



# **2021 ANNUAL SAFETY & SECURITY INFORMATION / CLERY REPORT**

# **2021 SAFETY & SECURITY INFORMATION REPORT**

## **Introduction:**

This report is being provided to you as part of Rush University's ("University") commitment to safety and security on its campuses and is in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act of 1990 ("Clery Act"). It provides students and employees of the University with information on:

- the University's security arrangements;
- policies and procedures;
- programs that provide education on such things as drug/alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime;
- procedures the University will take to notify the campus community in the event of an emergency.

Its purpose is to provide students and employees with information that will assist them to make informed decisions relating to their own safety and the safety of others.

## **Policy for Preparing the Annual Report:**

This report is prepared by Rush University Medical Center ("RUMC") Security Services in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's Campus Security Authorities (CSAs) and various other elements of the University. Each year an e-mail notification is sent to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Peter C. Arndt, Director of Security & Emergency Management at 312-947-0001 or [Peter.C.Arndt@Rush.edu](mailto:Peter.C.Arndt@Rush.edu)

The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, students, faculty and staff can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field. These procedures are constantly tested and re-evaluated for their effectiveness.

## **General Safety and Security Policies:**

### **Information Regarding Rush University's Campus Security Personnel**

#### *Security Department Description*

RUMC Security Services Department is an armed, proprietary security organization responsible for the protection of the campus. The department provides basic physical security of the campus through a combination of stationary posts and roving patrol units which includes foot and vehicle patrols. The protection is provided twenty-four hours a day, 365 days a year.

#### *Areas Protected*

The Main Campus is comprised of approximately twelve (12) buildings, various parking lots and garages over approximately twelve (12) square blocks within the Illinois Medical District (IMD). This geography also includes various other commercial, public and private entities.

The West Campus is comprised of one (1) building and an adjacent parking lot covering approximately one (1) square block within the IMB.

All campus buildings, parking lots and garages are patrolled and protected by the Security Department, as are the contiguous university streets. The patrol boundaries, which have been filed with the Chicago Police Department, are as follows:

<u>Main Campus</u>	<u>Border</u>	<u>West Campus</u>
Adams St. (200 South)	North	Congress Pkwy. (500 South)
Ashland Ave. (1600 West)	East	Hoyne Ave. (2100 West)
Polk St. (800 South)	South	Harrison St. (600 South)
Wood St. (1800 West)	West	Leavitt St. (2200 West)

Rush University students are also actively involved in activities at university owned or controlled facilities at:

- Rush Oak Park Hospital (ROPH), 520 S. Maple, Oak Park, IL 60304,
- Rush Clinic at River North, 539 N. Dearborn, Chicago, IL 60654, (verifying)
- Rush Clinic at South Loop, 1411 S. Michigan, Chicago, IL60605. (verifying)

The University does not have on-campus housing. Non-campus student housing is available at Tailor Lofts Apartments located at 315 S Peoria St, Chicago, IL 60607.

While these building are “non-campus” our crime statistics include Rush University’s space at these locations.

### *Personnel*

The Security Services Department is currently staffed with approximately 85 full-time Security Officers, 7 Supervisory Officers, 2 Assistant Directors and the Director. In addition, a Technical Security Coordinator and an Administrative Professional also provide full-time support to the department.

At the heart of security operations are the uniformed Security Officers who are organized into three permanently assigned shifts (days, evenings and night). Each of these shifts is led by supervisors who are also permanently assigned to specific shifts.

All duty Security Officers are assigned department radios and are therefore in constant contact with Central Security Communications (CSC). Each call for service is assigned, by radio, to either a Security Officer or several Security Officers depending upon the seriousness of the call. Security Officers are dispersed throughout the campus and can respond to any campus location within minutes.

### *Training*

Prior to being hired and receiving a departmental issued firearm, prospective officers must successfully complete 40 hours of classroom training by agents authorized by the State of Illinois - Department of Professional Regulation. In addition, they must receive a qualifying firearms qualification score. Once hired, all new Security Officers must successfully complete a minimum of 80 hours of on-the-job training with a Lead/Training Officer or Supervisor.

All officers are encouraged to take the International Association for Healthcare Security and Safety's (IAHSS) basic security officer training course. This course is specifically designed for healthcare security workers.

Security officers also receive extensive refresher training and in-service training on a continuous basis. Likewise, all armed officers must requalify with their department firearm annually pursuant to State of Illinois regulations.

### *Authority*

Security Officers must obtain an Illinois State Armed Guard Certificate prior to being given authority to operate on campus.

### *Policy on Arrest Powers*

Security Officers have detention powers while working at the University. In the case of a crime against persons, it is the victim's decision as to whether or not he/she wishes to file criminal charges against the alleged offender. Crimes that are directed against the University such as trespassing, theft of University property, disorderly conduct, etc., may result in the detention for arrest of the offender by Security Officers. When this occurs, the Security Officer will sign the complaint on behalf of the University. When deciding whether or not to detain an offender, officers consider all factors to include mitigating circumstances and the impact that the criminal behavior had/could have upon the University.

Offenders who have been detained for arrest are turned over to officers of local law enforcement as soon as possible for local prosecution.

### *Use of Force*

It is department policy that in situations that require arrest or physical removal from the University that the minimal amount of force necessary to effect the arrest/removal be utilized. The use of punitive or excessive force is prohibited and may result in an officer's suspension, termination or criminal prosecution depending upon the circumstances.

An armed security officer may resort to the use of deadly force only when s/he reasonably believes that such force is necessary to prevent death or great bodily harm to him/herself or another. A security officer may not use justifiable deadly force if its use would imperil innocent people.

### *Crimes Occurring Outside Patrol Areas*

Non-violent crimes that occur immediately outside the department patrol boundaries are referred to the Chicago or Oak Park Police Departments. Rush security officers who view crimes against persons, distressed persons, etc., will provide basic aid or assistance as required; however, the incident will be referred to the appropriate public service department at the earliest opportunity.

### *Working Relationship with Local Law Enforcement*

RUMC Security Services maintains a strong working relationship with the various local, county, state and federal law enforcement agencies through day to day interaction as well as a law enforcement liaison supervisor. A supervisor attends and represents the University at the IMD Security Group monthly meetings.

### *Contacting Rush Security*

All persons who are in need of security services and are located within the campus should call 2-5678. If they are located off-campus, they call 312-942-5678. Once connected, the security dispatcher will assist the caller. Callers should speak clearly and provide the following information:

1. Nature of incident.
2. Location of the incident.
3. Other information such as descriptions that will be helpful to responding security officers.

During times when a known security emergency exists, it is encouraged that individuals refrain from calling the security dispatcher with inquiries about the incident until the emergency has concluded.

Occasionally, individuals may have a very sensitive security problem which requires confidentiality. When this occurs, individuals are directed to contact the security dispatcher *and* request to speak with a Security Supervisor.

## **Other Officials to Whom Crimes May Be Reported**

The University has designated other officials to serve as Campus Security Authorities (CSAs). Reports of criminal activity can be made to these officials. They will ensure the crimes are reported for collection as part of the University's annual report of crime statistics. The additional campus security authorities to whom the University would prefer that crimes be reported are as follows:

- |                    |  |              |
|--------------------|--|--------------|
| • Nancee Hofheimer | Title IX Coordinator                             | 312-942-2104 |
| • Gayle B. Ward JD | Vice Provost, Student Affairs                    | 312-942-2285 |
| • Student Affairs  | University Administrator on Call (Pager 85-1844) | 312-942-6000 |

## Policies on Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus, on other property owned/controlled by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so. Such reports should be made as follows:

- Situations that pose imminent danger or while a crime is in progress should be reported to the Security Services Department as described above or by dialing 911 to contact local police. Individual(s) making the call from a cell phone will need to provide the address where the emergency has occurred.
- Students, staff, and visitors can also report criminal actions, accidents, injuries, or other emergency incidents to one of the CSAs identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of University staff will assist a student in making the report to the police.
- Anonymous incident reports can also be made by calling 877-RUSH-009 (877-787-4009) or by using the web tool at <https://secure.ethicspoint.com>

The University does not have any officially recognized student organizations with off-campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

## Confidential Reporting

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Any victim of a crime who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a CSA. With the victim's permission, a report of the details of the incident can be filed without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing, and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics related to the University.

The University encourages its pastoral counselors and other professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

## Timely Warnings

In the event of criminal or other activity occurring either on campus or off campus that in the judgment of the Senior Security Supervisor or Director constitutes a serious or continuing threat to members of the campus community, a campus-wide "timely warning" will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community.

These types of warnings will be communicated to students and employees via the following method(s):

Method	Sign-Up Instructions
RU-Alert	<a href="https://mobileweb.rush.edu/Account/Login?ReturnUrl=%2fsecure%2foptin">https://mobileweb.rush.edu/Account/Login?ReturnUrl=%2fsecure%2foptin</a>
Email	Yes – Rush University Distribution List
RUWebsite	<a href="https://www.rushu.rush.edu">https://www.rushu.rush.edu</a>
Overhead Page	N/A

Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Peter C. Arndt, Director, Security and Emergency Management Services, telephone 312-947-0001, email [Peter\\_C\\_Arndt@Rush.edu](mailto:Peter_C_Arndt@Rush.edu)

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

## **Security of and Access to Campus Facilities**

### *Physical Security*

A number of physical security measures are employed throughout the campus. The most common physical security devices used are locks and keys. Most offices, storage areas and doorways are outfitted with locks, which when used, will adequately secure an area and therefore prevent most crime. The primary security responsibility of an office, suite or apartment lies with the occupant. Areas that are not open for business should be secured by the occupant. Keys that are lost or stolen should be reported to the appropriate manager or supervisor so that locks can be changed and new keys issued.

The Security Department also employs several types of mechanical security devices throughout the University. Most perimeter doors and all fire exit doors are supervised by an intrusion alarm monitor. Similarly, several other locations are monitored or controlled by the alarm system.

Several sensitive areas have been equipped with duress, or panic alarms. These alarms are located at cash collection points or areas that are staffed around the clock. Finally, there are several duress stations located in the corridors and labs of the Academic Facility. These red colored pull stations are marked "Emergency Security Assistance".

With the exception of a few scattered local door alarms (a local alarm is one which sounds at the alarm's location but is not monitored remotely by security), all door alarms and duress alarms are wired into the Security command post's alarm computer. Alarms that are generated are immediately checked by patrolling security officers and the alarm's status is reported. The alarm point is then acknowledged and reset by the Security dispatcher.

Rush has installed yellow Emergency Call stations through the campus. The use of these stations results in a direct call to the Security Dispatcher.

All activated alarms are recorded by the alarm system computer and a printout of alarms can be produced. The Security Department routinely audits the alarm points to ensure system reliability.

Students and employees are asked not to test alarm points or use exits that are marked as being alarmed. If a person feels that it is necessary to test an alarm point or if they must enter an alarmed area, they should first contact Security dispatch prior to activating the alarm by calling extension 2-5678.

Several main corridors and entrances are monitored by closed circuit televisions (CCTV) cameras. The cameras in turn are wired to monitors that are either located inside the Security command post or at stationary security posts. The Security Department also uses several surveillance CCTV cameras that are secreted and used for specific investigations.

### *Identification Cards*

It is University policy that all students, faculty/employees and staff wear their issued photo identification badge above the waist while on campus. All visitors must wear a computer generated and dated visitor's pass which contains the visitors name/photograph and destination.

As of January 1, 1998, Illinois state law requires that workers engaged in clinical occupations must wear an identification badge with their name and clinical license inscribed upon the badge when performing patient care.

The Security Services department supports this requirement in that all students, employees, visitors and staff conform to the Medical center's policies and State law.

### *Package and Materials Passes*

All individuals removing packages, equipment and material must present a pass, authorizing the removal of these items from the University property. Each pass must be written on University stationery and signed by the student's appropriate dean or the employee's supervisor, as applicable. Each pass must describe the property taken and the reason why the property must be removed. All property passes are retained by the RUMC Security Services Department.

### **Security Considerations in the Maintenance of Facilities**

Security also participates in maintaining campus facilities. All security systems (cameras and duress/emergency call stations) are tested by the Security Services staff on at least a monthly basis and maintained by the Medical Center Engineering (MCE).

### **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students, faculty and staff about campus security procedures and practices, to encourage responsible behavior to ensure their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

- Every new student is provided with an initial orientation on security and safety,
- All students are encouraged to watch the Run, Hide Video at: <https://youtu.be/BrfasXp3BHg>
- On a semi-annual basis Rush Security Services provides a topic at Student Senate sponsored meetings.

### **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the University will disclose to the alleged victim of a crime of violence (as that term is defined in Title 18, United States Code, Section 16), or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

### **Drug and Alcohol Policy:**

The University is committed to creating and maintaining an environment that is free of alcohol abuse. The University prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the University's activities, unless it is done so in accordance with applicable University policies, and it also enforces the state's underage drinking laws.

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities. Violators of these policies or federal and/or state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

### **Drug and Alcohol Abuse Prevention Program**

The University has a drug and alcohol abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. For more information, see below:

1. Drug and Alcohol Free Policy:  
<https://www.rushu.rush.edu/sites/default/files/Rush%20PDFs%20and%20Files/Student%20Services/drug-alcohol-policy-0920.pdf>
2. Student Health and Safety resources:  
<https://www.rushu.rush.edu/student-disclosure-information/health-and-safety>

**Policy, Procedures and Programs Related to Various Sex-Related Offenses, including Sexual Assault, and Domestic Violence, Dating Violence, and Stalking**

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act (“VAWA”), the University prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, and acts of domestic violence, dating violence, sexual violence (including sexual assault) and stalking. The University also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to these laws and institutional policy. The University’s Prohibition against Sexual Harassment in Rush Programs and Activities Policy is used to address complaints of this nature. This policy and the procedures for filing, investigating and resolving complaints for violations of this policy may be found at:

<https://www.rushu.rush.edu/sites/default/files/Rush%20PDFs%20and%20Files/Student%20Services/prohibition-sexual-harassment-rush-programs-hra0200.pdf>

The following discusses the University’s educational programs to promote the awareness of domestic violence, dating violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

**Primary Prevention and Awareness Program**

The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. In it they are specifically advised that the University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. In that regard, they are informed of the following definitions that apply within the state of Illinois:

<b>Crime Type (Illinois Compiled Statutes)</b>	<b>Definitions</b>
Dating Violence	The institution has determined, based on good-faith research, that Illinois law does not define the term dating violence.
Domestic Violence (750 ILCS 60/103 & 720 ILCS 5/12)	1) “Abuse” means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.  3) “Domestic violence” means abuse as defined in paragraph (1).  • Additionally, Illinois law also defines the following crimes:  ▪ Domestic Battery (720 ILCS 5/12-3.2(a)): A person commits domestic battery if he or she knowingly without legal justification: 1) Causes bodily harm to any family or household member; 2) Makes physical contact of an insulting or provoking nature with any family or household member.  ▪ Aggravated Domestic Battery (720 ILCS 5/12-3.3): (a) A person who, in committing a domestic battery, knowingly causes great bodily harm, or permanent disability or disfigurement commits aggravated domestic battery. (a-5) A person who, in committing a domestic battery, strangles another individual commits aggravated domestic battery. For the purposes of this subsection (a-5), “strangle” means intentionally impeding the normal breathing or circulation of the



<b>Crime Type</b> <b>(Illinois Compiled Statutes)</b>	<b>Definitions</b>
	<p style="text-align: center;">blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.</p> <ul style="list-style-type: none"> <li>• For purposes of the above crimes, “family or household members” is defined at 750 ILCS 5/12-0.1 as: <ul style="list-style-type: none"> <li>▪ “Family or household members” include spouses, former spouses, parents, children, stepchildren, and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of this Code. For purposes of this Article, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship.</li> </ul> </li> </ul>
<p>Stalking (720 ILCS 5/12-7.3)</p>	<p>(a) A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to:</p> <ol style="list-style-type: none"> <li>1) fear for his or her safety or the safety of a third person; or</li> <li>2) suffer other emotional distress.</li> </ol> <p>(a-3) A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and:</p> <ol style="list-style-type: none"> <li>1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or</li> <li>2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.</li> </ol> <p>(a-5) A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion:</p> <ol style="list-style-type: none"> <li>1) follows that same person or places that same person under surveillance; and</li> <li>2) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.</li> </ol> <ul style="list-style-type: none"> <li>• Additionally, Illinois law also defines the following crimes: <ul style="list-style-type: none"> <li>▪ Aggravated Stalking (720 ILCS 5/12-7.4): <ul style="list-style-type: none"> <li>(a) A person commits aggravated stalking when he or she commits stalking and: <ol style="list-style-type: none"> <li>1) causes bodily harm to the victim;</li> <li>2) confines or restrains the victim; or</li> <li>3) violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986.</li> </ol> </li> </ul> </li> </ul> </li> </ul>

<b>Crime Type</b> <b>(Illinois Compiled Statutes)</b>	<b>Definitions</b>
	<p>(a-1) A person commits aggravated stalking when he or she is required to register under the Sex Offender Registration Act or has been previously required to register under the Act and commits the offense of stalking when the victim of the stalking is also the victim of the offense for which the sex offender is required to register under the Sex Offender Registration Act or a family member of the victim.</p> <ul style="list-style-type: none"> <li>▪ Cyberstalking (720 ILCS 5/12-7.5): <ul style="list-style-type: none"> <li>(a) A person commits cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person, and he or she knows or should know that would cause a reasonable person to: <ol style="list-style-type: none"> <li>1) fear for his or her safety or the safety of a third person; or</li> <li>2) suffer other emotional distress.</li> </ol> </li> <li>(a-3) A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and: <ol style="list-style-type: none"> <li>1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; or</li> <li>2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or</li> <li>3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</li> </ol> </li> <li>(a-5) A person commits cyberstalking when he or she, knowingly and without lawful justification, creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours, and which contains statements harassing another person and: <ol style="list-style-type: none"> <li>1) which communicates a threat of immediate or future bodily harm, sexual assault, confinement, or restraint, where the threat is directed towards that person or a family member of that person, or</li> <li>2) which places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint, or</li> <li>3) which knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</li> </ol> </li> </ul> </li> </ul>
Sexual Assault (720 ILCS 5/11-1.20(a))	<p>A person commits criminal sexual assault if that person commits an act of sexual penetration and:</p> <ol style="list-style-type: none"> <li>1) uses force or threat of force;</li> <li>2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent;</li> <li>3) is a family member of the victim, and the victim is under 18 years of age;</li> <li>4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.</li> </ol> <ul style="list-style-type: none"> <li>• Additionally, Illinois law also defines the following crimes:</li> </ul>



<b>Crime Type</b> <b>(Illinois Compiled Statutes)</b>	<b>Definitions</b>
	<p>D) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.</p>
<p>Rape, Fondling, Incest, Statutory Rape</p>	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. The institution has determined, based on good-faith research, that Illinois law does not define these terms.</p>
<p>Other Crimes that could be considered to be Sexual Assault</p>	<p>Other crimes under Illinois law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> <li>• Criminal Sexual Abuse (720 ILCS 5/11-1.50): <ul style="list-style-type: none"> <li>a) A person commits criminal sexual abuse if that person: <ul style="list-style-type: none"> <li>1) commits an act of sexual conduct by the use of force or threat of force; or</li> <li>2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent.</li> </ul> </li> <li>b) A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age.</li> <li>c) A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.</li> </ul> </li> <li>• Aggravated Criminal Sexual Abuse (720 ILCS 5/11-1.60): <ul style="list-style-type: none"> <li>a) A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense: <ul style="list-style-type: none"> <li>1) the person displays, threatens to use, or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;</li> <li>2) the person causes bodily harm to the victim;</li> <li>3) the victim is 60 years of age or older;</li> <li>4) the victim is a person with a physical disability;</li> <li>5) the person acts in a manner that threatens or endangers the life of the victim or any other person;</li> <li>6) the person commits the criminal sexual abuse during the course of committing or attempting to commit any other felony; or</li> <li>7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception.</li> </ul> </li> <li>b) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member.</li> <li>c) A person commits aggravated criminal sexual abuse if: <ul style="list-style-type: none"> <li>1) that person is 17 years of age or over and: (i) commits an act of sexual conduct with a victim who is under 13 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or</li> <li>2) that person is under 17 years of age and: (i) commits an act of sexual conduct with a victim who is under 9 years of age; or (ii) commits an act of sexual conduct</li> </ul> </li> </ul> </li> </ul>

<b>Crime Type</b> <b>(Illinois Compiled Statutes)</b>	<b>Definitions</b>
	<p style="text-align: center;">with a victim who is at least 9 years of age but under 17 years of age and the person uses force or threat of force to commit the act.</p> <ul style="list-style-type: none"> <li>d) A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim.</li> <li>e) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a person with a severe or profound intellectual disability.</li> <li>f) A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.</li> </ul> <ul style="list-style-type: none"> <li>• Sexual Relations Within Families (720 ILCS 5/11-11(a)): A person commits sexual relations within families if he or she: <ul style="list-style-type: none"> <li>1) Commits an act of sexual penetration as defined in Section 11-0.1 of this Code; and</li> <li>2) The person knows that he or she is related to the other person as follows: (i) Brother or sister, either of the whole blood or the half-blood; or (ii) Father or mother, when the child, regardless of legitimacy and regardless of whether the child was of the whole blood or half-blood or was adopted, was 18 years of age or over when the act was committed; or (iii) Stepfather or stepmother, when the stepchild was 18 years of age or over when the act was committed; or (iv) Aunt or uncle, when the niece or nephew was 18 years of age or over when the act was committed; or (v) Great-aunt or great-uncle, when the grand-niece or grand-nephew was 18 years of age or over when the act was committed; or (vi) Grandparent or step-grandparent, when the grandchild or step-grandchild was 18 years of age or over when the act was committed.</li> </ul> </li> </ul>
<p>Consent (as it relates to sexual activity) (720 ILCS 5/11-1.70)</p>	<p>a) ... "Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.</p> <p>...</p> <p>c) A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.</p>

In addition to the definition of consent under Illinois law, the University also uses the definition of consent listed below in its Prohibition against Sexual Harassment in Rush Programs and Activities Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred.

- Consent is an understandable exchange of affirmative actions or words which indicate an active, knowing and voluntary agreement to engage in mutually agreed upon sexual activity. Consent requires an affirmative act or statement by each participant; it is not passive. When evaluating consent, Rush will consider the objective indications of consent from a reasonable person’s perspective.
  - If coercion, intimidation, threats, and/or physical force are used, there is no consent.
  - If a person is mentally or physically incapacitated or impaired by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
  - If a person is asleep or unconscious, there is no consent.
  - If a person is below the minimum age of consent in the applicable jurisdiction, there is no consent.
  - Consent to one form of sexual activity does not imply consent to other forms of sexual activity.

- Being in a romantic relationship with someone does not alone imply consent to any form of sexual activity.
- Consent can be withdrawn. A person who initially consents to sexual activity and later withdraws that consent is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent.
- Consent cannot be inferred from a person's manner of dress.
- Silence or an absence of resistance does not imply consent, and consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent to past sexual activity does not constitute consent to future sexual activity.
- Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

The PPAP includes instruction on how to avoid becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction. Specifically, students, faculty and staff are advised:

- *If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:*
  - *Make your limits known before going too far.*
  - *You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.*
  - *Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.*
  - *Grab someone nearby and ask them for help.*
  - *Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.*
  - *Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.*
  - *Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.*
- *If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:*
  - *Remember that you owe sexual respect to the other person.*
  - *Don't make assumptions about the other person's consent or about how far they are willing to go.*
  - *Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.*
  - *If your partner expresses a withdrawal of consent, stop immediately.*
  - *Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.*
  - *Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.*
  - *Don't take advantage of someone who is “really drunk” or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don't be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.*
  - *Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.*
- *It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.*

PPAP instruction also includes encouraging individuals to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include and are advised include:

- *Look out for those around you.*
- *Realize that it is important to intervene to help others.*
- *Treat everyone respectfully. Do not be hostile or antagonist.*
- *Be confident when intervening.*
- *Recruit help from others if necessary.*
- *Be honest and direct.*
- *Keep yourself safe.*
- *If things get out of hand, don't hesitate to contact the police or the Security Services Department.*

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

### **Ongoing Prevention and Awareness Program:**

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: online presentations, distribution of written materials, periodic email blasts, and guest speakers. Past programming and currently planned programming includes, but is not limited to, the following:

- Online curriculum on sexual violence awareness and prevention
- Interactive workshops on sexual assault and alcohol education
- Interprofessional dinner lecture on Women's Health Rights and Access
- Self-defense workshops

### **Procedures for Victims of Sexual Assault, Domestic Violence, Dating Violence, or Stalking:**

- Victims of a sexual assault, domestic violence, dating violence, or stalking, are advised to go to a safe place and call 911 or the Security Services Department at 2-5678 if inside the Medical Center or 312-942-5678 if off campus. At the earliest opportunity, victims should also contact the University's Title IX Coordinator Nancee Hofheimer, 312-942-2104. Victims will be notified in writing of the procedures to follow, including:
  1. To whom and how the alleged offense should be reported.
    - Referrals to the Title IX Coordinator and/or other resources listed in this report.
  2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. To that end, the following is advised for victims:
    - Do not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
    - Don't bathe or wash, or otherwise clean the environment in which the assault occurred.

- Obtain a forensic examination at Rush University Medical Center Emergency Department.
  - Completing a forensic examination does not require victims to file a police report but having a forensic examination will help preserve evidence in case a police report is filed at a later time/date.
  - Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.).
  - Victims of stalking should also preserve evidence of the crime to the extent possible.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
- Security Services Department: 2-5678 if inside the Medical Center or 312-942-5678 if off campus
  - Chicago Police Department: 1412 S. Blue Island Ave., Chicago, IL 60608, 312-746-8396 (for emergency dial 911)
  - To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- In Illinois, there are three different kinds of protective orders available to victims: a Domestic Violence Order of Protection, a Sexual Assault Civil No Contact Order, and a Stalking No Contact Order. Information about these orders may be found on the Illinois Attorney General's website at: <https://illinoisattorneygeneral.gov/women/index.html>
  - A Domestic Violence Order of Protection is governed by the Illinois Domestic Violence Act and is appropriate for victims needing a restraining order against a person with whom the victim has a relationship. Illinois law also provides protection in the form of Sexual Assault Civil No Contact Order and Stalking No Contact Orders. A Sexual Assault Civil No Contact Order may be granted for any person who is a victim of nonconsensual sexual conduct. A Stalking No Contact Order provides protection for any victim of a course of conduct that causes the victim to fear for his or her safety or the safety of another person, or to suffer emotional distress. Stalking No Contact Orders provide relief when such relief is not available to the victim through the Illinois Domestic Violence Act or through a Sexual Assault Civil No Contact Order.
  - A protective order may be obtained by filing a petition with the court for an order of protection. To obtain an order of protection, victims may go to their local circuit court clerk's office and get papers to seek an order of protection. A victim should be prepared to present evidence when filing for a protective order. The judge will then review the petition and enter a protective order, if the judge determines there is enough evidence to support the order. If an arrest was made and a criminal prosecution is pursued, a victim may also obtain a protective order in conjunction with that criminal proceeding.
    - An order of protection should be filed in the local circuit court. When filing the petition in downtown Chicago, you should file it at the Circuit Court of Cook County in the centralized Domestic Violence Division courthouse, located at: 555 W. Harrison, Chicago, IL 60607. The phone number is: 312-325-9000. More information about filing protection orders in Cook County can be found at: <http://www.cookcountycourt.org/ABOUTTHECOURT/CountyDepartment/DomesticViolence/OrdersofProtection.aspx>
  - Victims may also choose to access paperwork online before arriving at the courthouse:



- Victims may choose to use an online program that assists in understanding how to fill out paperwork needed for an order of protection and print it out at home. Once completed, victims should take the paperwork to the Clerk’s Office at the appropriate courthouse. The online program is located at:  
<https://turbocourt.com/go.jsp?act=actShowAppInfo&appcode=elf-chicago-dv&courtcode=Cook>.
- There are no programs to assist with Stalking No Contact Orders or Civil No Contact Orders, but victims can still access the needed paperwork online and fill it out before bringing it to the courthouse. The paperwork is located at:  
<http://www.cookcountyclerkofcourt.org/?section=FormsPage>.
- The Illinois Attorney General’s Office suggests that victims contact a local domestic violence program to ask for assistance in completing the forms necessary to obtain an order of protection.
  - Local domestic violence programs may provide assistance. The Domestic Violence Legal Clinic is in the same building as the Domestic Violence Courthouse at: 555 W. Harrison, Suite 1900, Chicago, IL 60607. The phone number is: (312) 325-9155, and more information may be found at: <http://www.dvlcchicago.org/>. The 24/7 crisis hotline phone number is: 1 (877) 863-6338.
- Courts may issue three types of orders of protection: emergency, interim, and plenary orders. Emergency orders may last for 14 to 21 days, and interim orders up to 30. While these orders are temporary, plenary orders may be for longer lengths of time (up to 2 years). The judge can grant a variety of remedies and protections, which range from prohibiting further contact, protecting property and pets, ordering the offender to transfer to another school, or other injunctive relief that is necessary to protect the victim. Violating a Domestic Violence Order of Protection, a Sexual Assault Civil No Contact Order, or a Stalking No Contact Order is a Class A misdemeanor. A second violation can be a felony.
- The University will enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protective order or no contact order should notify the University’s Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file and can be enforced on campus, if necessary. Upon learning of any orders, the University will take all reasonable and legal action to implement the order.
- The University does not issue legal protective orders. However, as a matter of institutional policy, the University may impose a no-contact order between individuals in appropriate circumstances. The University may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

### **Available Victim Services:**

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

#### *University Resources*

- Security Services Department: 2-5678 if inside the Medical Center or 312-942-5678 if off campus
- Title IX Coordinator: Nancee Hofheimer, 312-942-2104
- Rush [Wellness](https://www.rushu.rush.edu/rush-experience/student-services/university-wellness-services) Assistance Program <https://www.rushu.rush.edu/rush-experience/student-services/university-wellness-services>
- Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she

should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator for your campus can assist in facilitating this conversation if desired. The University's financial aid website can be found at: <https://www.rushu.rush.edu/rush-experience/student-services/office-student-financial-aid>

### *State/Local Resources*

- Chicago Police Department: 1412 S. Blue Island Ave., Chicago, IL 60608, 312-746-8396 (for emergency dial 911)
- Rush University Medical Center Emergency Department 312-947-0100
- UIC Medical Center Emergency Room 1740 W. Taylor Street 312/996-7298
- YMCA Rape Crisis Hotline 888/293-2080 (24 hours)
- Rape Victim Advocates – Resilience, 180 N Michigan Ave #600, Chicago, IL 60601 312/443-9603
- Illinois Coalition Against Sexual Assault: <http://www.icasa.org/> (217-753-4117)
- Illinois Coalition Against Domestic Violence: <http://www.ilcadv.org/> (877-863-6338)
- Free or low cost legal aid organizations:
  - Illinois Legal Aid: <http://www.illinoislegalaid.org/>
  - Chicago Volunteer Legal Services: <http://www.cvlvs.org/>
  - Legal Assistance Foundation: <https://www.lafchicago.org/>

### *National Resources*

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

### **Accommodation and Protective Measures:**

- The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available, the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. Requests of this nature should be made to the Title IX Coordinator, Nancee Hofheimer, 312-942-2104, and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented. When determining the reasonableness of such a request, the Title IX Coordinator may consider, among other factors, the following:
  - The specific need expressed by the complainant.
  - The age of the students involved.
  - The severity or pervasiveness of the allegations
  - Any continuing effects on the complainant
  - Whether the complainant and alleged perpetrator share the same class schedule, transportation or job location.
  - Whether other judicial measures have been taken to protect the complainant (e.g., civil protective orders).

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or

protective measure. Such decisions will be made by the Title IX Coordinator in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including what information will be shared, with whom it will be shared, and why.

### **Procedures for Disciplinary Action:**

Allegations of domestic violence, dating violence, sexual assault or stalking will be evaluated through the University's Prohibition against Sexual Harassment in Rush Programs and Activities Policy and the related complaint resolution procedures. The Title IX Coordinator conducts an initial assessment, and decides whether there is sufficient information about a potential violation of the policy for the case to go forward. An electronic and confidential form available at <https://secure.ethicspoint.com/domain/media/en/gui/38992/index.html> can also be used to file a report.

Depending on the initial assessment, an investigator may be assigned who will conduct a full investigation. The Title IX Coordinator and/or designee will analyze the complaint and notify the respondent that a complaint has been filed.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the incident and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Once the investigation is complete, a hearing panel will be convened to determine, by a preponderance of the evidence, whether a policy violation occurred and what corrective action should be imposed.

Both parties have an equal opportunity to appeal the determination reached by the hearing panel by filing a written appeal.

### **Rights of the Parties in an Institutional Proceeding:**

During the process described in the previous section, both the complainant and respondent are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the complainant and the respondent of the delay and the reason for the delay.
    - Conducted in a matter that:
      - Is consistent with the institution's policies and transparent to the complainant and respondent.
      - Includes timely notice of meetings at which the complainant or respondent, or both, may be present; and
      - Provides timely access to the complainant, respondent and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
    - Conducted by officials who do not have a conflict of interest or bias for or against the complainant or the respondent.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
  - Such training also addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. The training addresses the following: the University's policies and procedures; respecting the rights of complainants,

respondents, and witnesses; consent, credibility, and weighing evidence; resolution, report-writing, and corrective actions.

3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, and the institution will provide an advisor to either party at no cost to that party.
4. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that University May Impose for Domestic Violence, Dating Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the institution’s disciplinary proceeding that domestic violence, dating violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. Sanctions may include, at a minimum, a verbal warning, and at a maximum, termination or expulsion from Rush. The goal of a sanction is to proportionately balance the interests of reducing recurrence, ensuring safety, imposing punitive measures, and advancing educational and developmental growth of an offender, where that may be possible. In addition to the nature of the policy violation in question, sanctioning officials may take into consideration aggravating and mitigating factors when arriving at a sanctioning decision.

Possible Sanctions can include, but are not limited to:

- Verbal warning
- Written warning
- Disciplinary hold on academic and/or financial records
- Performance improvement/management process
- Required counseling
- Required training or education
- Campus access restrictions
- No trespass order (with respect to campus locations)
- No contact directive (with respect to an individual)
- Loss of privileges
- Loss of oversight, teaching or supervisory responsibility
- Probation
- Demotion
- Loss of pay increase
- Transfer (employment)
- Revocation of offer (employment or admissions)
- Disciplinary suspension
- Suspension with pay
- Suspension without pay
- Expulsion
- Degree revocation
- Termination of employment
- Revocation of tenure
- Termination of contract (for contractors)

In addition, the University can make available to the victim a range of protective measures. They include: appropriate no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, voluntary leaves of absence, etc.

### **Publicly Available Recordkeeping:**

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of domestic violence, dating violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

### **Victims to Receive Written Notification of Rights:**

When a student, employee, or faculty member reports to the University that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting Peter C. Arndt, Director of Security at 312-947-0001. State registry of sex offender information may be accessed at the following link: <http://www.isp.state.il.us/sor/>

### **Emergency Response and Evacuation Procedures:**

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Students, faculty, staff and visitors are encouraged to notify the Security Services Department of any situation that poses such a threat. Dial 2-5678 if inside the Medical Center or 312-942-5678 if off campus.

The Senior Security Supervisor will initially access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the University Administrator on Call will be identified and consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The University Incident Commander in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The University Incident Commander will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

Method	Sign-Up Instructions
RU-Alert	<a href="https://mobileweb.rush.edu/Account/Login?ReturnUrl=%2fsecure%2foptin">https://mobileweb.rush.edu/Account/Login?ReturnUrl=%2fsecure%2foptin</a>
Email	Yes – Rush University Distribution List
Overhead Page	N/A

At the direction of the University Incident Commander, the University’s Security Supervisor will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the emergency management team will meet to train and test and evaluate the University’s emergency response plan.

RUMC Services maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employee’s information to remind them of the University’s emergency response and evacuation procedures.

## **Crime Statistics**

The following contains the crime statistics for the university and/or university owned or controlled facilities and non-campus study housing<sup>1</sup> for the above-mentioned crimes for the past three (3) years.<sup>2 3 4</sup>

Criminal	On Campus			Non-Campus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-Negligent Manslaughter**	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	1	1	0	1	0	0	0	0
Fondling	2	2	0	0	0	0	1	0	1
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	1	3	0	0	0	0	1	8	3
Aggravated Assault	17	4	5	0	1	0	1	1	5

<sup>1</sup> The University does not have on-campus housing facilities

<sup>2</sup> There was one incident reported of a Hate Crime on Campus in 2020, which involved a Criminal Damage to Property based on Race. There were no Hate Crimes reported on non-campus or public property in 2020.

<sup>3</sup> There was one incident reported of a Hate Crime on Campus in 2019, which involved a Simple Assault based on Race. There were no Hate Crimes reported on non-campus or public property in 2019.

<sup>4</sup> There were no reported Hate crimes in 2018.

<b>Criminal</b>	<b>On Campus</b>			<b>Non-Campus</b>			<b>Public Property</b>		
Burglary	0	0	1	0	0	0	0	0	0
Motor Vehicle Theft	1	1	2	0	0	0	0	5	8
Arson	0	0	0	0	0	0	0	0	0
Hate Crime	0	1	1	0	0	0	0	0	0

<b>VAWA</b>	<b>On Campus</b>			<b>Non-Campus</b>			<b>Public Property</b>		
<b>Crime</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Domestic Violence	2	8	4	0	0	0	0	3	2
Dating Violence	0	1	0	0	0	1	0	0	4
Stalking	0	2	2	0	0	0	0	0	0

<b>Arrest</b>	<b>On Campus</b>			<b>Non-Campus</b>			<b>Public Property</b>		
<b>Crime</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Arrest – Weapon Violation	1	3	0	0	1	0	0	1	1
Arrest - Drug Abuse Violation	0	0	0	0	0	0	0	1	2
Arrest – Liquor Law Violation	0	0	0	0	0	0	0	0	0

<b>Disciplinary</b>	<b>On Campus</b>			<b>Non-Campus</b>			<b>Public Property</b>		
<b>Crime</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Disciplinary Referral – Weapons Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral – Liquor Law Violation	0	0	0	0	0	0	0	0	0

<b>Unfounded</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Total Unfounded Crimes	0	6	1

**Unfounded crimes:**

**2020:** There was 1 crime “unfounded”, for domestic battery, by a commissioned law enforcement officer after a full investigation. This crime was withheld from the crime statistics disclosure.

**2019:** There were **6** crimes “unfounded” by a commissioned law enforcement officer after a full investigation. These crimes were withheld from the crime statistics disclosure. These crimes included: 2 criminal sexual assaults, 1 aggravated assault/battery, 1 robbery, 2 domestic batteries.

**2018:** There were no crimes determined to be “unfounded” by a commissioned law enforcement officer after a full investigation.

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Any questions can be directed to Peter C. Arndt – Director of Security & Emergency Management  
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