



# ILLINOIS STATE UNIVERSITY

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# When in doubt—REPORT!

## Mandatory Reporting Training for University Employees

Do your part to keep ISU's campus  
safe and secure.

*Training presented by the Illinois State University Police  
and the Office of Equal Opportunity and Access*



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# Know Your Role

ISU personnel have a responsibility to help maintain the safety and security of the campus. It's not only the right thing to do, it's the law!

## **Illinois law mandates all ISU personnel must report suspected child abuse:**

- **Report** suspected child abuse or neglect to the Illinois Department of Children and Family Services any time you have reasonable cause to believe a child known to you in your official capacity may be abused or neglected.

## **Federal law mandates selected ISU personnel must:**

- **Report** acts of sexual violence, sexual misconduct, sexual assault, domestic violence, dating violence, stalking, and sexual harassment so the University can respond and investigate.
- **Report** certain crimes so that the University can publish crime statistics in the University's *Annual Security Report*.

## **Consequences:**

- Failure to report is a violation of law and could lead to university disciplinary action.



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# Reporting Quick Reference

	Mandated Reporter	Responsible Employee
Who must report?	<b>ALL</b> University Personnel	<b>Select</b> University Personnel (Refer to list in training)
What must be reported?	Suspected child abuse and neglect including: <ul style="list-style-type: none"> <li>Physical Abuse</li> <li>Sexual Abuse</li> </ul>	<ul style="list-style-type: none"> <li>Reportable Crimes (Refer to list in training)</li> <li>Sexual Harassment including: Sexual Assault/Misconduct, Dating/Domestic Violence, Stalking</li> </ul>
How to report?	Emergency: <ul style="list-style-type: none"> <li>9-1-1</li> <li>Then DCFS 1-800-25ABUSE</li> </ul> Non-Emergency: <ul style="list-style-type: none"> <li>DCFS 1-800-25ABUSE</li> <li>Then University Police (309) 438-8631</li> </ul>	<p><b>To report a crime or an emergency:</b>  <b>Call University Police at 9-1-1</b></p> <p><b>Report a non-emergency:</b>            To ISU PD: (309) 438-8631 or TTY (309) 438-8266</p> <p><b>To the University:</b>            Complete the online <a href="#">Public Incident Report</a></p>

- Reports of potential sexual harassment will be forwarded to the Title IX Coordinator for review and investigation. Additional reporting options available to students, including confidential and anonymous reporting options, are outlined at [TitleIX.IllinoisState.edu/report/](https://TitleIX.IllinoisState.edu/report/).



# Reporting Suspected Child Abuse and Neglect



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# Protections for Children

The Illinois Abused and Neglected Child Reporting Act now requires **ALL ISU personnel** to immediately report cases of suspected child abuse (physical or sexual) or neglect of minors (children under the age of 18) to the Illinois Department of Children and Family Services.

## Take action if you...

- Have reasonable cause to believe a child you interact with or encounter in your official or professional capacity may be abused or neglected.

**If you are not sure that a situation meets these criteria, call the DCFS Hotline anyway (DCFS 1-800-25ABUSE). DCFS will assess the situation.**

**When in doubt—REPORT!**



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# How To Report Suspected Child Abuse or Neglect

## Emergency

**STEP 1** In an emergency, when there is immediate risk of harm, or when a child has been injured: Dial 9-1-1.

**STEP 2** Immediately call the DCFS Hotline: 1-800-25ABUSE.

The hotline is available 24-hours a day, every day of the year.

**STEP 3** After you have called the DCFS hotline, contact the Illinois State University Police at (309) 438-8631 or complete the Public Incident Report Form at the Campus Safety & Security website, available at [Security.IllinoisState.edu](http://Security.IllinoisState.edu).

## Non-Emergency

**STEP 1** Immediately call the DCFS Hotline: 1-800-25ABUSE.

The hotline is available 24-hours a day, every day of the year.

**STEP 2** After you have called the DCFS hotline, contact the Illinois State University Police at (309) 438-8631 or complete the Public Incident Report Form at the Campus Safety & Security website, available at [Security.IllinoisState.edu](http://Security.IllinoisState.edu).



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# Definition: Physical Abuse of Minors

Physical abuse of a minor child can occur in different ways, including but not limited to:

- **Inflicting or allowing injury to be inflicted on a child.** The intentional injury could cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function (e.g. bruises, bites, bone fractures, cuts, welts, and burns).
- **Creating a substantial risk of physical injury to a child,** with the impacts described above likely as a result.
- **Deliberately inflicting or allowing cruel or unusual treatment** that results in physical or mental suffering by the child.
- **Exposing a child** to the manufacturing, selling, or use of a controlled substance (e.g. illegal drugs), or giving or allowing a controlled substance to be given to a child under 18 years of age.



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# Definition: Sexual Abuse of Minors and Neglect

Sexual abuse of a minor child occurs when there is sexual penetration, molestation, or exploitation.

Examples include but are not limited to:

- Touching or fondling a child or asking the child to touch herself/himself for the sexual gratification or arousal of the perpetrator or the child, or exposing genitals to a child
- Child pornography
- Forcing a child to watch sex acts

Neglect of a minor child occurs when a parent or responsible caretaker fails to provide minimum requirements for his/her child.

Examples include but are not limited to:

- Inadequate supervision
- Inadequate medical care/attention, food, clothing
- Significant delay in providing minimum living/care standards



# Additional DCFS Resources and Training Information

DCFS mandated reporter resources are available at: [mr.dcfstraining.org](http://mr.dcfstraining.org).

The DCFS training is not required in your ISU role but is highly recommended for ISU personnel who regularly interact with minors in the course of their duties.

Examples include:

- Lab School personnel
- Child care personnel
- Health care providers
- Counselors
- University Police
- Teacher candidates
- Personnel working in K-12 schools



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# Crime and Incident Reporting



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# Who must report?



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# Responsible Employees

Examples include:

## Academic Affairs & Colleges

- Deans
- Directors
- Department Heads
- Faculty
- Academic Advisors
- Lab School Personnel
- Supervisors
- Graduate Teaching and Research Assistants
- Undergraduate Teaching Assistants
- Tutors and Academic Coaches

## Other University Personnel

- Athletic staff including coaches, trainers, and Study Center personnel
- OEOA Personnel
- Supervisors

## Finance & Planning, University Advancement

- Human Resources Staff
- Facility Security Staff, including individuals who monitor access into campus buildings or parking facilities
- Supervisors

## Student Affairs

- University Police and Additional Security
- Dean of Students Office Staff
- RSO Advisors
- University Housing Staff (including Resident Assistants/Community Assistants)
- Campus Recreation Staff
- Health Promotion & Wellness Staff
- Student Access and Accommodations Staff
- Supervisors
- Student Health Services Staff\*

*\*SHS staff should consult their supervisor regarding specific responsibilities.*



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# What must be reported?



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# Identifying Reportable Crimes or Incidents

## Reportable crimes/incidents include:

- Murder and/or manslaughter
- Sex offenses including rape, sexual assault, sexual violence, sexual battery, sexual abuse, sexual coercion, fondling, incest, and statutory offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- All liquor, drug, and weapons violations **resulting in an arrest**
- Sexual harassment
- Domestic violence
- Dating violence
- Stalking
- Hate crimes based on any of the above offenses, larceny-theft, assault, intimidation, vandalism, and other destruction of property.

For more detailed definitions for federal criminal statistic reporting purposes, the above federal definitions are available at: [Security.IllinoisState.edu](https://Security.IllinoisState.edu)



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# Sexual Harassment

**Sexual harassment is a required reportable incident and must be reported by Responsible Employees.**

**Sexual harassment is uninvited and unwelcome** physical, verbal, or nonverbal behavior of a sexual nature so severe or pervasive that it creates an intimidating or hostile educational or work environment.

In addition to being a form of sexual harassment, rape, fondling, incest, statutory rape, domestic violence, dating violence, and stalking are all criminal acts.

Examples include:

- Sexual Harassment
- Sexual Violence
- Sexual Assault/Misconduct/Rape
- Fondling/Sexual Abuse
- Incest
- Statutory Rape
- Dating Violence



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# Sexual Harassment

**For more information contact:**

OEOA Title IX Coordinator  
Hovey Hall, Room 310  
(309) 438-3383  
(309) 438-5411

Faculty/Staff:

[EqualOpportunity@IllinoisState.edu](mailto:EqualOpportunity@IllinoisState.edu)  
[EqualOpportunity.IllinoisState.edu](http://EqualOpportunity.IllinoisState.edu)

Students:

[TitleIX@IllinoisState.edu](mailto:TitleIX@IllinoisState.edu)  
[TitleIX.IllinoisState.edu](http://TitleIX.IllinoisState.edu)

**Policy information:** [Policy.IllinoisState.edu/conduct/1-1-2.shtml](http://Policy.IllinoisState.edu/conduct/1-1-2.shtml)

**Dean of Students:** [Code of Student Conduct](#)



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# When in doubt – REPORT!

- It is important to understand the specific types of crimes and their definitions as outlined at the end of this training.
- You are not responsible for determining if any reported situation meets these definitions.
- You are not responsible for determining if the reported activity occurred.
- If you are not sure that a situation meets these criteria, report it anyway. The University will make the necessary determination.
- **When in doubt - REPORT!**



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# How to Respond and Make a Report



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# Responding and Reporting

**If someone shares information with you about a reportable crime or incident, you should:**

1. LISTEN and OFFER help and support, but know your limits.
2. MAKE the individual aware of your duty to report the information to authorized individuals trained to respond.
3. REMEMBER you CANNOT promise confidentiality.
4. SHARE with the individual the resources provided by various campus offices listed on the Campus Safety & Security and Title IX websites.
  - [Security.IllinoisState.edu](https://Security.IllinoisState.edu)
  - [TitleIX.IllinoisState.edu](https://TitleIX.IllinoisState.edu)
  - [Quick Reference Guide](#)
5. GATHER information about the incident.
6. REPORT the information by contacting University Police or completing the University's online [Public Incident Report Form](#).

**You cannot promise confidentiality!**



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# How to Respond

- Offer your support by letting the individual know where to get confidential services and help on campus.
  - **For students:** Student Counseling Services has specially trained Confidential Advisors and Survivor Support
  - **For employees:** Employee Assistance Program
  - See Quick Reference Guide at [TitleX.IllinoisState.edu/support/](https://TitleX.IllinoisState.edu/support/)
- Encourage the person to seek medical attention.
- Encourage the person to preserve evidence including any information related to the incident (e.g. text messages, voice mails, social media communications, emails, etc.) and photograph any injuries.
  - Even if the person doesn't want to participate in a criminal or University investigation now, they are encouraged to preserve evidence in case they change their mind in the future.



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# How to Respond

- Inform the person of their right to file a criminal complaint and/or seek an order of protection, no contact order, or other similar lawful order.
  - If an order of protection (or other similar lawful order) exists, encourage the person to provide you or ISU Police with a copy.
- Inform the person that the University offers a variety of protective and support measures to assist students and employees.
  - Employees can make requests by contacting the [Office of Equal Opportunity and Access](#) (OEOA).
  - Students can make requests by contacting the [Title IX Office](#).



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# How to respond: Confidentiality

**As a Responsible Employee you are required to report crimes, incidents, and potential sexual harassment, even if the individual:**

- Asks you to keep it confidential
- Says they don't want their name disclosed
- Says they don't want the University to investigate or take disciplinary action

**Tell the individual:**

- You are required to report the incident and cannot promise confidentiality.
- The individual will be contacted by the University Title IX office to provide information, resources, and support.

**More information is available by contacting:**

OEOA Title IX Coordinator  
Hovey Hall, Room 310  
(309) 438-3383

**Faculty/Staff:**

[EqualOpportunity@IllinoisState.edu](mailto:EqualOpportunity@IllinoisState.edu)  
[EqualOpportunity.IllinoisState.edu](http://EqualOpportunity.IllinoisState.edu)

**Students:**

[TitleIX@IllinoisState.edu](mailto:TitleIX@IllinoisState.edu)  
[TitleIX.IllinoisState.edu](http://TitleIX.IllinoisState.edu)



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# How to Report

**Responsible Employees are mandated by law** to act on a reportable crime or incident that is made known to them, even if the information is shared in confidence.

## What to ask:

- What happened?
- Who was involved?
- When did the incident occur?
- Was bias evident?
- Where did the incident occur?

Please gather this basic information to assist the University in responding to and investigating the report.



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# ISU Reporting Options

After gathering information, you must contact:

**In an emergency: Call University Police at 9-1-1**

**In a non-emergency:**

To ISU PD: (309) 438-8631 or TTY (309) 438-8266

To the University: Complete the online [Public Incident Report](#).

The Public Incident Report form will ask for the following information:

- Your contact information (name, email, phone)
- Time and date of the incident
- Incident description, including details and if you believe bias was involved in the crime
- Names and contact information of anyone who was involved or witnessed the incident or crime
- Specific information about the location of the incident or crime

You may be contacted to request additional information.



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# Anonymous Reporting

- ISU provides an option to students to make an anonymous report.
- The anonymous report line can be reached by calling (309) 438-0268.
- For more information on making an anonymous report please visit:  
[https://titleix.illinoisstate.edu/report/anonymous\\_report/](https://titleix.illinoisstate.edu/report/anonymous_report/)



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# Other Internal Reporting Options

- University Ethics Officer – Rob Blemler  
Hovey Hall, Room 207  
Campus Box 1120  
Normal, IL 61790-1120  
Phone: (309) 438-2339  
Email: [rwbleml@ilstu.edu](mailto:rwbleml@ilstu.edu)
- University employees may also report sexual harassment to their supervisors verbally or in writing. University supervisors are required to report any sexual harassment allegations to the appropriate office.



# External Reporting Options

- Illinois Office of Executive Inspector General  
Phone: (866) 814-1113  
Website:  
<https://www2.illinois.gov/oeig/Pages/default.aspx>
- Illinois Department of Human Rights  
Phone: (312) 814-6200 – Chicago  
(217) 785-5100 – Springfield  
(618) 993-7463 - Marion  
Website:  
<https://www2.illinois.gov/dhr/Pages/default.aspx>



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# What Not To Do

Never do the following:

- Try to investigate the crime or incident; just gather the basic facts.
- Try to determine if a crime took place – ISU Police Department will make this determination.
- Try to determine if a sexual encounter was/was not consensual.
- Try to locate, apprehend, or detain an alleged perpetrator of a crime.
- Push for information an individual is not comfortable sharing.
- Alter or remove the student/employee from work, living, or academic situations without involving the appropriate University office.
- Never blame the individual reporting or make judgements about what they report.



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# Frequently Asked Questions

**Q: If the student or employee reporting the behavior or a witness tells me they already filed a report, do I need to file a report?**

**A:** Yes

**Q: Where can I find additional information about sexual harassment and reporting?**

**A:** Additional information is available on the Title IX website at [TitleX.IllinoisState.edu](https://TitleX.IllinoisState.edu) and at [Policy.IllinoisState.edu/conduct/1-1-2.shtml](https://Policy.IllinoisState.edu/conduct/1-1-2.shtml)

**Q: Who can individuals talk to confidentially about sexual harassment concerns?**

**A:** Employees: [Employee Assistance Program](#)

Students: [Sexual Assault Survivor Services](#)

Student Counseling Services provides Confidential Advisors who have been trained extensively in responding to reports of sexual assault/harassment.

Counselors in these offices are not required to report to police or the University Title IX office.

**Q: Where can I learn more about training and educational programs, ongoing prevention and awareness campaigns, or opportunities to get involved?**

**A:** [TitleX.IllinoisState.edu](https://TitleX.IllinoisState.edu)



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# University Sexual Harassment Process

- Sexual Harassment
- Sexual Violence/Assault/Misconduct
- Dating/Domestic Violence
- Stalking



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# University Response to Reports of Sexual Harassment

- It is important to know that the University takes any reports or complaints of crimes/incidents very seriously.
- The University offers a variety of protective and supportive measures to assist students and employees.
  - Employees can make requests by contacting the Office of Equal Opportunity and Access (OEOA).
  - Students can make requests by contacting the Title IX Office.
- Examples of protective/support measures include, but are not limited to:
  - University Contact Restriction
  - Alternate housing placement
  - Academic assistance
  - Transportation information
  - Alternate work situation
  - Retaliation protection
- Any reported crimes or sexual harassment will be reviewed and investigated according to the University complaint procedures.



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# Complaint Procedures for Allegations of Sexual Harassment

The University is required to follow up on all reported incidents of sexual harassment including sexual misconduct, sexual assault, domestic violence, dating violence, and stalking to support the University's efforts to provide a safe and non-discriminatory learning and living environment.

*Please note that University processes are **separate** from any criminal process related to an incident.*



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# Complaint Procedures for Allegations of Sexual Harassment Against Students

The Title IX Office and Student Conduct and Conflict Resolution will follow up using the following complaint procedures:

- Provide the student support, which includes discussing retaliation and whistleblower protections
- Review allegations
- Investigate allegations
- File charges if warranted
- Conduct student disciplinary conferences/hearing
- Initiate sanctions/interventions
- Appeal rights

Disciplinary action may be taken up to and including the removal of the student from the campus community.

For a detailed explanation of the process, visit [TitleIX.IllinoisState.edu](https://TitleIX.IllinoisState.edu) and the Dean of Students [Code of Student Conduct](#).



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# Complaint Procedures for Allegations of Sexual Harassment Against Employees

The Office of Equal Opportunity and Access will follow up on reported incidents using the following complaint procedures:

- File a complaint
- Provide support, which includes discussing retaliation and whistleblower protections
- Review of allegations
- Investigation or referral
- Report of investigation and recommendations
- Appeal rights
- Sanctions, if appropriate

Human Resources may impose disciplinary action up to and including termination of employment.

*For a detailed explanation of the process, see the OEOA website at [EqualOpportunity.IllinoisState.edu](http://EqualOpportunity.IllinoisState.edu).*



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# Helpful Information to Keep in Mind



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# Keep in Mind

It is never someone's fault when they are assaulted, but certain situations can make them more vulnerable - and people need to look out for each other.

Who can be sexually assaulted?

- Anyone. We tend to think of women being assaulted by men, but men are also assaulted – by women and by other men—and women are also assaulted by other women.

Additional behaviors that **might** make a person more vulnerable to a perpetrator:

- Excessive use of alcohol
- Accepting a drink from someone they do not know
- Becoming isolated and separated from friends and others



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# If You See a Vulnerable Person

- Ask yourself: If I don't intervene, who will?
- One simple question or action can deter someone who may believe no one will intervene.
- Intervene when you feel it is safe to do so
  - **Ask:** Is everything okay? Do you need help?
  - **Interrupt:** What is going on? This behavior is unacceptable.
  - **Separate:** Ask to talk with one of the individuals and remove them from the situation.
  - **Enlist others:** Let others know what is happening and enlist their assistance.
  - Help connect students with needed resources.
- If you can't safely intervene, contact the police.



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# If You Suspect a Person Has Been Harmed

- Be aware of signs that may indicate a person is experiencing distress and may need professional assistance, including:
  - Exaggerated and/or inappropriate emotional responses
  - Unusual or changed patterns of interactions or participation in class/attendance at work
  - Change or deterioration in personal appearance
  - Repeated appearance of bruising or reddening of the skin
- The number and intensity of these signs can indicate the severity of distress.
- Refer the individual to appropriate resources. A Quick Reference Guide providing a list of campus and community resources is available at [TitleIX.IllinoisState.edu/support](https://TitleIX.IllinoisState.edu/support).



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# Attitudes that Deter Intervention

Examples of attitudes that deter intervention:

- It's really none of my business.
- It's uncomfortable intervening in a "personal" situation.
- Maybe I am misinterpreting what I am seeing.
- What will they think of me?
- I'm really not sure what to do.

Doing nothing allows the violence to continue.

- Intervening when someone is vulnerable is critical. Survivors of sexual and/or dating/domestic violence are frequently re-victimized.
- Reducing the potential for violence and empowering individuals helps to ensure their future well-being.
- Remember, you do not have to act alone; enlist the assistance of others.



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# Definitions



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# Definitions

- Federal law requires employees to be familiar with definitions used in meeting reporting obligations.
- Remember, you do not need to make the determination whether a reported incident fits within a particular definition.



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# Sexual Harassment

- It is the policy of the University to maintain an academic and work environment free of sexual harassment for students, faculty, and staff. Sexual harassment is contrary to the standards of the University community and a barrier to fulfilling the University's scholarly, research, educational, and service missions. Sexual harassment is defined by law, and generally is any unwelcome conduct of a sexual nature that is sufficiently severe or pervasive as to create an intimidating, hostile environment. Some examples of conduct of a sexual nature that may constitute sexual harassment include, but are not limited to:
  - Unwanted sexual statements – sexual or "dirty" jokes, comments on physical attributes, spreading rumors about or rating others as to sexual activity or performance, talking about one's sexual activity in front of others, and displaying or distributing sexually explicit drawings, pictures and/or written material. Unwanted sexual statements are precluded in all forms including but not limited to verbally, in writing, electronically (email, instant messaging, blogs, web pages, etc.).
  - Unwanted personal attention – letters, telephone calls, visits, pressure for sexual favors, pressure for unnecessary personal interaction, pressure for dates where a sexual/romantic intent appears evident but remains unwanted, and stalking.
  - Unwanted physical or sexual advances – touching, hugging, kissing, fondling, touching oneself sexually for others to view, sexual assault, sexual misconduct/violence, domestic violence, dating violence, stalking, intercourse, or other sexual activity.
- The University considers such behavior, whether physical or verbal, to be a breach of its standards of conduct. It will seek to prevent and remedy such incidents and will investigate and take corrective actions for violations of this policy.

**As defined by the *Illinois State University Code of Student Conduct and University Anti-Harassment and Non-Discrimination Policy***



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# Illinois Ethics Act

## Sexual Harassment Definition

- Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:
  - 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
  - 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
  - 3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. For purposes of this definition, the phrase "working environment" is not limited to a physical location an employee is assigned to perform his or her duties and does not require an employment relationship.



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# Consent Definition

- **As defined by the *Illinois State University Code of Student Conduct and University Anti-Harassment and Non-Discrimination Policy*:** for the purposes of this section informed consent must be freely and actively given through mutually understandable terms or actions. A person is deemed incapable of giving consent when that person is not of an age to legally give consent (i.e. juvenile, minor), mentally disabled, mentally incapacitated, physically helpless, incapacitated through the use of alcohol and/or drugs to the point of being unable to make an informed and rational decision, unconscious, or asleep. Informed consent cannot be obtained through physical force, compelling threats, intimidating behavior, or coercion. Consent cannot be derived based on: a lack of verbal or physical resistance, previous sexual relations between the same parties, consent provided to another party, previous or current sexual relations with other parties, or through the manner in which someone chooses to dress. A person always retains the right to revoke consent at any time during a sexual act. Attending an artistic or educational event or a class in which nudity occurs and for which advanced notice of nudity has been provided qualifies as informed consent.
- **As defined by *Illinois Criminal Code*:** 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.



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# Sexual Misconduct/Violence Definition

- **As defined by the *Illinois State University Code of Student Conduct and University Anti-Harassment and Non-Discrimination Policy*:** Engaging in any act that is sexual in nature and which is committed without the full and informed consent of all persons involved. Examples of sexual assault/misconduct include, but are not limited to: any penetration of the mouth, vagina, or anus with any body part or other object; contact with a person's breasts, buttocks, groin, or genitals; touching another person with one's own breasts, buttocks, groin, or genitals; any other intentional bodily contact of a sexual nature, or; exposing one's intimate body parts to another person or persons.



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# Sexual Exploitation Definition

- **As defined by the *Illinois State University Code of Student Conduct and University Anti-Harassment and Non-Discrimination Policy*:** Engaging in any action that results in one or more persons taking nonconsensual or abusive sexual advantage of another person or persons. Examples of such behavior include, but are not limited to: invasion of sexual privacy; recording or broadcasting sexual activity, including redistribution of pictures, video, or audio; engaging in voyeurism; facilitating or allowing voyeurism without the consent of all parties; knowingly exposing another to a sexually transmitted disease; inducing another person or persons to commit an inappropriate sexual act, or; inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.



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# Sexual Assault Definitions

## **Sexual Assault – As defined by *Illinois Criminal Code***

- A person commits criminal sexual assault if that person commits an act of sexual penetration and:
  - 1) uses force or threat of force
  - 2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent
  - 3) is a family member of the victim, and the victim is under 18 years of age
  - 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

## **Sexual Violence – As defined in the *Preventing Sexual Violence in Higher Education Act*:**

- Means physical sexual acts attempted or perpetrated against a person's will or when a person is incapable of giving consent, including without limitation rape, sexual assault, sexual battery, sexual abuse, and sexual coercion



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# Dating and Domestic Violence Definitions

**Dating Violence as defined by the *Illinois State University Code of Student Conduct* and *University Anti-Harassment and Non-Discrimination Policy*:**

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

**Domestic Violence as defined by the *Illinois State University Code of Student Conduct* and *University Anti-Harassment and Non-Discrimination***

**Policy:** Violence committed by:

- 1) a current or former spouse or intimate partner of the alleged victim
- 2) a person with whom the alleged victim shares a child in common
- 3) a person who is cohabitating with, or has cohabitated with, the alleged victim as a spouse or intimate partner
- 4) a person similarly situated to a spouse of the alleged victim under the domestic or family violence laws of the State of Illinois
- 5) any other person against an adult or youth alleged victim who is protected from that person's acts under the domestic or family violence laws of the State of Illinois



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# Dating and Domestic Violence Definitions

## **Domestic Violence – As defined by the *Illinois Domestic Violence Act*:**

- 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.



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# Stalking Definition

**As defined by the *Illinois State University Code of Student Conduct and University Anti-Harassment and Non-Discrimination Policy*:**

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.

For the purposes of this definition (1) course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. (2) Substantial emotional distress means significant mental suffering or anguish that may, but may not necessarily, require medical or other professional treatment or counseling.



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# Stalking Definition

**As defined by the *Illinois Criminal Code*:**

- A person commits stalking when knowingly engaging in a course of conduct directed at a specific person, that knows or should know would cause a reasonable person to:
  - fear for his/her safety or the safety of a third person
  - suffer other emotional distress
- A person commits stalking when he or she, knowingly and without lawful justification, on at least two separate occasions follows another person or places the person under surveillance or any combination thereof and:
  - at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to an individual or their family member
  - places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to an individual or their family member
- A person also commits stalking when he or she has previously been convicted of stalking another person and knowingly does either of the above activities.



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# Retaliation Definition

**As defined by the *Illinois State University Code of Student Conduct and University Anti-Harassment and Non-Discrimination Policy*:**

- The University will not tolerate retaliation against students, employees, or faculty members who exercise their rights by filing a complaint with or participating in a protected investigation. Any action, or attempted action, directly or indirectly, against any person(s), who, in good faith, reports or discloses a violation of this policy, files a complaint, and/or otherwise participates under this policy. Retaliation includes, but is not limited to harassment, discrimination, threats, or negative impact on employment and/or academic progress. Actions are considered retaliatory if they have a materially adverse effect on the working, academic, or living environment of a person; or if they hinder or prevent the person from effectively engaging in University activities and programs. Any person or group within the scope of this policy who engages in retaliation is subject to a separate charge of retaliation.
- Policy (<https://policy.illinoisstate.edu/conduct/1-1-2.shtml>) covers any act of harassment and/or discrimination based on race, color, ancestry, national origin, religion, pregnancy, sexual orientation, order of protection, gender identity and expression, age, marital status, disability, genetic information, unfavorable military discharge, status as a veteran, or sex (including sexual harassment, sexual assault, domestic violence, dating violence, and stalking).



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# Retaliation Examples

- You have been a successful employee for five years and your job evaluations have reflected that. You have alleged age discrimination against your supervisor, and shortly thereafter your job evaluation is unsatisfactory. You believe your job performance has not changed and the unsatisfactory rating is based on your filing of an age discrimination claim.
- You file a claim for discrimination based on your religion. Shortly after the filing your supervisor informs you that you are being separated from the institution. You believe it is because of your religious discrimination claim.
- You have recently been promoted to a supervisory position in your department. Shortly after receiving the promotion you file a complaint of sexual harassment. Your supervisor informs you that you are being demoted to your prior position. You believe the demotion is a result of your filing of a sexual harassment complaint.



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# Whistleblower Protections

- Protections under the Ethics Act
  - In the event an individual discloses or threaten to disclose violations of the State Officials and Employees Ethics Act or assists in efforts to enforce the provisions of the Act, employees are protected against retaliation.
- Protections under Illinois Human Rights Act
  - Under the Illinois Human Rights Act, employees are protected against retaliation as a result of a complaint filed.
- Protections under Whistleblower Act
  - Employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation.



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# University Outcomes

- Violation of the Anti-Harassment Non-Discrimination policy can lead to corrective action.
  - Corrective action includes, but is not limited to, specialized training, time off work without pay, and other actions up to and including termination or academic suspension or expulsion
- Knowingly making a false report can lead to discipline up to and including discharge.



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# Ethics Act Consequences

- **Sexual harassment in violation of the Ethics Act**
  - Any person who violates the prohibition on sexual harassment that is found in the Ethics Act:
    - may be fined up to \$5,000 per offense;
    - is subject to discipline or discharge; and
    - may also have finest or penalties imposed by a State or federal agency or court.
  - See 5 ILCS 430/50-5(g).
- **False reports**
  - The Executive Ethics Commission (“EEC”) may levy a fine of up to \$5,000 against any person who intentionally makes a false, frivolous, or bad faith allegation. 5 ILCS 430/50-5(e).
  - Any person who intentionally makes a false report alleging sexual harassment to the OEIG, EEC, or to certain law enforcement agencies or officials is guilty of a misdemeanor. See 5 ILCS 430/50-5(d).



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# Protection of Minors

Illinois State University is committed to ensuring a safe and secure environment when University faculty, staff, and students have direct contact with minors (children under the age of 18).

The purpose of this policy is to ensure that minors are provided appropriate treatment and protections when:

- Participating in programs and/or activities being held on property owned or controlled by Illinois State University
- When agents/representatives of the University including but not limited to employees, students, and/or volunteers have direct contact with minors in their University role



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# Minors on Campus

Any University program or activity involving minors (children under the age of 18) will now be required to submit a program application.

Examples of activities that will apply to this policy include but are not limited to:

- Tutoring
- Special events
- Research involving minors
- Private music lessons
- Summer workshops
- Minors working as research assistants

The full policy is available online at [Policy.IllinoisState.edu](http://Policy.IllinoisState.edu), and additional information and program requirements can be found on the Protection of Minors webpage at [EHS.IllinoisState.edu/minors/](http://EHS.IllinoisState.edu/minors/).



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# Reporting Quick Reference

	Mandated Reporter	Responsible Employee
Who must report?	<b>ALL</b> University Personnel	<b>Select</b> University Personnel (Refer to list in training)
What must be reported?	Suspected child abuse and neglect including: <ul style="list-style-type: none"> <li>Physical Abuse</li> <li>Sexual Abuse</li> </ul>	<ol style="list-style-type: none"> <li>Reportable Crimes (Refer to list in training)</li> <li>Sexual Harassment including: Sexual Assault/Misconduct, Dating/Domestic Violence, Stalking</li> </ol>
How to report?	Emergency: <ul style="list-style-type: none"> <li>9-1-1</li> <li>Then DCFS 1-800-25ABUSE</li> </ul> Non-Emergency: <ul style="list-style-type: none"> <li>DCFS 1-800-25ABUSE</li> <li>Then University Police (309) 438-8631</li> </ul>	<p><b>To report a crime or an emergency:</b>  <b>Call University Police at 9-1-1</b></p> <p><b>Report a non-emergency:</b>            To ISU PD: <b>(309) 438-8631</b> or TTY (309) 438-8266</p> <p><b>To the University:</b>            Complete the online <a href="#">Public Incident Report</a></p>

- Reports of potential sexual harassment will be forwarded to the Title IX office for review and investigation. Additional reporting options available to students, including confidential and anonymous reporting options, are outlined at [TitleIX.IllinoisState.edu/report/](http://TitleIX.IllinoisState.edu/report/).



# Other Resources

A downloadable [Quick Reference Guide](#) can be found on the website [TitleIX.IllinoisState.edu/](http://TitleIX.IllinoisState.edu/).



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# Acknowledgment

## Mandated Reporter Acknowledgement Statement

I affirm that I have completed the training. I understand that as an employee of Illinois State University, I have knowledge and understanding of the reporting requirements which apply to me, including Responsible Employee requirements. I also understand that I am a mandated reporter under the Abused and Neglected Child Reporting Act [325 ILCS 5/4] and am required to report, as described in this training, whenever I have reasonable cause to believe that a child known to me in my professional or official capacity may be abused or neglected.

Upon completion of this training, a DCFS Acknowledgement of Mandated Reporter Status is available to print for your records. Blank certificates may also be downloaded from the OEOA website at [EqualOpportunity.IllinoisState.edu/mandatory-reporting/](http://EqualOpportunity.IllinoisState.edu/mandatory-reporting/).



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