English, as amended, and in the American Library Association, *Library Bill of Rights*, shall govern learning resource material selection and circulation.

Subject	Sustainability
Policy Number	1.22
Officer Responsible	Vice President, Administrative Services

Policy Statement:

Resource sustainability is critically important to Lincoln Land Community College. Efficient energy use, energy-conservation and other sustainable practices as outlined below serve as a means to save money, foster environmental awareness and reduce the environmental consequences of college operations.

Lincoln Land Community College is committed to stewardship of the environment and to reducing the college's impact on the environment. Therefore, it shall be the policy of Lincoln Land Community College to:

- Commit to a culture of sustainability in operations and education.
- Conserve energy through the most cost-effective, energy-efficient approach, utilizing total life-cycle costing principles, and with consideration to be given for flexibility of use, both current and future.
- LLCC will design all new facilities exceeding 10,000 gross square feet (exclusive of storage and plant maintenance buildings), as well as complete building rehabilitations, to meet or exceed the United States Green Building Council's LEED (Leadership in Energy and Environmental Design) Silver design standards whether or not certification is sought providing construction funds are sufficient, building can be accomplished in a timely manner, and there are no other factors which would have measurable impact upon successful construction.
- Purchase products that minimize environmental impact when feasible.
- Properly dispose of products that have a negative environmental impact.
- Purchase recycled copier paper with a minimum 30% post-consumer fiber content.
- Purchase Energy Star qualified appliances and equipment wherever possible.
- Use cleaning products that meet Green Seal standards, or products with low levels of VOCS (volatile organic compounds) whenever possible.
- Recycle post-consumer waste to the extent possible and where practical, taking into account available markets and available methods for disposal of the

recyclables and constantly strive to reduce the amount of solid waste sent to landfills.

- Utilize low water use flush valves and flow restrictors on faucets and showers in new construction and when replacing existing units.
- Incorporate native trees and plant species, as well as rain gardens, into landscaping of college facilities.
- Minimize storm water pollution and control storm water runoff through the use of retention ponds and drainage swales.
- Incorporate Integrated Pest Management techniques to minimize the use of chemical pesticides and herbicides. *(IPM takes advantage of all appropriate pest management options including, but not limited to, the judicious use of pesticides. Effective, less risky pest controls are chosen first, including highly targeted chemicals, such as pheromones to disrupt pest mating, or mechanical control, such as trapping or weeding. If further monitoring, identifications, and action thresholds indicate that less risky controls are not working, then additional pest control methods would be employed, such as targeted spraying of pesticides. Broadcast spraying of non-specific pesticides is a last resort.)*

3. During the meeting between the Chief and the registered sex offender student, the Chief will provide the student a written letter containing the restrictions the student must abide by while on the College's campus and will discuss each restriction verbally with the student. During this meeting, the student will also be advised that his/her failure to comply with the restrictions outlined in the letter may result in denial of enrollment and access to campus.
4. If a sex offender student is enrolled in a College class along with a student who is under the age of 18, the Vice President will notify the instructor of the class of the student's status as a sex offender. The Vice President will also determine if there are other College staff members who need to be notified of a student's status as a registered sex offender in order to protect persons under the age of 18 on the College's campus. In some circumstances, the registered sex offender may be required to enroll in a course section that does not contain minors.
5. The Chief will notify the Director of the Child Development Center (CDC) and the Director/Coordinator of any other College program solely serving students under the age of 18 of all registered sex offenders enrolled in or employed by Lincoln Land Community College.
6. The College's Police Department will maintain a database of all registered sex offender students and employees. The database will contain identifier information as outlined in the Campus Sex Crimes Prevention Act. This information will be available for review by any person requesting information on registered sex offenders enrolled and employed by the College.

Subject	Prohibition of Concealed Carry-on Campus
Policy Number	1.24
Officer Responsible	Vice President, Administrative Services

Policy Statement:

Pursuant to Illinois Public Act 098-0063-The Firearms Concealed Carry Act, the carrying of concealed firearms shall not be allowed on any Lincoln Land Community College property or grounds, in any college buildings or facilities, at any college sponsored event, or within any college vehicle, whether owned or leased, regardless of whether a person is in possession of a concealed carry permit, except as specifically authorized by this policy.

Individuals holding a valid concealed carry permit issued by the State of Illinois, and who are on College property for a legitimate purpose, may store their firearm in a secured container within their vehicle [parked in a College parking lot] while they are on campus.

Law enforcement officers, on-duty [armed] private security personnel, other government personnel authorized to carry a weapon, and retired law enforcement personnel with valid Retired Officer Carry Cards (Under the Federal Retired Officer Carry Act) are exempt from this policy.

The Lincoln Land Community College Police Department (LLCCPD) should be notified of any individual suspected or found to have a firearm on their person. LLCCPD officers will determine whether the individual has lawfully recognized authority to carry a concealed firearm on College property. Lincoln Land Community College will pursue appropriate disciplinary and/or criminal action against anyone found in violation of this policy.

Nothing in this policy restricts the carrying or use of firearms for the purpose of the instruction or curriculum of an officially recognized program, including, but not limited to, military science or law enforcement training programs.

Subject	Prohibition of Sexual Harassment and Sex Discrimination
Policy Number	1.25
Officer Responsible	Vice President, Administrative Services & Vice President, Student Services

Policy Statement:

Lincoln Land Community College (the “College”) is committed to maintaining a safe and healthy educational and employment environment that is free from sexual violence, dating violence, domestic violence, stalking (hereinafter collectively referred to as “sexual violence”) and sex discrimination, which includes discrimination and harassment based on sex, sex stereotypes, sex characteristics, pregnancy and related conditions, sexual orientation, and gender identity and expression. Sexual violence jeopardizes the physical and emotional welfare of the College’s faculty, staff and students, diminishes individual dignity, and interferes with educational, social, and employment opportunities. This policy applies to all faculty, employees, students, and other individuals participating in or attempting to participate in the College’s program or activities, including education and employment.

It is the policy of Lincoln Land Community College to comply with Title IX of the *Education Amendments of 1972* (“Title IX”), the *Violence Against Women Reauthorization Act* (“VAWA”), Title VII of the *Civil Rights Act of 1964* (“Title VII”), the *Illinois Human Rights Act*, the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (“Clery Act”), the *Illinois Preventing Sexual Violence in Higher Education Act*, and all other applicable laws and local ordinances regarding unlawful sex-based discrimination, harassment or other misconduct.

Individuals found to have engaged in prohibited sex discrimination will be subject to disciplinary action, up to and including termination and/or expulsion from the College.

As required under Title IX, the College does not discriminate on the basis of sex and prohibits sex discrimination in the education programs and activities that it operates. The College’s commitment not to discriminate and prohibition on discrimination extends to admissions and employment.

The College has designated the Associate Vice President, Human Resources, as the Title IX Coordinator, who is responsible for coordinating the College’s efforts to comply with its responsibilities under Title IX. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be directed to the College’s Title IX Coordinator, the Assistant Secretary for Civil Rights at the United States Department of Education, or both.

Jurisdictional Statement:

The College has jurisdiction to investigate any alleged violations of this policy that occur in the context of College programs or activities or that otherwise affect the College’s working or learning environments, regardless of whether that conduct occurs on or off campus. In circumstances where alleged sexual violence occurs outside of the context of College programs or activities or off campus, and where one or more of the parties are not members of the College community, the College’s ability to investigate and/or impose

appropriate disciplinary sanctions may be limited. In such circumstances the College reserves the right to take such steps as it shall deem appropriate to investigate allegations of misconduct and provide appropriate resources to any student who is an alleged victim of sexual violence. Such resources shall include referral to appropriate medical facilities, community-based crisis centers, and law enforcement authorities.

Procedure:

I. Purpose

The College is committed to maintaining a safe and healthy educational and employment environment that is free from sex discrimination, which includes discrimination and harassment based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity or expression, as well as sexual violence, domestic violence, dating violence and stalking.

As part of this commitment, the College does not adopt or implement any policy, procedure, or practice, or take any action regarding a student, employee, or applicant for employment, that discriminates against such individuals on the basis of their current, potential, or past pregnancy or related conditions, or that treats such individuals differently on the basis of sex with regard to their current, potential, or past parental, family, or marital status, or their status as the head of household or principal wage earner in their family unit.

The College Administration has adopted these Procedures to implement the College's Policy Prohibiting Sex Discrimination to ensure a safe and healthy educational and employment environment, and meet legal requirements in accordance with Title IX of the *Education Amendments of 1972* ("Title IX"), relevant sections of the *Violence Against Women Reauthorization Act* ("VAWA"), Title VII of the *Civil Rights Act of 1964* ("Title VII"), relevant sections of the *Illinois Human Rights Act*, the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* ("Clery Act"), the *Preventing Sexual Violence in Higher Education Act*, and other applicable laws, regulations and ordinances.

The College has an affirmative duty to respond promptly and effectively once it has knowledge of conduct that may reasonably constitute sex discrimination in its education program or activity. The College will promptly and equitably resolve complaints of sex discrimination in accordance with the procedures set forth below.

II. Application and Scope

This Policy and Procedure is only applicable to alleged incidents that occur on or after August 1, 2024. For alleged incidents of sex discrimination or sexual harassment occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available from the Title IX Coordinator or designee.

The College's Policy Prohibiting Sex Discrimination and these implementing Procedures apply to everyone in the College's education programs and activities, including students, faculty and staff, applicants for admission or employment, and third parties, whenever the alleged sex discrimination occurs:

- On College property or any property owned or controlled by a College-recognized student organization;
- Off College property if:
 - The conduct was in connection with a College or College-recognized program or activity; or
 - The conduct may have the effect of creating or contributing to the creation of a hostile environment for a member of the College community; or
- Otherwise within the College's disciplinary authority for students or employees.

These Procedures govern sex discrimination in various forms, many of which may trigger legal obligations under one or more state and federal laws. In no case does the inapplicability of a particular legal framework prevent the College from addressing an act of misconduct that falls within the scope of these Procedures or other applicable College policies and procedures.

III. Implementing Procedures

The College will establish, maintain and publish procedures implementing this Policy, which set forth:

- The application and scope of the College's prohibition on sex discrimination;
- Definitions of prohibited conduct and a definition of consent;
- Responsibilities of and contact information for the College's Title IX Coordinator(s) and Deputy Title IX Coordinator(s);
- Options for assistance following an incident of sex discrimination;
- Procedures for reporting and confidentially disclosing alleged sex discrimination;
- The College's response to reports of alleged sex discrimination;
- The College's grievance procedures for complaints alleging sex discrimination, including complaints alleging sex-based harassment;
- A mechanism for reporting and independent review of allegations against one elected official by another elected official;
- Prevention and education programming provided to College students; and
- Training and education provided to all College employees.

IV. Retaliation Prohibited

Retaliation, including intimidation, threats, coercion, or discrimination against any person who, in good faith, reports or discloses alleged sex discrimination, files a complaint, or otherwise participates or declines to participate in an investigation into allegations of sex discrimination, is strictly prohibited.

V. Administration and Enforcement

A. Title IX Coordinator

The College has designated the Associate Vice President, Human Resources as the Title IX Coordinator. Contact information for the Title IX Coordinator is as follows:

Nicole Ralph
Associate Vice President, Human Resources
Location: Menard Hall, Room 1226
Phone: 217-786-2342
Email: Nicole.Ralph@lcc.edu

Responsibilities of the Title IX Coordinator include, but are not limited to:

- Coordinating the College's efforts to comply with its responsibilities under Title IX and 34 C.F.R. Part 106, and other applicable laws and regulations, to provide an educational and employment environment that is free from sex discrimination.
- Ensuring that students, employees, applicants for admission and employment, and unions and professional organizations holding collective bargaining or professional agreements with the College are appropriately notified of the College's prohibition on sex discrimination.
- Overseeing the College's response to all sex discrimination reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports or complaints.
- Ensuring the prompt and thorough investigation of all sex discrimination complaints.
- Offering and coordinating appropriate supportive measures and ensuring the effective implementation of any remedies.
- Ensuring that appropriate protocols are in place for working with law enforcement and coordinating services with local victim advocacy organizations and services providers, including rape crisis centers.
- Ensuring that adequate training is provided to students, faculty and staff on Title IX and related issues.
- Monitoring students' participation in academic programs and extracurricular activities, including athletics, to identify and proactively address issues related to possible sex discrimination.
- Collaborating with appropriate College officials to assess the campus climate regarding Title IX through surveys and other instruments and to analyze the data collected through such surveys and instruments.
- Maintaining appropriate records of sex discrimination reports and complaints.

Questions regarding these Procedures or the College's compliance with Title IX and related laws should be directed to the Title IX Coordinator. References in these Procedures to the Title IX Coordinator include any individual designee that the Title IX Coordinator may delegate to perform specific duties.

B. External Agencies

Inquiries concerning the application of Title IX may be referred to the Assistant Secretary for Civil Rights at the United States Department of Education:

Office for Civil Rights, Chicago Office
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544
Telephone: (312) 730-1560
Email: OCR.Chicago@ed.gov

Additionally, the Illinois Department of Human Rights has established a helpline for individuals to obtain information about their reporting options and referrals to other resources. The helpline is available Monday through Friday, from 8:30 a.m. to 5:00 p.m., at (877) 236-7703.

VI. Options for Assistance Following an Incident of Sex Discrimination

A. Emergency Services

Anyone who experiences or observes an emergency situation should immediately call 911 and/or one of the phone numbers listed below:

Lincoln Land Community College Police Department
5250 Shepherd Rd.
Springfield, IL 62703
Police emergency:

- 217-786-2222
- 911
- 62222 (campus phone)

Police non-emergency:

- 217-786-2278
- 62278 (campus phone)

Office Location:
Sangamon Hall South
Email: Police@llcc.edu

The Springfield Police Department
800 E. Monroe St.
Springfield, IL 62701
Emergency TDD and Voice: 911
Non-Emergency Voice: 217-788-8311
Non-Emergency TDD Only: 217-789-2186

Taylorville Police Department
108 W. Vine St.
Taylorville, IL 62568
Emergency: 911
Phone: 217-824-2211

Jacksonville Police Department
200 West Douglas Ave.
Jacksonville, Illinois 62650
Emergency: 911
Phone: 217-479-4630

Litchfield Police Department
120 E Ryder St.
Litchfield, IL 62056
Emergency: 911
Phone: 217-324-5991

B. Crisis Response Services

The following off-campus resource can provide an immediate confidential* response in a crisis situation, as well as ongoing assistance and support:

Off-Campus Confidential Resources:

*Prairie Center Against Sexual Assault
24 Hour Hotline: 217-753-8081
Office: 217-744-2560
3 W Old State Capitol, Suite 206
Springfield, IL 62701
www.prairiecasa.org
Cass, Christian, Greene, Logan, Macoupin, Mason, Menard, Morgan, Montgomery, Sangamon, and Scott counties

Sojourn Shelter & Services (Domestic Violence)
24 Hour Hotline: 217-726-5200
Office: 217-726-5100
1800 Westchester Blvd
Springfield, IL 62704
Sangamon, Christian, Montgomery, Logan and Menard counties

Crisis Center Foundation (Domestic Violence)
24 Hour hotline: 217- 243-4357
325 9th Avenue
Jacksonville, IL 62650
www.crisiscenterfoundation.org
Morgan, Scott, Cass, and Greene counties

*Indicates Confidential Advisors, as defined in Appendix A.

Note: While the above-listed Confidential Resource may maintain a reporting person's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law.

C. Medical Services

Individuals may seek treatment for injuries, preventative treatment for sexually transmitted disease, and/or other health services by contacting one of the following health care providers:

* Springfield Memorial Hospital

Address: 701 N 1st St, Springfield, IL 62781

Phone: (217) 788-3000

Emergency Room: Open 24 hours

* HSHS St. John's Hospital

Address: 800 E Carpenter St, Springfield, IL 62769

Phone: (217) 544-6464

Emergency Room: Open 24 hours

* Lincoln Memorial Hospital

Address: 200 Stahlhut Dr., Lincoln, IL 62656

Phone: 217-732-2161

Emergency Room: Open 24 hours

Jacksonville Memorial Hospital

Address: 1600 W. Walnut St, Jacksonville, IL 62650

Phone: 217-245-9541

Emergency Room: Open 24 hours

Taylorville Memorial Hospital

Address: 201 E. Pleasant St., Taylorville, IL 62568

Phone: 217-707-5555

Emergency Room: Open 24 hours

HSHS St. Francis Hospital

Address: 1215 Franciscan Dr, Litchfield, IL 62056

Phone: 217-324-2191

Emergency Room: Open 24 hours

*Indicates health care options which provide medical forensic services (rape kits) and/or Sexual Assault Nurse Examiners at no cost, pursuant to the *Sexual Assault Survivors Emergency Treatment Act* (410 ILCS 70).

Seeking medical treatment also serves to preserve physical evidence of sexual violence.

Off-campus health care providers will generally maintain confidentiality and not share information with the College unless the reporting person requests the disclosure and signs a consent or waiver form. Note, however, that while these health care providers may maintain a reporting person's confidentiality vis-à-vis the College, they may have other reporting obligations under State law.

VII. Reporting Sex Discrimination

The College encourages individuals who have experienced sex discrimination to talk with someone about what happened so that they can get the support they need and so that the College can respond appropriately.

A. Reporting Options and Notification Requirements

Different employees on campus have different notification obligations when they receive information about conduct that may reasonably constitute sex discrimination. The following sections detail the various reporting options for students, employees and other individuals, along with the applicable notification requirements for each option.

1. Reporting Officials

Individuals are encouraged to report alleged incidents of sex discrimination to the appropriate reporting official below:

Kirsten Taylor (Employee Reporting Official)
Equal Opportunity Compliance Officer
Deputy Title IX Coordinator
Location: Menard Hall, Room 1225
Phone: 217-786-2258
Email: EOCO@lcc.edu

Shelley Vaughan (Student Reporting Official)
Compliance and Prevention Coordinator
Deputy Title IX Coordinator
Title IX Compliance/Risk Management
Location: Menard Hall, Room 0006
Phone: 217-786-3682
Email: StudentRights@lcc.edu

2. Reporting to Responsible Employees

All College employees (referred to as “Responsible Employees”) are required to notify the Title IX Coordinator or designee when they have information about conduct that may reasonably constitute sex discrimination. This notification must include all relevant details about the alleged sex discrimination, including the date, time and specific location of the alleged incident(s) and the names of all involved individuals. To the extent possible, information shared with a Responsible Employee will be disclosed only to the Title IX Coordinator and/or those individuals responsible for handling the College’s response to the report.

3. Confidential Reporting

Individuals who wish to confidentially report an incident of sex discrimination may make a confidential* report to the following off-campus confidential resources:

Off-Campus Confidential Resources:
*Prairie Center Against Sexual Assault
Hotline: 217-753-8081

Office: 217-744-2560
3 W Old State Capitol Plaza, Suite 206
Springfield, IL 62701

*Indicates Confidential Advisors, as defined in Appendix A.

The confidential resources listed in this section are not required to report any information about an alleged incident to the Title IX Coordinator without the reporting party's permission.

Note: While the resources listed above may maintain an individual's confidentiality vis-à-vis the College, they may have reporting or other obligations under State law. Any College employee who suspects or receives knowledge that a person may be an abused or neglected child must: 1) immediately report or cause a report to be made to the Illinois Department of Children and Family -Services (DCFS) on its Child Abuse Hotline; and 2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office.

Also Note: If the College determines that a person alleged to be the perpetrator of sex discrimination poses a serious and immediate threat to the College community, the College may be required to issue a timely warning to the College community. Any such warning will not include any information that identifies the person alleged to be the victim.

4. Electronic Reporting and Anonymous Reports

The College maintains an online system for electronic reporting, which can be found at the following link: https://cm.maxient.com/reportingform.php?LincolnLandCC&layout_id=4. The reporting party may choose to provide their identity or may choose to report anonymously. The system will notify the reporting party, before they enter information, that entering personally identifying information may serve as notice to the College for the purpose of triggering an investigation. Where a reporting party chooses to provide their identity and contact information through the online system, the College will respond to the reporting party within 12 hours with a copy of the notification of rights and options described in Section VIII below.

B. Student Participation in Public Awareness Events

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

C. Knowingly False Reporting and Statements

A person who knowingly makes a false report of sex discrimination may be subject to disciplinary action, up to and including suspension, expulsion, or termination. The College will not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred. The College is still permitted to address false reports and statements by initiating a disciplinary process under its Student Code of Conduct or employee policies as long as there is evidence independent of the determination whether sex

discrimination occurred.

VIII. College Response to Allegations of Sex Discrimination

Upon being notified of alleged conduct that the notifying party believes reasonably may constitute sex discrimination, the Title IX Coordinator or designee will analyze the allegation(s) to determine the appropriate method for processing the allegation(s). Where the Title IX Coordinator reasonably determines that the conduct as alleged could constitute sex discrimination, the Title IX Coordinator or designee will take appropriate action to promptly and effectively end any sex discrimination in the College's education program or activity, prevent its recurrence, and remedy its effects. Such action will include, but not be limited to, the following:

- Treat the complainant and respondent equitably.
- Offer and coordinate supportive measures, as appropriate, for the complainant (see Section VIII.A below).
- If the College has initiated the grievance procedures (see Section IX) or offered an informal resolution process to the respondent (see Section X), offer and coordinate supportive measures, as appropriate, for the respondent.
- Notify the complainant or, if the complainant is unknown, the individual who reported the alleged conduct, of the grievance procedures and the informal resolution process, if available and appropriate, and concise written information about the complainant's rights and options pursuant to these Procedures.
- In response to a complaint, initiate the grievance procedures, or the informal resolution process if available and appropriate and requested by both parties.
- In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, determine whether to initiate a complaint under the grievance procedures, considering the factors outlined in Section IX.A.2.
- If electing to initiate a complaint, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures.

A. Supportive Measures

Supportive measures (also referred to as "interim protective measures") are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent, to: (1) restore or preserve a party's access to the College's education program or activity, including measures that are designed to protect the safety of the parties or the College's educational environment; and (2) provide support during the College's grievance procedures or during an informal resolution process.

Examples of supportive measures that the College may offer include, but are not limited to:

- Counseling and mental health support;
- Extensions of deadlines or other course-related adjustments;
- Leaves of absence;
- Changes to academic, extracurricular, living, dining, transportation and/or working schedules or situations;
- Campus escort services;
- Increased security or monitoring of certain areas of campus;
- Issuance and enforcement of campus no contact orders;
- Enforcement of an order of protection or no contact order entered by a State civil or criminal court; and/or
- Training and education programs related to sex discrimination.

1. Coordination of Supportive Measures

The Title IX Coordinator is responsible for the offering and coordination of supportive measures, as appropriate, for the complainant and/or respondent. While the particular supportive measures offered will vary depending on what the College deems reasonably available, any supportive measures offered will be designed to protect the safety of the parties or the College's educational environment, or to provide support during the grievance procedures or during the informal resolution process. Supportive measures will not unreasonably burden either party and will not be imposed for punitive or disciplinary reasons.

If the complainant or respondent is a student with a disability, the Title IX Coordinator may consult, as appropriate, with the Director of Accessibility Services to determine how to comply with Section 504 of the Rehabilitation Act of 1973.

At the conclusion of the grievance procedures or at the conclusion of the informal resolution process, the Title IX Coordinator will determine whether to modify or terminate, as appropriate, any supportive measures previously implemented, or whether to continue such measures beyond that point.

The Title IX Coordinator will ensure that information about supportive measures are not disclosed to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the College's education program or activity, or as otherwise permitted by law, in conjunction with any response required by these Procedures.

2. Modification or Reversal of Supportive Measures

The Title IX Coordinator will provide the parties with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the decision to provide, deny, modify, or terminate supportive measures applicable to them. A party wishing to seek modification or reversal of a supportive measure decision must submit a written request to the Title IX Coordinator, which the Title IX Coordinator will forward to the designated impartial employee.

Upon the impartial employee's receipt of the written request, the impartial employee will review the request and other relevant information to determine:

- Whether the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures (see Appendix A); and
- If so, whether modification or reversal of the supportive measures decision is appropriate.

Upon conclusion of the review, the impartial employee will notify the requesting party and the Title IX Coordinator of the outcome of the review. As appropriate, the impartial employee will notify the other party of any modifications to a supportive measure applicable to that party that results from the review.

B. Emergency Removal and/or Administrative Leave

Prior to initiating or completing the grievance procedure(s) or the informal resolution process, or in the absence of a complaint, the College may remove a respondent from the College's education program or activity on an emergency basis, where the College determines, based on an individualized safety and risk analysis, that an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal. In such a case, the College will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Nothing in these Procedures limits the College's ability to place an employee on administrative leave in response to allegations of misconduct.

C. Clery Act Obligations

In accordance with the Clery Act, the College will issue timely warnings to the campus community about crimes that have already occurred but that may continue to pose a serious or ongoing threat to students and employees. The Clery Act also requires the College to maintain a public crime log and publish an Annual Security Report ("ASR") available to all current students and employees. The ASR documents three calendar years of select campus crime statistics (including statistics regarding incidents of sexual assault, dating violence, domestic violence, and stalking), security policies and procedures, and information on the basic rights guaranteed to victims of sexual assault.

IX. Grievance Procedures for Sex Discrimination Complaints

This Section provides the College's grievance procedures for investigating and adjudicating complaints of alleged sex discrimination. The procedures in Section IX.A apply to all complaints of alleged sex discrimination, except as provided in Section IX.B. The supplemental/alternative procedures in Section IX.B apply only to complaints of alleged sex-based harassment involving a student party (complainant or respondent), in addition to (or in lieu of, where noted) the procedures outlined in Section IX.A.

A. Procedures for All Sex Discrimination Complaints

1. General Guidelines

The College's grievance procedures adhere to the following general guidelines:

- The College will treat complainants and respondents equitably.
- The College will ensure that any person designated as a Title IX Coordinator, Investigator, or Decisionmaker has been trained to serve in their designated role consistent with applicable legal requirements.
- The College will require that any person designated as a Title IX Coordinator, Investigator, or Decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- The respondent will be presumed not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.
- The College will not impose discipline on a respondent for sex discrimination unless there is a determination at the conclusion of these grievance procedures that the respondent engaged in prohibited sex discrimination.
- The College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedure. These steps will not restrict the ability of the parties to: obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties are expressly prohibited from engaging in any form of retaliation, including against witnesses.
- The College will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence.
- Impermissible evidence will not be accessed, considered, disclosed, or otherwise used, except by the College to determine whether one of the exceptions to impermissibility outlined below applies. The following types of evidence, and questions seeking that evidence, are considered impermissible:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality.
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the College obtains that party's or witness's voluntary, written consent for use of such records in the College's grievance procedures.
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is:
 - Offered to prove that someone other than the respondent committed the alleged conduct; or
 - Evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment.
 - Note: The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.
- Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- The grievance procedures will be implemented in a prompt and equitable manner. Timeframes for the major stages of the grievance procedures are outlined in Sections IX.A and IX.B. The College may reasonably extend timeframes and deadlines on a case-by-case basis for good cause with a written notice to the parties that includes the reason for the delay. A party wishing to request an extension of a deadline must notify the College in writing of their request, including the reason for the request, at least one (1) business day in advance of the deadline. Both parties will be notified in writing of the College's determination and any amended timeframe and/or deadline that applies as a result of the determination.
- Where an appeal is filed, the College will implement appeal procedures equally for both parties and will ensure that the Appellate Decisionmaker did not take part in the underlying investigation or determination regarding responsibility or dismissal of the complaint.

2. Complaint Initiation

The following individuals have a right to make a complaint under these grievance procedures:

- (a) A complainant, as defined in Appendix A;
- (b) A parent, guardian or other authorized legal representative, with the legal right to act on behalf of a complainant;
- (c) The College's Title IX Coordinator, after making the determination specified in this Section IX.A.2; and
- (d) For complaints of sex discrimination other than sex-based harassment, in addition to the individuals listed under items (a) through (c) above:
 - (i) Any student or employee; or
 - (ii) Any person other than a student or employee who was participating in or attempting to participate in the College's education program or activity at the time of the alleged sex discrimination.

In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator will determine whether to initiate a complaint, considering, at a minimum, the following factors:

- The complainant's request not to proceed with initiation of a complaint;
- The complainant's reasonable safety concerns regarding initiation of a complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee of the College;
- The scope of the alleged discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a Decisionmaker in determining whether sex discrimination occurred; and
- Whether the College could end the alleged discrimination and prevent its recurrence without initiating the grievance process.

3. Complaint Evaluation

When a complaint is filed, the Title IX Coordinator or designee will, within ten (10) business days of their receipt of the complaint, evaluate whether to investigate or dismiss the complaint. In evaluating the complaint, the Title IX Coordinator will analyze the allegations to determine whether the conduct as alleged could constitute sex discrimination and whether any of the bases for dismissal in Section IX.A.4 apply.

Where the Title IX Coordinator or designee determines that the conduct as alleged could constitute sex discrimination and that none of the bases for dismissal in Section IX.A.4 apply, the grievance procedures will be initiated and a notice of allegations will be issued to both parties (see Section IX.A.6). Where it is determined that the conduct as alleged would not constitute sex discrimination or that one or more bases for dismissal in Section IX.A.4 apply, the complaint will be dismissed, or allegations therein, as provided in Section IX.A.4, and a written notice of the dismissal will be issued to the complainant. Dismissal of a complaint under these Procedures does not preclude action under other College policies and procedures.

4. Complaint Dismissal

The College may dismiss a complaint if:

- The College is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the College's education program or activity and is not employed by the College;
- The complainant voluntarily withdraws any or all of the allegations in writing, the Title IX Coordinator declines to initiate a complaint, and the College determines that, without the withdrawn allegations, the remaining alleged conduct, if any, would not constitute sex discrimination even if proven; and/or
- The College determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination. Before dismissing the complaint on this basis, the College will make reasonable efforts to clarify the allegations in the complaint.

Upon dismissal, the College will promptly notify the complainant in writing of the ground(s) for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the College will notify the parties simultaneously in writing of the dismissal and the ground(s) for the dismissal. Any written notice of dismissal will include information about the right to appeal the dismissal and the permissible bases for appeal. If a dismissal is appealed, the College will follow the procedures outlined in Section IX.A.9.

When a complaint is dismissed, the College will, at a minimum:

- Offer supportive measures to the complainant, as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent, as appropriate; and

- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the College's education program or activity.

5. Consolidation of Complaints

The College may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by the one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. If one of the complaints to be consolidated is a complaint of sex-based harassment involving a student party (complainant or respondent), the College will apply the additional/alternative procedures in Section IX.B.

6. Notice of Allegations

Upon initiation of an investigation under these grievance procedures, the College will notify the parties in writing of the following, with sufficient time for the parties to prepare a response before any initial interview:

- These grievance procedures, including the informal resolution process (if applicable);
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- The College's prohibition on retaliation;
- That the respondent is presumed not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures;
- That prior to a determination regarding responsibility being made, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial Decisionmaker;
- That the parties will be afforded an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigative report that accurately summarizes this evidence / an accurate description of the evidence.
 - Note: If the College provides access to an investigative report / an accurate description of the evidence, the College will offer an equal opportunity to access the relevant and not impermissible evidence upon the request of any party; and

If, during the course of an investigation, the College decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the written notice or that are included in a consolidated complaint, it will provide written notice of the additional allegations to the parties.

7. Investigation

The Title IX Coordinator will appoint one or more trained Investigators to undertake an adequate, reliable, and impartial investigation into the complaint. The burden is on the College—not the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred, if such evidence is available.

When a party's (complainant or respondent) participation is invited or expected at an investigative interview or other meeting, the Investigator will provide that party with written notice of the date, time, location, participants, and purpose of the interview or meeting with sufficient time for the party to prepare to participate.

The Investigator will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible. The Investigator has discretion to determine whether the parties may present expert witnesses, so long as the determination applies equally to both parties.

The Investigator will review all evidence gathered through the investigation and determine what, if any evidence is irrelevant or otherwise impermissible in accordance with the guidelines on permissibility outlined in Section IX.A.1.

After the Investigator completes the investigation, including conducting all relevant investigatory interviews and gathering and reviewing all evidence to determine its relevance and permissibility, the Investigator will provide both parties with notice of the opportunity to access either the relevant and not otherwise impermissible evidence or a written investigative report that accurately summarizes this evidence, as well as a reasonable opportunity to review and respond to the evidence or investigative report. If the Investigator provides a written investigative report, the Investigator will also provide each party with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

The College will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures.

The investigation phase, including the timeframe for the parties to access and submit a response to the written investigative report or the relevant and not otherwise impermissible evidence, shall be completed within thirty (30) business days after the Investigator's receipt of the notice of allegations, unless the timeframe is extended pursuant to Section IX.A.1 of these Procedures.

8. Decisionmaker Review and Determination

Upon the conclusion of the investigation phase, the Title IX Coordinator will appoint an impartial Decisionmaker(s) to make a determination regarding responsibility relative to the complaint. The Title IX Coordinator will provide the Decisionmaker(s) with a copy of the investigative report, if any, the relevant and not otherwise impermissible evidence gathered during the investigation, and the parties' responses to the investigative report or evidence, if any ("investigative materials").

The College will provide a process that enables the Decisionmaker(s) to question parties and witnesses to adequately assess a party's or a witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. For complaints that are not of sex-based harassment involving a student party, the Decisionmaker(s)

will have discretion to question parties and witnesses in person, by phone or other remote means, or in writing as necessary to assess the party's or witness's credibility.

The Decisionmaker(s) may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The Decisionmaker(s) will not draw an inference about whether sex discrimination occurred based solely on a party's or witness's refusal to respond to such questions.

Following the Decisionmaker's review and evaluation of all relevant and not otherwise impermissible evidence, the Decisionmaker will:

- Within fifteen (15) business days after the Decisionmaker's receipt of the investigatory materials, use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred.
- Within seven (7) business days after making the determination, notify the parties simultaneously in writing of the determination regarding responsibility. The written determination will include:
 - o A description of the alleged sex discrimination;
 - o Information about the policies and procedures that the Decisionmaker(s) used to evaluate the allegations;
 - o The Decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex discrimination occurred;
 - o Any disciplinary sanctions that the Decisionmaker recommends be imposed on the respondent;
 - o Whether remedies other than the imposition of disciplinary sanctions will be provided to the complainant; and
 - o The College's procedures and permissible bases for the complainant and respondent to appeal.

The determination regarding responsibility will become final either on the date that the College provides the parties with the written appeal determination, or, if no party appeals, the date on which an appeal would no longer be considered timely.

9. Appeals

Both parties will have the right to appeal any determination regarding responsibility, and any dismissal of a complaint or allegations therein, to a designated Appellate Decisionmaker. An appeal must be based on one or more of the following grounds:

- A procedural irregularity that would change the outcome of the determination or dismissal;

- New evidence that would change the outcome of the determination or dismissal and that was not reasonably available when the determination or dismissal was made; and/or
- The Title IX Coordinator, Investigator or Decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome of the determination or dismissal.

A party wishing to appeal a dismissal or determination regarding responsibility must submit a written appeal request to the Title IX Coordinator within seven (7) business days of the party's receipt of the written determination or notice of dismissal.

Within seven (7) business days after the Title IX Coordinator's receipt of an appeal request, the Title IX Coordinator will forward the appeal request and all relevant materials to the appointed Appellate Decisionmaker and will notify both parties in writing of the appeal, including providing the respondent with notice of the allegations, if notice was not previously provided to the respondent. The written notice of appeal will also notify the parties of their reasonable and equitable opportunity to submit a statement in support of, or challenging, the determination or dismissal that is the subject of the appeal.

Within ten (10) business days after the deadline for the parties to submit their statements in support of, or challenging the determination or dismissal, the Appellate Decisionmaker will review the appeal and relevant materials and decide whether to affirm, reverse, or modify the dismissal or determination regarding responsibility. Within seven (7) business days after the conclusion of the review, the Appellate Decisionmaker will notify both parties, in writing, of the result of the appeal and the rationale for the result. The Appellate Decisionmaker's determination is final.

10. Disciplinary Sanctions and Remedies

If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:

- Coordinate the provision and implementation of remedies to a complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sex discrimination;
- Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College's education program or activity.

Possible disciplinary sanctions that the College may impose on a respondent include, but are not limited to:

Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Reprimand: A formal statement that the conduct was unacceptable and a warning that further violation of any Recipient policy, procedure, or directive will result in more severe sanctions/responsive actions.
- Required Counseling: A mandate to meet with and engage in either Recipient-sponsored or external counseling to better comprehend the misconduct and its effects.
- Restrictions: A student may be restricted in their activities, including, but not limited to, being restricted from locations, programs, participation in certain activities or extracurriculars, study abroad, or holding leadership roles in student organizations.
- Probation: An official sanction for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from extra-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- Suspension: Separation from the institution, or one or more of its facilities, for a defined period of time, typically not to exceed two (2) years, after which the student may be eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, on successfully applying for readmission, or upon a general condition that the student is eligible to return if the institution determines it is appropriate to re-enroll/readmit the student. The student is typically required to vacate institutional property within 24 hours of notification of the action, though this deadline may be extended at the discretion of the appropriate official. During an institution-wide suspension, the student is banned from institutional property, functions, events, and activities unless they receive prior written approval from an appropriate institutional official. This sanction may be enforced with a trespass action, as necessary.
- Expulsion: Permanent separation from the institution. The student is banned from institutional property, and the student's presence at any institution-sponsored activity or event is prohibited. This action may be enforced with a trespass action, as necessary. [This sanction may be noted as Disciplinary Expulsion on the student's official academic transcript, per institutional policy and/or state law.]
- Withholding Diploma: The college may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating Policy.
- Revocation of Degree: While very rarely exercised, the Recipient reserves the right to revoke a degree previously awarded from the Recipient for fraud, misrepresentation, and/or other violation of Recipient policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

- Other Actions: In addition to, or in place of, the above sanctions, the Recipient may assign any other sanctions as deemed appropriate.

Student Group and Organization Sanctions

The following are the common sanctions that may be imposed upon student groups or organizations singly or in combination:

- Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any Recipient policy, procedure, or directive will result in more severe sanctions/responsive actions.
- Probation: An official sanction for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the group or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social and event privileges, denial of Recipient funds, ineligibility for honors and awards, restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate.
- Suspension: Termination of student group or organization recognition and/or institutional support for a defined period of time not to exceed two (2) years and/or until specific criteria are met. During the suspension period, a student group or organization may not conduct any formal or informal business or participate in Recipient-related activities, whether they occur on- or off-campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from the Recipient.
- Expulsion: Permanent termination of student group organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason.
- Loss of Privileges: Restricted from accessing specific Recipient privileges for a specified period of time.
- Other Actions: In addition to or in place of the above sanctions, the Recipient may assign any other sanctions as deemed appropriate.

Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in, discrimination, harassment, and/or retaliation include:

- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Shift or schedule adjustments

- Reassignment
- Delay of (or referral for delay of) Tenure Track Progress
- Assignment to a New Supervisor
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the Recipient may assign any other responsive actions as deemed appropriate.

Any disciplinary sanctions against a respondent will not be implemented until the conclusion of the grievance procedures.

Possible remedies that the College may provide to a complainant or other individuals include, but are not limited to:

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the Parties and/or the Recipient community that are intended to stop the discrimination, harassment, and/or retaliation, remedy the effects, and prevent recurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals
- Education to the individual and/or the community
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term supportive measures may also be provided to the Parties even if no Policy violation is found.

When no Policy violation is found, the Title IX Coordinator will address any remedies the Recipient owes the Respondent to ensure no effective denial of educational access.

The Recipient will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair the Recipient's ability to provide these services.

B. Supplemental/Alternative Procedures for Sex-Based Harassment Complaints Involving a Student Party

The following supplemental/alternative procedures apply only to complaints of alleged sex-based harassment where at least one party (complainant or respondent) is a student. Except

where noted, these procedures apply in addition to the procedures outlined in Section IX.A.

1. Notice of Allegations

In addition to the components outlined in Section IX.A.6 the notice of allegations for sex-based harassment complaints involving a student party will also include:

- That the parties may be accompanied to any meeting or proceeding by an advisor of their choice who may be, but is not required to be, an attorney.

2. Investigation

The Investigator will provide the parties with the same opportunity to be accompanied to any meeting or proceeding during the investigation phase by an advisor of their choice, who may be, but is not required to be, an attorney. The Investigator will not limit the choice or presence of the advisor for the complainant or respondent in any meeting or proceeding. However, the advisor's role during the investigation phase will be limited to providing support, guidance and/or advice to the party. A party's advisor may not speak on behalf of the party during any interview or meeting and must comply with all behavioral rules and expectations set forth in these Procedures or established by the Investigator. Additionally, in the event that the Investigator allows a party to have a person or persons other than their advisor present at an investigative interview or meeting, the Investigator will provide the same opportunity to the other party.

3. Decisionmaker Review/Administrative Resolution Process and Determination

For a sex-based harassment complaint involving a student party, upon the appointment of the Decisionmaker, both parties will have the opportunity to request a substitution if the participation of the appointed Decisionmaker poses a conflict of interest. A party wishing to request substitution of the appointed Decisionmaker must notify the Title IX Coordinator, in writing, within three (3) business days after the party's receipt of the name of the appointed Decisionmaker.

The process enabling the Decisionmaker to question parties and witnesses to adequately assess their credibility will consist of an individual question-and-answer meetings facilitated by the Decisionmaker known as the Administrative Resolution Process.

Prior to convening the individual meetings, both parties will be notified, in writing, of the opportunity to submit proposed questions to be asked of the other party and any witnesses during the individual meetings. The Decisionmaker will determine whether each proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible to the party who proposed the question. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The Decisionmaker will provide a party with an opportunity to clarify or revise a proposed question that the Decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the proposed question, the question will be asked.

During the individual meetings, the Decisionmaker will pose the submitted questions deemed relevant and appropriate. The Decisionmaker may also pose the Decisionmaker's own questions

to the party or witness. If a party has an advisor, the advisor will be permitted to accompany the party to their individual meeting(s); however, the same limitations on the advisor's role that apply during the investigation phase will apply during the individual meeting(s).

The Decisionmaker will create an audio or audiovisual recording or transcript of each individual meeting and will provide each party with the recording or transcript with enough time for the party to have a reasonable opportunity to propose follow-up questions.

To account for the additional time needed for the Decisionmaker to facilitate the question-and-answer meetings, the Decisionmaker's deadline for making the determination of responsibility for sex-based harassment complaints involving a student party will be thirty (30) business days after the parties' deadline to request substitution of the appointed Decisionmaker (or, if the Decisionmaker is substituted, the parties' receipt of the name of the substituted Decisionmaker), rather than the fifteen (15) business day deadline outlined in Section IX.A.8.

In addition to the components listed in Section IX.A.8, the Decisionmaker's written determination regarding responsibility will include, if applicable and to the extent appropriate, other students identified by the College to be experiencing the effects of sex-based harassment.

4. Appeals

In addition to the grounds listed in Section IX.A.9, the parties to a sex-based harassment complaint involving a student party may appeal a determination regarding responsibility on the ground that the sanction is disproportionate to the violation.

X. Informal Resolution Procedure

In lieu of resolving a complaint through the grievance procedures, the parties may instead request to participate in an informal resolution process. The College will inform the parties in writing of any informal resolution process that it offers and determines is appropriate, if one is available. The College will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law.

Before the initiation of an informal resolution process, the College will provide the parties with written notice of:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the College will maintain and whether and how the College could disclose such information for use in grievance procedures if such procedures are initiated or resumed.

XI. Board Member Allegations

Members of the College's Board of Trustees and other elected officials should promptly report claims of sex discrimination against a Board member to the Board Chair or College President. If the report is made to the College President, the President shall promptly notify the Board Chair, or if the Board Chair is the subject of the complaint, the Board Vice Chair. When a complaint of sex discrimination is made against a member of the Board of Trustees, the Board Chair shall consult with legal counsel for the College to arrange for an independent review of the allegations. If the allegations concern the Board Chair, or the Board Chair is a witness or otherwise conflicted, the Board Vice Chair shall so consult with legal counsel. If the allegations concern both the Board Chair and the Board Vice Chair, and/or they are witnesses or otherwise conflicted, the Board Secretary shall so consult with legal counsel.

XII. Prevention and Education for Students

The College will review, on an ongoing basis, its sex discrimination and sexual misconduct prevention and education programming to ensure that students are provided with substantive opportunities to learn about sex discrimination (including sex-based harassment), primary prevention, bystander intervention, risk reduction, consent, reporting methods, relevant College policies and procedures, retaliation, survivor-centered and trauma informed response, relevant definitions, and other pertinent topics.

The College, in conjunction with its Sexual Misconduct Prevention and Response Task Force established pursuant to the *Campus Security Enhancement Act* of 2008 (110 ILCS 12/10), will annually review its prevention and education offerings to identify ways in which to enhance its effectiveness.

XIII. Training

All College employees are required to complete annual training on the College's obligation to address sex discrimination in its education program or activity, the scope of conduct that constitutes sex discrimination, including the definition of sex-based harassment, and all applicable notification and information requirements under Section VII.A of these Procedures. Failure to complete assigned training may result in disciplinary action.

In addition to the above training, the Title IX Coordinator, campus law enforcement, campus security, and anyone else involved in the receipt of reports of, responding to, investigating or adjudicating alleged incidents of sex discrimination, or in the referral or provision of services to survivors, receive annual education and training on primary prevention, bystander intervention, risk reduction, consent, reporting obligations, investigation procedures, confidentiality requirements, relevant College policies and procedures, retaliation, survivor-centered and trauma-informed response, relevant definitions, and other pertinent topics.

Individuals who investigate or resolve complaints, including through informal resolution, or who have the authority to modify or terminate supportive measures, receive at least 8-10 hours of annual training on issues related to *Preventing Sexual Violence in Higher Education Act* offenses including sexual violence, domestic violence, dating violence, and stalking; the College's obligations under Title IX and related laws; the definitions of sex discrimination and the specific forms of prohibited conduct; how to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias; how to conduct the College's grievance procedures outlined in Section IX of these Procedures; and issues of relevance,

including the meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under the grievance procedures. Decisionmakers also receive training on any technology to be used during the Administrative Resolution Process; informal resolution facilitators receive training on the rules and practices associated with the College’s informal resolution process; and the College’s Title IX Coordinator receives training on their specific responsibilities and on the College’s recordkeeping system and applicable recordkeeping requirements.

All Confidential Advisors receive 40 hours of training on sexual violence before being designated a Confidential Advisor. Annually thereafter, Confidential Advisors attend a minimum of six (6) hours of ongoing educational training on issues related to sexual violence. Confidential Advisors also receive periodic training on the College administrative process, interim protective measures and accommodations, and the College’s grievance procedures pursuant to Section VII above.

The College, in conjunction with its Sexual Misconduct Prevention and Response Task Force established pursuant to the *Campus Security Enhancement Act of 2008* (110 ILCS 12/10), will annually review its training offerings to identify ways in which to enhance its effectiveness.

The training provided to College employees will not rely on sex stereotypes and will promote impartial investigations and adjudications of complaints of alleged sex discrimination.

APPENDIX A **Definitions**

- A. **Bystander Intervention:** see Section 5 of the *Preventing Sexual Violence in Higher Education Act*, [110 ILCS 155/5](#).
- B. **Complainant:** (1) a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination; or (2) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was participating or attempting to participate in the College’s education program or activity at the time of the alleged sex discrimination.
- C. **Complaint:** an oral or written request to the College that objectively can be understood as a request for the College to investigate and make a determination about alleged sex discrimination.
- D. **Confidential Advisor:** a person who is employed or contracted by the College to provide emergency and ongoing support to student survivors of sexual violence, as outlined in Section 20 of the *Preventing Sexual Violence in Higher Education Act*, [110 ILCS 155/20](#). Confidential Advisors may include persons employed by a community-based sexual assault crisis center with which the College partners. All Confidential Advisors receive 40 hours of training on sexual violence before being designated a Confidential Advisor. Annually thereafter, Confidential Advisors attend a minimum of six (6) hours of ongoing educational training on issues related to sexual violence. Individuals designated as “Responsible Employees” in these Procedures are not Confidential Advisors. A Confidential Advisor may or may not also be a Confidential Employee.

- E. **Confidential Employee:** an employee of the College who has confidential status with respect to information received while the employee is acting within the scope of the following duties and functions: (1) a person who is employed by the College whose communications are privileged or confidential under Federal or State law; (2) an employee whom the College has designated as confidential under Title IX for the purpose of providing services to persons related to sex discrimination; (3) an employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sex discrimination. A Confidential Employee may or may not also be a Confidential Advisor. *Currently, the College does not have on campus employees appointed as confidential employees.
- F. **Consent:** knowing and freely given agreement to engage in sexual activity. Coercion, force, or the threat of either invalidates consent. Consent may not be inferred from silence, passivity, or a lack of verbal or physical resistance. A person's manner of dress does not constitute consent. Past consent to sexual activities does not imply ongoing or future consent. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. Consent may be withdrawn at any time. A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following: 1) the person is incapacitated due to the use or influence of alcohol or drugs; 2) the person is asleep or unconscious; 3) the person is underage; or 4) the person is incapacitated due to a mental disability.
- G. **Dating Violence:** violence committed by a person: 1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and 2) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- H. **Disciplinary Sanctions:** consequences imposed on a respondent following a determination that the respondent violated the College's prohibition on sex discrimination.
- I. **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 State of Illinois, or 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 State of Illinois.
- J. **Hostile Environment Sex-Based Harassment:** unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity. Whether a hostile environment has been created is a fact specific inquiry that includes consideration of the following: (1) the degree to which the conduct affected the complainant's ability to access the College's education program or activity; (2) the type, frequency, and duration of the conduct; (3) the parties' ages, roles within the College's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; (4) the location of the conduct and the context in

which the conduct occurred; and (5) other sex-based harassment in the College's education program or activity.

- K. **Incapacitation:** when a person is incapable of giving consent due to the person's age, use of drugs or alcohol, or an intellectual or other disability which prevents the person from having the capacity to give consent.
- L. **Intimidation:** to intentionally make another timid or fearful, to compel or deter by or as if by threats. Intimidation is a form of retaliation prohibited by the College's Policy Prohibiting Sex Discrimination and these Procedures.
- M. **Peer Retaliation:** retaliation by a student against another student.
- N. **Pregnancy or Related Conditions:** includes (1) pregnancy, childbirth, termination of pregnancy, or lactation; (2) medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or (3) recovery from pregnancy, childbirth, termination of pregnancy, lactation or related medical conditions.
- O. **Preponderance of the Evidence:** when considering all the evidence in the case, the Decisionmaker is persuaded that the allegations are more probably true than not true. The standard of proof requires the Decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Decisionmaker is not persuaded under this standard that sex discrimination occurred, whatever the quantity of the evidence is, the Decisionmaker will not determine that sex discrimination occurred.
- P. **Relevant:** related to the allegations of sex discrimination under the investigation as part of these grievance procedures. Questions are relevant where they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a Decisionmaker in determining whether the alleged sex discrimination occurred.
- Q. **Remedies:** measures provided, as appropriate, to a complainant or any other person the College identifies as having had their equal access to the College's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the College's education program or activity after the College determines that sex discrimination occurred.
- R. **Respondent:** a person who is alleged to have violated the College's prohibition on sex discrimination.
- S. **Responsible Employee:** Section VII.A.2 of these Procedures lists categories of employees who are Responsible Employees for the College. Any employee of Lincoln Land Community College is deemed a responsible employee under Title IX.
- T. **Retaliation:** intimidation, threats, coercion, or discrimination by the College, a student, or an employee or other person authorized by the College to provide aid, benefit or service under the College's education program or activity, for the purpose of interfering with any right or privilege secured by the College's Policy Prohibiting Sex Discrimination and/or the laws and regulations cited therein, or because the person reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under these

Procedures. Retaliation may result in disciplinary or other action independent of the sanctions, remedies or supportive measures imposed in response to the allegations of sex discrimination.

- U. **Sexual Assault:** an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- V. **Sex Discrimination:** discrimination on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.
- W. **Sex-Based Harassment:** a form of sex discrimination that is harassment on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity. Types of sex-based harassment include, but are not limited to, quid pro quo harassment, hostile environment harassment, and the specific offenses defined in Appendix A.
- X. **Sexual Violence:** physical sexual acts attempted or perpetuated against a person's will or where a person is incapable of giving consent (*e.g.*, due to the person's age, use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion. All such acts of sexual violence are forms of prohibited sex discrimination.
- Y. **Specific Offenses:** sexual assault, sexual violence, dating violence, domestic violence, and stalking, as defined in Appendix A.
- Z. **Stalking:** engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.
- AA. **Supportive Measures:** individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to: (1) restore or preserve a party's access to the College's education program or activity, including measures that are designed to protect the safety of the parties or the College's educational environment, or (2) provide support during the College's grievance procedures or during an informal resolution process.
- BB. **Survivor:** an individual who has experienced sexual violence, domestic violence, dating violence, or stalking while enrolled, employed, or attending an event at a higher education institution.
- CC. **Survivor-Centered:** See Section 5 of the *Preventing Sexual Violence in Higher Education Act*, [110 ILCS 155/5](#).
- DD. **Threat:** any oral or written expression or gesture that could be interpreted by a reasonable person as conveying an intent to cause harm to persons or property.
- EE. **Trauma-Informed Response:** See Section 5 of the *Preventing Sexual Violence in Higher Education Act*, [110 ILCS 155/5](#).

FF. **Quid Pro Quo Harassment:** when an employee, agent, or other person authorized by the College to provide aid, benefit, or service under the College's education program or activity explicitly or impliedly conditions the provision of such aid, benefit, or service on a person's participation in unwelcome sexual conduct.

Removal of Service Animals

1. Lincoln Land Community College reserves the right to ask that the service animal be removed if it becomes disruptive or displays threatening behavior toward others.
2. Lincoln Land Community College reserves the right to ask that the service animal be removed if the animal is unclean, has a flea infestation, or exhibits signs of illness.
3. Lincoln Land Community College may prohibit the use of service animals in certain locations if it poses a direct threat to the health or safety of others or where the service animal may be in danger.

Do Work or Perform Tasks

A service dog must be trained to take a specific action when needed to assist the handler. Examples of work or tasks performed by service animals include, but are not limited to, assisting individuals who are blind or low vision, alerting individuals who are deaf or hearing impaired, assisting with navigation and retrieval for persons with physical impairments, assisting an individual during a seizure, assisting persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Work or tasks that provide comfort, emotional support, or companionship do not qualify as service animals.

Psychiatric Service Animal

The Americans with Disabilities Act makes a distinction between psychiatric service animals and emotional support animals. For example, if the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid or lessen the impact, that would qualify as a Psychiatric Service Animal.

Professionally Trained

ADA does not require a dog be trained by a professional or complete a specific training program.

Service Animals in Training

Service animals in training do not qualify as a Service animal under ADA; the dog must already be trained before being taken into public places.

Service Animal Identification

ADA does not require service animals to wear a vest, ID tag, or specific harness.

Certification

ADA does not require documentation or proof that the animal has been certified, trained, or licensed as a service animal.

Concerns Regarding Service Animals

A member of the college who has a concern about a service animal should direct his/her concern to the Accessibility Services Coordinator.

Appeal/Complaint Resolution

Any person who wishes to appeal a decision regarding the Service Animal procedure or who has a complaint should first contact the Accessibility Services Coordinator. If the appeal or complaint remains unresolved, the person should contact the Executive Director for the Center for Academic Success. The last level of appeal/complaint is to the Vice President – Student Services. Any decision made at this level of appeal/complaint is final.

Subject	Expressive Activity on Campus
Policy Number	1.28
Officer Responsible	Vice President, Student Services; Vice President Administrative Services

Policy Statement:

It is the policy of the College to promote the free exchange of ideas while maintaining safe, secure, and efficient educational operations for the benefit of students, staff and visitors to campus. Expressive activities on campus shall be subject to reasonable regulation in respect to the time, place and manner of such activities, but shall not be subject to restriction due to content or viewpoint. Use of College property as a venue for expressive activities shall not imply or signify the College's endorsement, sponsorship, approval, or disapproval of any view expressed during the course of such activities.

Procedure:

Expressive Activities Defined

Expressive activities shall include speeches, circulation of petitions, marches, rallies, protests, assemblies, and/or any public demonstration on College property.

Scope

This policy shall apply to all College facilities but shall not apply to the use of any College area where employees are acting in the course of their job duties and responsibilities. Further, this policy shall not apply to any person or organization desiring to advertise or sell merchandise or services for commercial purposes on campus.

Expressive Activities By Current Students and Registered Student Groups

Current students and registered student groups may use any publicly accessible outdoor College space to engage in expressive activities that may include speakers, nonviolent expression, distribution of literature, displaying of signage, circulation of petitions and advocacy for or against any right or activity protected by the United States Constitution, the Constitution of the State of Illinois, any federal, state, or local law, and/or the policies or practices of the College. Any such use of publicly accessible outdoor space (other than parking lots or driveways) need not require prior notification or permission. The use of walkways or other common areas may not block the free passage of students, staff and visitors to campus nor impede the efficient operation of the College.

Expressive Activities By Visitors to College

Members of the public who are not current students or members of registered student organizations must receive permission before engaging in expressive activity at any College facility. Requests to schedule expressive activities shall be submitted to the Vice President of Administrative Services. Requests must be made in writing and submitted to the Vice President during regular business hours at least 48 hours prior to the proposed commencement of the expressive activity. At a minimum, any such request shall include the name, address, telephone number and email address of the requesting person, the date and hours requested for the expressive activity, the outdoor area requested for use, and the number of anticipated participants. In order to assure the maintenance of efficient College operations, and to maintain public safety on College grounds, the Vice President (or designee) has been authorized to approve or deny an application for expressive activity provided, however, that the Vice

President or designee shall not take the content of the proposed activity into consideration when approving or denying an application. The Vice President or designee's decision in response to any such request shall be made no later than one business day following receipt of the request.

Rules Governing Use of College Grounds

Expressive activity on College grounds shall be subject to the following:

- Unless otherwise approved in advance by the Vice President, Student Services, expressive activity may occur during regular College business hours.
- Expressive activity shall not block any building entrance or exit, or impede access to parking lots, athletic fields, or outdoor educational facilities.
- Expressive activity shall not interfere with the educational mission of the College or any College business.
- Expressive activity shall not deface or damage any College property, including landscaping features, utility lines and equipment, walkways and parking lots, fences, signage, monuments and works of art.
- Expressive activity shall not create or promote a threat to public safety or security as determined by the College's police department.
- Expressive activity shall not violate any law or College policy and shall not entail any harassment, bullying or intimidation of any individual, or group.
- With the exception of college sponsored events, amplification devices are not allowed in outdoor areas of the campus when classes are in session.

College programming that includes camping or sleeping overnight on College grounds shall not be allowed except with express written approval of the Vice President, Student Services.

Expressive activity inside College buildings is prohibited except as authorized pursuant to Board Policy 7.1 (Use of College Facilities), or as authorized by the Vice President, Student Services (current students) and Vice President, Administrative Services (visitors) when inclement weather conditions or other circumstances recommend against outdoor expressive activities.

Signs, banners, or structures of any kind used in connection with an expressive activity shall be freestanding and shall be removed upon conclusion of the activity.

Enforcement

Any suspected violation of this policy by a student or a student group should be reported to the Vice President, Student Services, and any suspected violation by a visitor or visitors to campus should be reported to the Vice President of Administrative Services. Reported violations shall be promptly investigated and result in appropriate enforcement response, if warranted. The College reserves the right to stop any expressive activity that materially interferes with or disrupts the educational process or normal activities of the College. Any person who violates this policy may be subject to an order to vacate College property, and any employees or students who violate this policy may be subject to discipline in accordance with College policies and procedures.

“Business days” shall exclude Saturdays, Sundays, and holidays and official college closures approved by LLCC cabinet.

2. Reporting Suspected Violations of Policy

Complainant	Respondent	Designated Office
Student	Employee	Compliance and Prevention Office
Employee	Student	AVP, Student Success
Employee	Employee	Human Resources Office

If behavior is suspected to be discrimination or discriminatory harassment, complaints should initially be addressed per Board Policy 1.7 and corresponding procedures followed.

For contact information, please go to the [Equal Opportunity page](#) of the college website.

3. Informal Resolution

LLCC empowers community members to advocate for themselves by first talking privately with the person who may have violated this policy. The Human Resources Office (for employees) or the Compliance and Prevention Office (for students) can provide individuals with advice and strategies to attempt to resolve concerns informally. These offices can also mediate if both parties agree to this form of informal resolution.

If the direct conversation did not remedy the complaint or it is not in the best interest of the involved parties, an individual may submit a formal complaint.

4. Formal Complaint

A formal complaint is to be filed with the designated office according to the nature of the relationship of the parties involved. When both a student and an employee are a party to the complaint, the investigation will be conducted jointly by the Compliance and Prevention Office/AVP, Student Success and the Human Resources Office. The complaint must be in writing, using the [online complaint form](#) on the college website.

5. Initial Assessment

Upon receipt of a report of a potential violation of this policy from a complainant or any other source, the appropriate office shall meet and/or confer with the complainant to gain a basic understanding of the nature and circumstances of the report. If it is determined that the alleged behavior or conduct does not fall under this policy, the complainant may be advised of other college policies under which the alleged behavior may be a violation or be advised of other steps they may take to seek a resolution.

6. Investigation

Once a formal complaint is received and upon determination that the alleged violation is under the jurisdiction of this policy, a formal investigation will commence.

- Within five business days of initial receipt of a formal complaint, the respondent shall be provided with a copy of the complaint.
- Respondent will have five business days from receipt of the complaint to provide a written response to the allegations, which will be provided to the complainant.
- Investigative interviews shall be conducted with the complainant and respondent, as well as any witnesses or individuals having relevant information regarding the allegations, as determined by the investigator(s).
- The complainant and respondent may also provide the investigator(s) with additional evidence for consideration.
- A report of findings will be prepared by the investigator(s) and disseminated to both parties, as well as appropriate college officials.
- If there is a finding that the respondent is in violation of this policy, using the preponderance of evidence standard, the appropriate college official will take the necessary action to remedy the situation.

7. Disciplinary Action

Violations of this policy shall be considered misconduct and shall be subject to disciplinary action in accordance with Board Policy 8.6, the provisions of student disciplinary action or the relevant collective bargaining agreement.

8. Confidentiality

Reasonable efforts shall be made to protect the privacy of those involved in complaints to the extent possible. Disclosure of information regarding a complaint and investigation shall be limited to those people who have a legitimate reason to know in the discretion of the investigator(s).

9. Retaliation

The College prohibits retaliation against any individual because they have participated in, or declined to participate in, the College's complaint resolution procedures, or because they have opposed conduct that they reasonably and in good faith believe to be in violation of this policy. Any retaliatory behavior should be reported to the appropriate designated office. A person adjudged to have engaged in retaliatory conduct shall be subject to disciplinary action as otherwise provided by Board Policy.

10. Amnesty Provision

A student who in good faith participates in the complaint/investigative process hereunder shall not be removed from an education program or activity or receive a disciplinary sanction for misconduct that is revealed in the course of such complaint/investigative process (e.g., underage drinking) except in circumstances where the College reasonably determines that the student's misconduct was sufficiently egregious to risk the health and/or safety of others.

11. False Accusation

Any person making a knowingly false accusation shall be subject to disciplinary action as otherwise provided by Board policy.

12. Written Record of Complaints, Investigations and Resolutions/Decisions

Written or electronic records of complaints shall be marked “CONFIDENTIAL” and shall be retained in a separate and secure file in the office of the appropriate investigator. Records shall be retained as required by law. Written records relating to a finding in support of a policy violation shall be placed in the respondent’s official personnel file and shall be retained according to retention policies.

13. Conflict of Interest

The complainant or respondent may allege a conflict of interest with an investigator by reporting their concerns to the College President. If the College President determines that any party involved in these procedures has a conflict of interest with either party to a complaint or who shall otherwise be unable to render objective service under these procedures, the President shall excuse that individual and appoint a successor.