

**DeVry University**



**2018-2019 Annual Disclosure  
Student Right-to-Know and Campus Security (Clery Act)  
Annual Security Report  
Sex and Gender Based Misconduct Response and Prevention Policy  
Alcohol & Substance Abuse Policy  
Student Rights under FERPA  
*(The Family Educational Rights and Privacy Act)***

This document includes information for:

Online

**SEPTEMBER 7, 2018**

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## CAMPUS WATCH

### **It's your campus - Protect it!**

A truly safe campus can only be achieved through the cooperation of students, faculty and staff. As a member of the DeVry University community, it is your responsibility to report a crime, suspicious activity or other emergencies on campus to the appropriate school official. Should you become a witness to or victim of a crime, immediately report the incident to local law enforcement officials, or the Student Services office. All crimes will be investigated and when appropriate, brought to the attention of the Student Services office for disciplinary hearings.

### **Purpose of the Annual Disclosure Report**

DeVry University prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security and Crime Statistics Act*.

The full text of this document can also be found on the <http://www.devry.edu/studentconsumerinfo.html> or by visiting your local Incident Commander/security office. This report was prepared with the assistance of local law enforcement agencies. Campus crime, arrest and referral statistics include those that were reported to local law enforcement and campus faculty and staff. This data may also include crimes that have occurred in private residences or businesses adjacent to the campus.

## REPORTING CRIMES AND EMERGENCIES

When making your report of an incident you will be asked to provide the following information:

1. Description of the incident
2. Date, time and location of the incident
3. Description of the persons or vehicles involved in the incident
4. Detail regarding who was notified about the incident

Upon receipt of this report DeVry University will determine the appropriate response, which could include disciplinary action against the offender(s), notification to local law enforcement, notification to the campus community or other public safety alternatives deemed appropriate given the circumstances. Please note that your identity may not be confidential when reporting an incident. DeVry University does not have procedures for voluntary, confidential reporting of crimes.

Once each semester, DeVry University will contact the county/city police departments and property management to monitor and record crimes that occur within the designated area surrounding the campus that have been reported to the local Police.

All Emergencies –Dial 911

## ANNUAL SECURITY REPORT

DeVry University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the SIREN 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.

The incident commander and local leadership will determine if there is a significant emergency or dangerous situation and what segment of the campus community will need to receive a notification.

DeVry University will:

- Test emergency response and evacuation procedures on an annual basis
- Document each test, including the date, time, and whether it was announced or unannounced
- Publicize emergency response and evacuation procedures in conjunction with at least one test per calendar year

## SIREN EMERGENCY ALERT SYSTEM

In the event of an emergency or a potentially dangerous threat to the campus or center arises, students, faculty and staff will receive timely notification via the SIREN system, on campus flyers, and/or email announcements. This includes any Clery Act crimes that are reported to the campus IC or local police and are considered to represent a serious or continuing threat to students, faculty, and staff. Please make sure to keep contact information updated in SIREN through the student portal at <https://my.devry.edu> for students and the DeVry University Commons at <https://devry.okta.com/app/UserHome> for faculty and staff.

### **Area Police/Fire Non-Emergency Numbers:**

<u>County/City</u>	<u>Police</u>	<u>Fire/Paramedic</u>
DeVry Online Naperville, IL	911	911

## CAMPUS ACCESS, FACILITY SECURITY AND LAW ENFORCEMENT

Not applicable

## SAFETY AND SECURITY

Not Applicable

**CAMPUS CRIME STATISTICS ARE INCLUDED AT THE END OF THIS DOCUMENT.**

## SEX AND GENDER BASED MISCONDUCT RESPONSE AND PREVENTION POLICY

This policy applies to complaints or reports of alleged sex and/or gender-based misconduct. DeVry University (“DVU”) expressly prohibits sex and/or gender-based misconduct which includes sexual harassment, sexual assault, rape, domestic violence, dating violence, stalking, sexual exploitation, and gender-based harassment. Any acts that meet this policy’s definitions of sex and/or gender-based misconduct are a violation of DVU’s policy, and potentially applicable state and federal law. DVU is committed to fostering an environment where any alleged violation of this policy is promptly reported and complaints are resolved in a fair and timely manner.

Creating a safe environment is the responsibility of all members of the community. Regardless of the definitions provided below, anyone who believes they are a victim of sex and/or gender-based misconduct should report the incident as soon as possible to the Title IX Coordinator (see “Coordinator” under “Definitions” below for contact information) or the campus complaint administrator in addition to seeking immediate medical and/or safety assistance.

This policy applies to all members of the DVU community, and includes, but is not exclusive to faculty, staff, students, DVU visitors, volunteers, vendors, and persons related to, receiving or seeking to receive services, or otherwise pursuing studies with the organization. It also applies, as appropriate, to any alleged act of sex and/or gender-based misconduct that adversely impacts the DVU community, whether those acts occur on or off campus.

### **Definitions**

“Clery Act” refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46. The Clery Act requires that institutions annually disclose certain crimes which have occurred within a geography that includes campus buildings and adjacent locations. Annual disclosures are released on or by the 1st day of October each year.

“Code of Conduct applicable to students” refers to the policy titled “Code of Conduct” which is accessible in the student handbook. It outlines students’ rights and responsibilities, as well as the process by which action may be taken against a student for Code violations.

“Colleague Code of Conduct” refers to the “DVU Code of Conduct and Ethics” (Commons Portal>Quick Links>Policy Central) which is applicable to colleagues at all DVU locations and offices and outlines colleagues’ rights and responsibilities.

“Colleague complaint procedure” is the vehicle by which colleagues can bring to the administration’s attention any complaint relating to their experience with DVU or a member of the DVU community. It is the mechanism for investigating and trying to resolve complaints raised by colleagues and can be found in the Commons Portal>Quick Links > Policy Central.

“Complaint administrator” is a DVU colleague responsible for conducting an investigation when a complaint of sex and/or gender-based misconduct is raised. To find the complaint administrator at any given location or for a particular complaint, consult the location’s student handbook, student services/student affairs department, or the Title IX Coordinator.

“Conduct administrator” is an official authorized to administer disciplinary proceedings for respondents who may have violated the Code of Conduct applicable to students. A conduct administrator may serve as the sole member or as a participant in the conduct panel. Nothing shall prevent DVU from authorizing the same conduct administrator to impose sanctions in all cases at a single or multiple locations.

“Conduct panel” means any person or persons authorized by the conduct administrator to determine whether a respondent has violated the Code of Conduct applicable to students and to determine appropriate sanctions.

“Consent” is a voluntary, conscious, affirmative agreement to engage in a specific sexual act. Consent can only exist free from intimidation, force, threat of force or coercion. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but voluntary, conscious, affirmative consent to any sexual activity is equivalent to “no” for purposes of this policy. While the legal definition of consent varies by jurisdiction (See “Related Information” for link to consent statutes by state), the following general rules apply when assessing whether consent has been/was given.

- Consent can never be assumed.
- Consent cannot be implied from either the lack of explicit consent or the lack of explicit dissent.
- Where there is use of threat, force or restraint by the accused, the lack of verbal or physical resistance or the submission by the victim does not constitute consent.
- The manner of dress of the victim does not constitute consent.
- Past consent to sexual contact and/or a shared sexual history does not imply consent to future sexual contact.
- Consent to sexual activity with one person does not constitute consent to sexual activity with another person
- A person who initially consents to sexual contact including penetration may withdraw continued consent at any time during the course of that interaction. When consent is withdrawn or can no longer be given, engagement in sexual activity must stop.
- Consent to some form of sexual activity cannot automatically be taken as consent to any other form of sexual activity.
- A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following: the person is incapacitated due to use or influence of alcohol or drugs; the person is asleep or unconscious; the person is under age; or the person is incapacitated due to a mental disability.
- Consent is required regardless of whether the person initiating sexual activity is under the influence of drugs and/or alcohol
- A power differential between people engaged in a sexual act presumes the inability to consent for the less powerful person (e.g. the student in a student-colleague interaction; the supervisee in a direct report-supervisor interaction).

“Coordinator” refers to the Title IX Coordinator. Paul Herbst, Title IX Coordinator ([TitleIX@devry.edu](mailto:TitleIX@devry.edu) or 630-960-8019) is responsible for overseeing compliance with all aspects of this policy and designated to receive and monitor resolution for all Title IX reports.

“CRC” refers to the Coaching Resource Center which is available to managers to assist in addressing colleague relations concerns including complaints about colleague or vendor conduct.

“Dating violence” means sex or gender-based violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a dating relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a dating partner.

“Domestic violence” refers to sex or gender-based violence committed by either a current or former spouse of the victim; a person with whom the victim shares a child in common; a person who is or has cohabitated with the victim as a spouse; a person similarly situated to a spouse of the victim under the jurisdictional domestic or family violence laws; or any other person against a victim who is protected from that person's acts under the jurisdictional domestic or family violence laws. Based on jurisdictional definitions, domestic violence may constitute a felony or misdemeanor crime. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a domestic relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a domestic partner.

“DVU” means DeVry University and its Keller Graduate School of Management.

“FERPA” means the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99. FERPA sets certain limits on the disclosure of student records. This policy is designed to work in tandem with FERPA, and nothing in this policy is intended to require or encourage non-compliance with FERPA.

“Gender-based misconduct” refers to unwelcome conduct, including harassment, of an unacceptable nature based on actual or perceived biological sex including behaviors based on gender identity, expression and nonconformity with gender stereotypes.

“Member of the DVU community” includes students, faculty members or staff, and any other individuals associated with DVU. The conduct administrator or complaint administrator shall determine a person’s status in a particular situation.

“Notice” refers to any information regardless of whether it is direct, indirect, partial or complete received by a colleague that indicates possible sex or gender-based misconduct. When notice is received, colleagues are required to inform the Title IX Coordinator or their supervisor who in turn must make a report to the Title IX Coordinator.

“One-up manager” is a colleague’s manager’s manager. It is the person responsible for receiving a colleague’s complaint when his/her direct manager is implicated in that complaint.

“Policy” is defined as a general administrative or operational direction with broad application throughout DVU.

“Rape” is any penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim and/or by force. Rape may involve strangers or people who know one another (e.g. friend, classmate, relative, spouse or co-worker). In these instances, rape is often referred to as “acquaintance rape.” Rape is a crime regardless of a relationship or lack thereof between individuals.

“Sexual assault” is non-consensual sexual contact defined as physical contact of a sexual nature against the victim’s will or without the victim’s consent. It includes any intentional sexual touching, however slight, by direct physical

contact or by use of any object, by a person upon another person, without consent and/or by force. Rape is a severe form of sexual assault.

“Sexual contact” means the deliberate touching of a person's intimate body parts (including lips, genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause self-touching by another person of intimate body parts.

“Sexual exploitation” occurs when a person takes non-consensual or abusive sexual advantage of another for the advantage or benefit of themselves or any other person that is not the person being exploited by the behaviors. Examples include but are not limited to: invasion of sexual privacy; prostitution; non-consensual recording of nudity or sexual activity; voyeurism; knowingly exposing someone to an STI, STD or HIV; intentional exposure of genitals in non-consensual circumstances; and sex- based stalking or bullying.

“Sexual harassment” refers to unwelcomed sex or gender-based advances, requests for favors or other verbal, written, online and/or physical conduct. Sexual harassment occurs when a person is the recipient of conduct of a sexual nature where: (1) Submission to, or toleration of, such conduct is made either explicitly or implicitly a term or condition of the student’s education or colleague’s employment; or (2) Submission to or rejection of such conduct by an individual is used as the basis for academic decisions about the student or professional decisions about the colleague; or (3) Such conduct is sufficiently severe or persistently pervasive and objectively offensive thereby having the purpose or effect of unreasonably interfering with a person’s ability to participate in or benefit from DVU’s educational, employment, social or other related programs.

“Sex and gender-based misconduct” is a broad term used to refer to all conduct prohibited by this policy. This encompasses sexual harassment, gender-based harassment, dating violence, domestic violence, rape, sexual assault, sexual exploitation and stalking. Sex and gender-based misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sex and gender-based misconduct can be committed by any person regardless of sex, gender or sexual orientation of the victim or perpetrator.

“Stalking” is a course of behavior directed at a specific person that would cause a reasonable person to feel fear for personal safety, or repetitive, menacing pursuit, following, harassing and/or interfering with the peace and/or safety of another.

“Student complaint procedure” is the vehicle by which students can bring to DVU’s attention any complaint relating to their experience with DVU or a member of the DVU community. It is the mechanism for investigating and attempting to resolve complaints raised by students. The student complaint procedure can be found in the student handbook (<http://www.devry.edu/current-students/current-students-student-handbooks.html>).

“Speak Up” refers to Speak Up, a reporting system managed by a third party vendor (EthicsPoint), which encourages members of the DVU community to come forward with questions or concerns, including allegations of sex and/or gender-based misconduct. Reports can be made anonymously or reporters can provide their name and contact information. Colleagues are expected to ask legal, compliance and ethics questions and report suspected wrongdoing. Colleagues and students can utilize the SpeakUp program by contacting the third party contractor EthicsPoint by phone at 1-844-703-9374 or on-line at [www.devry.ethicspoint.com](http://www.devry.ethicspoint.com).

“Title IX” is a federal law which prohibits sex and gender discrimination in U.S. education. Under Title IX, sex and gender-based misconduct are forms of discrimination that require investigation and appropriate remediation when students, colleagues, or other members of the educational institution’s community are impacted. Title IX is enforced by the U.S. Department of Education.

“VAWA” refers to the Violence Against Women Act, 34 CFR Part 668. VAWA supports community resources for victims of rape, sexual assault, stalking, dating violence and domestic violence and articulates expectations regarding the management of related concerns when a report is made to representatives of U.S. colleges and universities.

## **Prevention and Awareness**

Acts that are deemed to fall within the scope of this policy are violations of the Codes of Conduct, as well as the expectations of members of the DVU community. These acts may also be crimes. In an effort to increase the likelihood of intervention and reduce the risk of sex and/or gender-based misconduct from occurring among its students and colleagues, DVU is committed to providing primary and ongoing awareness and prevention programming.

Primary and ongoing awareness and prevention programs will cover the continuum of issues contemplated by this policy. Themes will include situational awareness and prevention strategies such as bystander intervention and other forms of risk reduction. While *bystander intervention* specifically refers to the safe and effective ways in which third parties can intervene to thwart sex and/or gender-based misconduct, *risk reduction* also encompasses various strategies to eliminate or reduce risk of harm by avoiding or removing oneself from situations that are dangerous or uncomfortable.

*Awareness programs* are events that occur online or in person that request active engagement of community members. It is the expectation and responsibility of each member of the DVU community to participate in programming which will assist with ongoing prevention efforts, as well as effective and efficient identification and response when sex and/or gender-based misconduct does occur.

*Primary prevention and awareness programming* will include a comprehensive online education platform intended for viewing by all colleagues and students, as well as student-facing vendors if necessary and appropriate. The program will be completed by:

- New students and transfer students: within three weeks of formal enrollment
- Returning and continuing students who did not take the training as a new or transfer student: no later than the first day of classes for the semester when they are scheduled to return or continue
- Colleagues by the date stated in email notification.
- Specific vendors as identified and by the date stated in email notification

Access to the primary prevention program and its contents will be ongoing throughout the participant's relationship with DVU. Members of the DVU community are encouraged to visit this resource regularly for personal, professional and academic purposes.

*Ongoing prevention and awareness campaigns* are public service announcements and campaigns, as well as messages and activities integrated into the day-to-day fabric of the academic community. These initiatives are intended to reinforce increased awareness regarding sex and/or gender-based misconduct and prevention strategies throughout the year. DVU will continually seek formal and informal ways to incorporate additional awareness and prevention strategies, e.g., active and passive educational campaigns such as social norms poster campaigns, newsletter articles, presentations and volunteerism with local community resource agencies. When additional ongoing education is provided, the organizer will report that event, activity, or effort to the Title IX Coordinator for recordkeeping and quality assurance purposes. Toolkits including ideas and resources that support ongoing efforts and are related to the primary prevention and awareness programming will be made available to any campus upon request.

*Additional training* will be delivered to colleagues responsible for responding to reports of sex and/or gender-based misconduct, including but not limited to complaint administrators, conduct administrators, conduct panelists, and appeal reviewers. These colleagues should complete the primary prevention and awareness programming described above, as well as remote or live training and/or consultation with the Title IX Coordinator before and during management of an allegation within the scope of this policy.

## **Reporting**

Victims may file a formal complaint with a designated local campus administrator or through the Title IX Coordinator.



Mark Szymanoski  
Manager, Regulatory Affairs  
DeVry University  
630-353-9924  
[TitleIX@devry.edu](mailto:TitleIX@devry.edu)

Paul Herbst  
Title IX Coordinator  
ADA/504 Coordinator  
630-960-8019  
[TitleIX@devry.edu](mailto:TitleIX@devry.edu)

Reports can also be made by victims, third parties or bystanders with the option to remain anonymous through the SpeakUp program at (844)703-9374 or on-line at [www.devry.ethicspoint.com](http://www.devry.ethicspoint.com). Initial response to electronic reports will occur within 12 hours of initial receipt.

If a victim wishes to access local community agencies and/or law enforcement for support or to make a report, DVU will assist the victim in making these contacts. Direct assistance, though limited, remains available when reports are made anonymously through SpeakUp. Anyone may make a report regarding any information pertaining to violations of this policy.

All DVU colleagues (faculty, staff, administrators, and student workers) who are not otherwise identified in this policy or through institutional addenda as confidential resources are required to immediately provide any information received about any actual or suspected sex and/or gender-based misconduct impacting the DVU community to appropriate officials with some very narrow exceptions discussed elsewhere in this policy (see “Confidentiality”). Regardless of how notice is received, reports may prompt a need for DVU to investigate.

Any individual wishing to discuss a situation within the scope of this policy without triggering an immediate investigation should seek referral to mental health counseling services. Students may seek support through ASPIRE at 1-888-470-1531 or via [info@myASPIREonline.com](mailto:info@myASPIREonline.com) and colleagues may seek support 24 hours a day, seven days a week through GuidanceResources at 877-623-3879 General hotline and other resource information can be found at the end of this policy and focused support services can be obtained through consultation with student services/student affairs, the CRC, local human resources, or the Title IX Coordinator.

Individuals experiencing misconduct in violation of this policy are also always are free to notify the U.S. Department of Education:

Office of Civil Rights (OCR) - Headquarters 400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Customer Service Hotline #: (800) 421-3481  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>  
Regional Offices: <http://www2.ed.gov/about/offices/list/ocr/addresses.html>

### **Support and Resources**

The DVU official who receives notification of alleged sexual and/or gender-based misconduct will offer appropriate support or refer the victim directly to immediate assistance. Assistance may initially require supported access to local medical, mental health, legal or law enforcement resources and could include academic accommodations, changes in housing for the victim or a respondent student, changes in working situations and other arrangements as may be appropriate and available (such as limiting orders, campus escorts, transportation assistance, or targeted interventions). No victim is required to take advantage of these services and resources, but DVU provides them in the hope of offering help and supporting minimal disruption to access to academic programming or the workplace. If circumstances related to an incident change over time, these and other supportive accommodation options may be revisited. DVU may also provide referrals to counseling services, at the victim’s option, including but not limited to the confidential colleague and student support services outlined above (See

“Reporting”). Local resource lists can also be found through Student Central and/or Student Services. A brief list of national and international referral sites can be found at the end of this policy.

### **Disciplinary Review and Action**

Acts of sex and/or gender-based misconduct are subject to disciplinary action. Disciplinary action is not intended to determine criminal responsibility. Rather it is intended to identify and respond to violations of DVU policy and community standards. Separate and distinct disciplinary action may also be considered in instances of retaliation against those who, in good faith, report or disclose an alleged violation of the comprehensive policy, file complaint, or otherwise participate in the complaint resolution procedure. Failure by a respondent to adhere to interim protective measures will be considered a form of retaliation or an extension of the initial allegations.

When the victim chooses, or DVU believes it is necessary, a prompt, fair and impartial investigation will be initiated. In the event that a victim requests that an investigation not occur, their request will be honored when possible and unless DVU determines in good faith that failure to investigate creates a potential risk of harm to the reporting individual or other members of the community. Factors used to determine whether to adhere to such a request include, but are not limited to whether: the accused has a history of violent behavior or is a repeat offender; the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior; there is an increased risk that the accused will commit additional acts of violence; the accused is alleged to have used a weapon or force; the reporting individual is a minor; DVU possesses other means to obtain evidence; and/or available information reveals a pattern of perpetration by a specific person, at a given location, or by a particular group.

If allegations of colleague misconduct are substantiated to the preponderance of evidence standard through the investigation, colleague discipline may be imposed. The colleague complaint procedure, which details the investigation and resolution processes and prohibited colleague conduct, can be accessed through the Commons Portal under Quick Link >Policy Central.

The Title IX Coordinator will monitor the investigation and resolution of reports of sex and/or gender-based misconduct and facilitate compliance with this policy. Furthermore, the Title IX Coordinator will work with campus administration to identify and initiate strategies intended to remedy the effects on the victim and the DVU community to the extent practicable and reasonable to prevent the recurrence of similar misconduct.

Privacy of the records specific to sex and/or gender-based misconduct investigations is maintained in accordance with applicable law, including FERPA. Any public release of information to comply with the timely warning provisions of the Clery Act will not include the names of victims or information that could easily lead to a victim's identification. In appropriate instances, pertinent interim actions and the results of disciplinary hearings regarding the alleged perpetrator of misconduct will be disclosed to the alleged victim and/or complainant. Confidentiality will be maintained whenever possible, however DVU reserves the right to exercise discretion and disclose details of an incident or allegation to assure community safety or the safety of an individual.

It is DVU's policy to hold perpetrators of sex and/or gender-based misconduct accountable for their actions through appropriate student conduct or personnel procedures, and by working with community agencies and law enforcement as appropriate. DVU's internal review processes shall run concurrently with any criminal justice investigation and proceeding, except for temporary delays as requested by external entities while law enforcement gathers evidence. Temporary delays should not last more than ten days except when law enforcement specifically requests and justifies a longer delay.

Internal mediation between the alleged victim and respondent will not be used to resolve an allegation of sexual misconduct.

Prior sexual history with persons other than the other party in a judicial or conduct process, as well as any mental health diagnosis and/or treatment will be excluded from student conduct hearings at the student's preference. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the stage of a review process that determines sanction.

Investigation and response to allegations of sex or gender-based misconduct will include the following, without limitation: trauma informed assistance to the victim/survivor as appropriate; an interview with the victim/survivor; identifying and locating witnesses; contacting and interviewing the respondent; cooperating with law enforcement. In any complaint of sex or gender-based misconduct, the person bringing the accusation and the responding party are both entitled to the same opportunities for notice of any meeting they are required to or are eligible to attend, of the specific rule, rules or laws alleged to have been violated and in what manner, and the sanction or sanctions that may be imposed on the respondent based upon the outcome of the judicial or conduct process, as well as a support person or advisor of their choice throughout the process, consistent with any guidelines set forth applicable to students or colleagues. Once complete, the parties will be informed, in writing, of the outcome. Notice to both parties will include a written statement detailing the factual findings supporting the determination and the rationale for the sanction/discipline (if any) to the degree possible and always when the sanction/ discipline is directly relevant to that individual. Delivery of this outcome will not be unduly delayed to either party, and should occur in the same form and format and as near to simultaneously as possible.

### ***Sanctions for student misconduct***

Appropriate disciplinary sanctions for substantiated violations of this policy by students, up to and including expulsion, will be imposed in accordance with the Code of Conduct applicable to students found in the Student Handbook (<http://www.devry.edu/current-students/current-students-student-handbooks.html>). The full list of available sanctions is provided in the Code of Conduct applicable to students. This policy statement is not intended to replace or substitute for the Code of Conduct applicable to students. This policy is a supplement to the community standards that the Code of Conduct applicable to students sets forth. Alleged violations of this policy will be referred to the applicable complaint administrator and/or conduct administrator for appropriate review. All parties in a student conduct proceeding will be informed at the same time and in the same manner of any final determinations, as well as DVU's appeal process, and their rights to request an appeal. Should any change in outcome occur prior to finalization (e.g., a re-hearing ordered upon appeal), all parties will be informed at the same time and in the same manner, and will be notified when the results of the conduct process is finalized. In addition, violations of this policy may trigger application of sanctions to a student imposed under local, state, or federal law.

### ***Sanctions for colleague misconduct***

Alleged violations of this policy by colleagues will be referred to the CRC for appropriate review. Disciplinary sanctions for a colleague's violation of this policy may include written reprimand, warning, probation, suspension, housing suspension, housing expulsion, limiting order, change in job assignment, office relocation, reduction of awards under the management incentive plan, or termination of employment or contract, and will be imposed in accordance with applicable DVU policies and procedures. DVU reserves the right to impose further and/or different sanctions appropriate to an individual situation. In addition, violations of this policy may trigger application of sanctions to a colleague imposed under local, state, or federal law.

### **Reporting by colleagues to external authorities**

Colleagues who are made aware of a possible violation of this policy are required to contact their manager or one-up manager and also the Title IX Coordinator. Colleagues can also submit named or anonymous reports of sexual and/or gender-based misconduct by utilizing the DVU "Speak Up" hotline at [www.devry.ethicspoint.com](http://www.devry.ethicspoint.com). Colleagues should contact the Title IX Coordinator with any questions about whether a report to law enforcement is appropriate. Nothing in this policy prohibits a student or colleague from reporting a crime directly to local authorities.

Disciplinary procedures are independent of any and all procedures and proceedings under local, state, or federal criminal or civil law. In all cases, DVU reserves the right to refer cases for parallel criminal prosecution or to pursue sanctions regardless of criminal prosecution. Violations of this policy by a visitor, volunteer, vendor, agents, or other third parties affiliated with DVU may also result in the termination of pre-existing or future relationships.

### **Victim/Survivor's Rights**

DVU will take interim steps to protect victims of sex and gender-based misconduct and maintain a positive learning and working environment by minimizing or eliminating contact between a complainant and a respondent and

providing reasonable academic, employment, and administrative accommodations in accordance with the Clery Act and Title IX. Students who are victims of sex and/or gender-based misconduct may request a change in their academic arrangements by contacting student services, the Title IX Coordinator, or local leadership. Colleagues who are victims of sex and/or gender-based misconduct may request a change in their employment arrangements by contacting their one-up manager, the CRC, the Title IX Coordinator, or local leadership.

Victim/Survivor's rights include:

1. The right to notify or not notify law enforcement, and to request and receive assistance from DVU in making a report if desired.
2. The right to summary information on all available response options, such as complaint resolution procedures, including the necessary steps and potential consequences of each option whether or not a formal report is made to the institution.
3. The right to be free from undue coercion from DVU to pursue or not pursue any course of action.
4. The right to be informed of the institution's role regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a civil, criminal, or tribal court (when applicable).
5. The right to request and receive information on how to make a confidential report for the purposes of tracking campus crime without otherwise divulging details that would require or permit DVU to investigate and respond (when the incident has not yet been reported to a colleague required to notify the Title IX Coordinator).
6. The right to contact information for the Title IX Coordinator, available confidential advisors, community-based resources (sexual assault crisis centers or other appropriate support services), campus security and/or local law enforcement.
7. The right to be fully informed of any applicable disciplinary conduct process and procedures.
8. The same rights as the accused to attend and have a support person of their choice and/or witnesses present at student conduct hearings and any meetings leading up to such a hearing.
9. The right to be informed of the outcome of any student or colleague conduct process involving alleged sex or gender-based misconduct regardless of participation in the process leading to that outcome. In the case of student conduct proceedings, victims have the right to appeal the outcome.
10. The right to request interim protective measures and accommodations including a change in academic, employment, on-campus living, transportation or other arrangements after the alleged sex or gender-based misconduct and to be informed of the reasonably available options for those changes.
11. The right to obtain and have enforced a campus-issued limiting instruction or no contact order or a court issued order of protection or no contact order.
12. The right to be informed about DVU's ability to provide assistance, upon request, in accessing and navigating campus and/or community resources for health, mental health, advocacy, and/or other services for survivors of sexual assault, relationship violence and other forms of sexual misconduct.
13. The right to be free from any suggestion that they are at fault or should have acted in a different manner to avoid reported sex or gender-based misconduct.
14. The right to not be required to describe the incident to more representatives than absolutely necessary for proper investigation and response and under no circumstances will a victim be required to repeat details of the incident to secure appropriate accommodations.
15. The right to make an impact statement during the point in any conduct review process where the decision maker is prepared to deliberate on appropriate sanctions.

*For all colleagues:* In the event that a violation of this policy is reported to you, the victim should be provided with the above-listed options and a copy of this policy. For more specific instructions on how to properly comply with this policy, please consult the Title IX Coordinator.

### **Amnesty for Victims and Witnesses**

DVU encourages the reporting of sex and gender-based misconduct by victims and witnesses who are sometimes hesitant to report to DVU officials or participate in the resolution processes because of concern that they may be accused of policy violations, such as underage drinking or drug use at the time of the incident. It is in the best

interest of the community that victims and witnesses come forward to share what they know regarding violations of this policy. To encourage reporting, victims and witnesses may be provided with educational options, rather than punitive sanctions, for minor policy violations.

Similarly, DVU encourages direct assistance to those in need as a result of sex or gender-based misconduct. In instances where minor policy violations are revealed as a result of a person providing assistance to a victim, policy violations should not be overlooked, however the DVU may provide educational options, rather than punitive sanctions, to those who offer their assistance.

### **Retaliation**

DVU prohibits retaliation against anyone who reports an incident of sex and gender-based misconduct or any person who assists or participates in a proceeding, investigation or hearing relating to such allegations. Any allegation of retaliation related to the investigation or resolution of a sex or gender-based misconduct allegation will be treated as an independent Title IX complaint requiring consideration of appropriate reparative interim action, as well as investigation and resolution as described in this policy.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

All complaints of retaliation should be reported in accordance with DVU's complaint procedures. If DVU's procedures would result in students or colleagues being required to submit a complaint to the person whom they believe is retaliating, students or colleagues may submit the retaliation complaint directly to the Title IX Coordinator, or to the campus or location leader or one-up manager, who should also inform the Title IX Coordinator.

Submission of a good-faith complaint or report of sexual or gender-based misconduct will not adversely affect the complainant's future academic or work environment. DVU will discipline or take other appropriate action against anyone who retaliates against any person who reports an incident of alleged sexual or gender-based misconduct or who retaliates against any person who assists or participates in a proceeding, investigation or hearing related to such allegations.

### **Confidentiality**

DVU wishes to create an environment in which individuals feel free to discuss concerns and make complaints. DVU understands that complainants, witnesses, and others involved in the investigation process may be concerned about the confidentiality of the information they are sharing. In some cases, however, DVU may be obligated to take action when it becomes aware of information relating to a complaint.

Confidentiality in cases of sex and/or gender-based misconduct will be maintained to the extent permissible by law and consistent with DVU's obligations in investigating complaints. Once an individual discloses identifying information to DVU through the processes described above and in the applicable complaint procedures, that person will be considered to have filed a complaint with DVU. While the confidentiality of information received, the privacy of individuals involved, and compliance with the wishes of the complainant or witnesses cannot be guaranteed, they will be respected to the extent possible and appropriate.

### **Confidential Resources**

The availability of confidential resources permits discussion of an incident without triggering an immediate report to the Title IX Coordinator and institutional or organizational response, both of which may result in or require that the reporter or impacted party being identified. Confidential resources also permit exploration of reporting options and possible consequences before filing a formal report. State or profession specific mandatory reporting laws related to certain types of concerns (i.e. child sexual abuse), may still trigger a requirement for a confidential resource to report an incident to identified enforcement agencies.

If students or colleagues wish to speak with someone who can assure confidentiality, they are encouraged to access counseling services available by referral through DVU's third party provider, ASPIRE, at 888.470.1531 or myaspireonline.com (for students) or GuidanceResources at 877- 623-3879 (for colleagues). Additional

confidential resources may be available on or off campus and vary by location. (See your institution's student handbook or your campus-specific website).

### **Risk and Reduction Tips**

Responsibility for sexual misconduct rests with those who commit such acts. Risk reduction tips are not intended to blame the victim. There are precautions we all can take which may limit our exposure to situations which may result in non-consensual sexual acts.

- Communicate limits/ boundaries and respect the limits/ boundaries of others.
- Clearly and firmly say “No” to a sexual aggressor.
- If possible, leave the physical presence of a sexual aggressor or otherwise violently aggressive person.
- If someone is nearby, ask for help.
- Take responsibility for your alcohol/ drug use. Acknowledge that alcohol/ drugs lower sexual inhibitions and may make you vulnerable to someone who sees an impaired person as a sexual opportunity.
- Do not take advantage of someone's intoxication or altered state even if alcohol or drugs were consumed willingly.
- If you choose to share intimate images, pictures, videos or content with others, even those you trust, be clear about your expectations regarding how the information may be used, shared or disseminated. If such information is shared with you, do not share it with others.
- Take care of friends and ask that they take care of you.
- As a sexual initiator, clearly communicate your intentions and give your sexual partner the opportunity to clearly communicate the same.
- Do not make assumptions about consent, sexual availability, sexual attraction, how far an interaction can go, or about physical and/or mental ability to consent.
- Remember that consent should be affirmative and continuous. If there is any question or ambiguity, you should proceed as if you do not have consent.
- Consider mixed messages from a partner to be an indication that sexual conduct should stop so that better communication can occur.
- Recognize the potential for a sexual partner to feel intimidated or coerced by you as a result of a power advantage, your gender, your demeanor or your physical presence. Do not use or abuse that power.

### **Bystander Intervention Strategies**

Intervention by classmates, colleagues and others within proximity to the precursors or signs of possible sexual assault, sexual exploitation, dating violence, domestic violence or stalking can significantly impact the course of an interaction between a latent perpetrator and victim. Bystanders may also encourage friends, classmates and colleagues who are already experiencing victimization to seek assistance sooner than they may have without encouragement, support, or acknowledgement.

Community members are encouraged to recognize warning signs and to consider possible methods of interference in various scenarios before opportunities to intervene arise. By planning ahead, we all maximize the likelihood of being empowered to take safe actions to either prevent sexual misconduct or offer paths to eliminate ongoing victimization.

When a member of the DVU community observes threatening, coercive, forceful, aggressive or harassing behavior, it is important to assess the situation to determine the best possible course of action for all concerned. Some forms of intervention are direct, while others will be less apparent to the perpetrator or others within range of the interaction. Examples include but are not limited to:

- Making up an excuse to get someone out of a dangerous situation.
- Stepping in to change the course of an interaction.
- Warning potential or perceived perpetrators that their actions may lead to severe consequences.
- Refusing to leave the company of a potential victim despite efforts by an aggressor or pursuer to

get the potential victim alone.

- Remaining on the scene of observed misconduct and offering to make a statement or act as a witness subsequent to intervention by security, administration or the police.
- Taking steps to reduce alcohol or drug consumption within a potentially dangerous social situation.
- Calling and cooperating with security, administration, the police or others to assist with intervention and accountability.
- Expressing concern or offering resources when you notice someone with unexplained or frequent injuries.
- Refusing to consider sex and/or gender-based misconduct a personal or private matter between the victim and the perpetrator.

### **Procedures to Follow After a Sexual Misconduct Incident**

Victims of any sexual misconduct that might constitute a crime, including domestic violence, dating violence, sexual assault, stalking, and rape (including acquaintance rape) that impacts the DVU community have the option and are encouraged to contact local law enforcement authorities.

Whenever possible, victims should report a violation of this policy as soon as possible and preserve evidence as may be necessary to prove that domestic violence, dating violence, sexual assault, or stalking occurred, or to obtain a protection order. Victims of sexual assault or rape are strongly encouraged to report the incident as described in this policy to deter future assaults and to ensure that victims receive the services they need. Steps should be taken to help deal with physical and emotional trauma associated with the violation. Recommended steps include:

1. Go to a safe place; go somewhere to get emotional support.
2. Consider reporting the incident to the police. If requested, DVU will assist with notification.
3. Report the misconduct to the student central manager, conduct administrator, complaint administrator, one-up manager, campus incident commander, local DVU leadership, Title IX Coordinator, or the CRC.
4. For your safety and well-being, immediate medical attention is encouraged. Being examined as soon as possible, ideally within 120 hours, is important especially in the case of rape and other forms of sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that, if at all possible, you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before that exam. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care. Additionally, you are encouraged to gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. Secure them in a clean paper bag or clean sheet.
5. Even after the immediate crisis has passed, consider seeking professional counseling and the support of local and specialized support agencies such as sexual assault recovery centers and domestic violence safe houses. This can help to recover from psychological effects and provide a safe environment for recovery.
6. Contact the student central manager, academic advising team lead (for online), conduct administrator, complaint administrator, one-up manager, Title IX coordinator, or the CRC if you need assistance with DVU related concerns, such as implementing no-contact orders or other protective measures. DVU may also liaise with local authorities to assist an individual who wishes to obtain protective or restraining orders.

Victims are not required to report an incident to law enforcement authorities, but campus authorities will assist victims who wish to do so. Anyone with knowledge about a sexual assault or other sex or gender-based misconduct is encouraged to report it immediately to the Title IX Coordinator in order to permit a coordinated report to the applicable law enforcement authorities when appropriate. Nothing in this policy prohibits a student or colleague from reporting a crime directly to local authorities.

Please refer to the “Related Information” section of this document for a link to local resources for advice and assistance to victims.

### **Resources for Victims of Sexual Misconduct**

***National Sexual Assault Hotline***

1-800-656-HOPE (4673)

<https://rain.org>

***National Suicide prevention Hotline***

1-800-273-TALK (8255)

<https://suicidepreventionlifeline.org>

***National Domestic Violence Hotline***

1-800-799-7233

(TTY) 1-800-787-3224

<http://thehotline.org>

***Americans Overseas Domestic Violence Crisis Center***

1-866-USWOMEN (International Toll Free)

[crisis@866uswomen.org](mailto:crisis@866uswomen.org)

***National Network to End Domestic Violence***

<https://nnedv.org>

<https://womenslaw.org/> [Legal information and resources]

***U.S. Embassy***

<https://USEmbassy.gov>

***National Stalking Resource Center***

<https://victimsoccrime.org>

***School and College Organization for Prevention Educators***

Consent Statutes Listed by State:

<https://wearescope.org/reources/consent-statutes/#list>

***National Teen Dating Abuse Helpline***

1-866-331-9474

1-866-331-8453 (TTY)

<https://loveisrespect.org>

***The White House Task Force to Protect Students from Sexual Assault***

<https://NotAlone.Gov>

**CAMPUS SEX CRIMES PREVENTION ACT**

The Campus Sex Crimes Prevention Act requires sex offenders already required to register in a State to provide notice, as required under State law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. The act requires that state procedures ensure this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems. These changes became effective two years after enactment of the law (2002).

This act amends the Higher Education Act of 1965 to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. This change takes effect two years after enactment (2002).

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders; requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

Convicted sex offenders or sexual predators attending or employed at an institution of higher education in Illinois are required to comply with The Illinois Sex Offender Registration Act. The act requires sex offenders/predators to register in person with the public safety or security director of the institution of higher education at which he or she is employed or attends. Please contact the appropriate Illinois Incident Commander or school official to register.

Illinois and California require an institution that contracts with a school district to provide educational services to K-12 students to collect fingerprints of any colleagues who will have regular contact with the K-12 students. This process is maintained by Human Resources.



To check registered sex offenders in a state see the State Sexual Offender Registry List section.

## **STATE SEXUAL OFFENDER REGISTRY LIST**

### **ALABAMA**

Website: <https://app.alea.gov/Community/wfSexOffenderSearch.aspx>

Phone Number: 334-353-1172

### **ALASKA**

Website: <http://www.dps.alaska.gov/sorweb/sorweb.aspx>

Phone Number: 907-269-0396 or 80-658-8892 (outside Anchorage in Alaska)

### **ARIZONA**

Website: <https://www.azdps.gov/services/public/offender>

Phone Number: 602-223-2000

### **ARKANSAS**

Website: <https://www.ark.org/offender-search/index.php>

Phone Number: 501-682-2222

### **CALIFORNIA**

Website: <http://www.meganslaw.ca.gov/>

Phone Number: 916-227-4974

### **COLORADO**

Website: <https://www.colorado.gov/apps/cdps/sor/>

Phone Number: 303-239-4222

### **CONNECTICUT**

Website: [http://sheriffalerts.com/cap\\_main.php?office=54567](http://sheriffalerts.com/cap_main.php?office=54567)

Phone Number: 860-685-8060

### **DELAWARE**

Website: <https://sexoffender.dsp.delaware.gov/>

Phone Number: 302-739-5882

### **DISTRICT OF COLUMBIA**

Website: <http://sexoffender.dc.gov/>

Phone Number: 202-727-4407

### **FLORIDA**

Website: <https://offender.fdle.state.fl.us/offender/sops/offenderSearch.jsf>

Phone Number: 888-357-7332

### **GEORGIA**

Website: [http://state.sor.gbi.ga.gov/sort\\_public/SearchOffender.aspx](http://state.sor.gbi.ga.gov/sort_public/SearchOffender.aspx)

Email Link: [http://state.sor.gbi.ga.gov/sort\\_public/ContactUs.aspx](http://state.sor.gbi.ga.gov/sort_public/ContactUs.aspx)

### **HAWAII**

Website: <http://sexoffenders.ehawaii.gov/sexoffender/welcome.html>

Phone Number: 808-587-3350

### **IDAHO**

Website: [http://www.isp.idaho.gov/sor\\_id/](http://www.isp.idaho.gov/sor_id/)

Phone Number: 208-884-7305

### **ILLINOIS**

Website: <http://www.isp.state.il.us/sor/>

Phone Number: 217-785-0653

### **INDIANA**

Website: <http://www.icrimewatch.net/indiana.php>

Phone Number: 800-622-4779

### **IOWA**

Website: <http://www.iowasexoffender.com/>

Phone Number: 515-725-6050

### **KANSAS**

Website: <http://www.accesskansas.org/kbi/ro.shtml>

Phone Number: 785-296-2841

### **KENTUCKY**

Website: <http://kspsor.state.ky.us/>

Phone Number: 202-227-8700

### **LOUISIANA**

Website: <http://www.lsp.org/socpr/default.html>

Phone Number: 800-858-0551

### **MAINE**

Website: <http://sor.informe.org/cgi-bin/sor/index.pl>

Phone Number: 207-624-7270

### **MARYLAND**

Website: <http://www.socem.info/>

Phone Number: 410-585-3600

### **MASSACHUSETTS**

Website: <http://www.mass.gov/eopss/agencies/sorb/>

Phone Number: 978-740-6400

### **MICHIGAN**

Website: [http://www.communitynotification.com/cap\\_main.php?office=55242/](http://www.communitynotification.com/cap_main.php?office=55242/)

Phone Number: 517-241-1806

### **MINNESOTA**

Website: <https://coms.doc.state.mn.us/PublicViewer/>

Phone Number: 651-361-7340

### **MISSISSIPPI**

Website: <http://state.sor.dps.ms.gov/>

Phone Number: 601-987-1540

**MISSOURI**

Website: <http://www.mshp.dps.mo.gov/CJ38/search.jsp>

Phone Number: 888-767-6747

**MONTANA**

Website: <https://app.doj.mt.gov/apps/svow/>

Phone Number: 406-444-7068

**NEBRASKA**

Website: <https://sor.nebraska.gov/>

Phone Number: 402-471-8647

**NEVADA**

Website: <http://www.nvsexoffenders.gov/>

Phone Number: 775-684-6262

**NEW HAMPSHIRE**

Website: <http://business.nh.gov/NSOR/search.aspx>

Phone Number: 800-735-2964

**NEW JERSEY**

Website: <http://www.njsp.org/sex-offender-registry/index.shtml>

Phone Number: 609-882-2000

**NEW MEXICO**

Website:

[http://sheriffalerts.com/cap\\_office\\_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlmaWNhdGlvb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA==](http://sheriffalerts.com/cap_office_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlmaWNhdGlvb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA==)

Phone Number: 505-827-9297

**NEW YORK**

Website: [http://www.criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp)

Phone Number: 800-262-3257

**NORTH CAROLINA**

Website: <http://sexoffender.ncsbi.gov/>

Email Link: <http://sexoffender.ncsbi.gov/contact.aspx>

**NORTH DAKOTA**

Website: <http://www.sexoffender.nd.gov/>

Phone Number: 701-328-2210

**OHIO**

Website: [http://www.communitynotification.com/cap\\_main.php?office=55149](http://www.communitynotification.com/cap_main.php?office=55149)

Phone Number: 866-406-4534

**OKLAHOMA**

Website: <https://sors.doc.state.ok.us/svor/f?p=119:5:0::NO>

Email Address: [osor@doc.state.ok.us](mailto:osor@doc.state.ok.us)

**OREGON**

Website: <http://sexoffenders.oregon.gov/>

Phone Number: 503-934-1258

**PENNSYLVANIA**Website: <http://www.pameganslaw.state.pa.us/>

Phone Number: 866-771-3170

**PUERTO RICO**Website: <http://sor.cjis.pr.gov/>

Phone Number: 787-729-2121

**RHODE ISLAND**Website: <http://www.paroleboard.ri.gov/sexoffender/agree.php>

Phone Number: 401-462-0905

**SOUTH CAROLINA**Website: <http://scor.sled.sc.gov/ConditionsOfUse.aspx>

Phone Number: 803-896-2601

**SOUTH DAKOTA**Website: <http://sor.sd.gov/>

Phone Number: 605-773-3331

**TENNESSEE**Website: <https://www.tn.gov/tbi/general-information/tennessee-sex-offender-registry.html>

Phone Number: 615-744-4000

**TEXAS**Website: <https://records.txdps.state.tx.us/SexOffenderRegistry>

Phone Number: 855-481-7070

**UTAH**Website: [http://sheriffalerts.com/cap\\_main.php?office=54438](http://sheriffalerts.com/cap_main.php?office=54438)

Phone Number: 801-495-7700

**VERMONT**Website: <http://vcic.vermont.gov/sor>

Phone Number: 802-241-5400

**VIRGINIA**Website: <http://sex-offender.vsp.virginia.gov/sor/>

Phone Number: 804-674-2825

**WASHINGTON**Website: <http://www.icrimewatch.net/washington.php>

Phone Number: 360-486-2386

**WEST VIRGINIA**Website: <https://apps.wv.gov/StatePolice/SexOffender/>

Phone Number: 304-746-2133

**WISCONSIN**Website: <https://appsdoc.wi.gov/public>

Phone Number: 608-240-5830

**WYOMING**Website: [http://www.communitynotification.com/cap\\_main.php?office=55699](http://www.communitynotification.com/cap_main.php?office=55699)

## **ALCOHOL AND SUBSTANCE ABUSE POLICY**

DeVry University expects all members of its community; students, faculty and staff, to be familiar with and to abide by applicable state, federal and local laws regarding alcohol and drugs. DeVry University forbids the use, possession, distribution or sale of drugs, except permitted substances when taken under a doctor's prescription and consistent with a doctor's instructions. DeVry University specifically prohibits the use, possession, distribution or sale of medical marijuana on its premises or at any DeVry University-sponsored event. The unauthorized possession, distribution, sale or consumption of alcoholic beverages anywhere on DeVry University property or at DeVry University -sponsored events is also forbidden. Violation of state, federal or other local regulations with respect to illegal drugs or alcohol are subject to both criminal prosecution and campus disciplinary action. Please refer to the following sections for additional information: Drug Free Schools and Communities Act, Laws Regarding Alcohol and Drugs, School Sanctions, and Local Treatment Resources, and the Code of Conduct in the Student Handbook <https://www.devry.edu/current-students/current-students-student-handbooks.html>.

## **DRUG FREE SCHOOLS & COMMUNITIES ACT**

### **Educational Guidelines Pertaining to Drug Free Schools & Communities Act**

DeVry University expects all members of its community including students, faculty and staff, to be familiar with and to abide by applicable state, federal and local laws regarding alcohol and drugs. Students are also responsible for knowing school regulations concerning alcohol use on campus. DeVry University forbids the unauthorized use, possession, distribution or sale of drugs or alcohol by a student anywhere on DeVry University property. Violation of these laws or regulations may subject a student to both criminal prosecution and campus disciplinary action.

Use of illicit drugs and abuse of prescription drugs pose a serious threat to mental and physical health. Alcohol is a drug. Its use in even the smallest amounts may be harmful to some people, and when used to excess, alcohol is harmful to everyone. For this reason, responsible drinking is essential and is expected of those who choose to drink.

### **Substance**

#### **Alcohol (at .08 Blood Alcohol Concentration & Above)**

Impaired motor abilities; reduced judgment; sleepiness; increased sexual desire but reduced ability to perform; nausea, vomiting; liver disorders-alcoholic hepatitis, alcoholic cirrhosis; cancer of the-tongue, mouth, throat, esophagus, liver, breast; fetal alcohol syndrome (most common symptom is mental retardation).

#### **Cannabis Marijuana Hash/Hash Oil THC**

Diminished-short term memory, motivation & cognition, coordination & concentration, oral communication, reaction time; anxiety & panic reactions; carcinogenic elements in smoke; damaged lungs & respiratory system.

#### **Cocaine (includes Crack Cocaine)**

Increased likelihood of risk taking; seizures; sleeplessness; paranoia; irregular heartbeat; can cause sudden death by stroke or heart failure, even in young users; cocaine psychosis (paranoia & hallucinations); ulceration of mucous membranes in the nose; sexual dysfunction; during pregnancy can cause severe physical & emotional problems in babies.

#### **Depressants, Tranquilizers, Barbiturates, Methaqualone**

Dangerous effects when mixed with alcohol; calmness & relaxed muscles; slurred speech, staggering gait, loss of motor coordination; altered perceptions; respiratory depression which can result in coma or death; disruption of normal sleep cycle; during pregnancy-birth defects, brain tumors in children; tolerance develops severe withdrawal symptoms; physical & psychological dependence.

#### **Other Stimulants (Excluding Cocaine), Amphetamines, Methamphetamines**

Increased heart & respiratory rates; elevated blood; decreased appetite; headaches; blurred vision; dizziness; sleeplessness; anxiety; amphetamine psychosis-violent behavior, hallucinations, delusions, paranoia; drug tolerance & dependency; mood swings; ulcers; mental confusion.

### **Psychedelics, LSD, Mescaline, Psilocybin, Phencyclidine (PCP), MDMA (Ecstasy), MDA**

Distorted sense of distance, space and time; blockage of pain sensations; nausea, vomiting & diarrhea; severe mood disorders, panic depression, anxiety; greater suggestibility & feelings of invulnerability; unpredictable reactions if drugs are "cut" with impurities; tolerance after (3-4 daily doses--higher doses are required to produce same effects).

### **Narcotics, Opium, Morphine, Codeine, Thebaine, Heroin, Methadone, Darvon, Demerol**

Feeling of euphoria followed by drowsiness; nausea & vomiting; respiratory depression; central nervous system depression; use of unsterile needles promotes-AIDS, hepatitis B, endocarditis (infection in the heart); women dependent on opiates have multiple pregnancy complications-spontaneous abortions, still births, anemia, diabetes.

## **LAWS REGARDING ALCOHOL AND DRUGS**

### **FEDERAL**

Federal law penalizes the unlawful manufacturing, distribution, use, sale, and possession of controlled substances. The penalties vary based on many factors, including the type and amount of the drug involved, and whether there is intent to distribute. Federal law sets penalties for first offenses ranging from less than one year to life imprisonment and/or fines up to \$10 million. Penalties may include forfeiture of property, including vehicles used to possess, transport, or conceal a controlled substance; the denial of professional licenses or Federal benefits, such as student loans, grants, and contracts; successful completion of a drug treatment program; community service; and ineligibility to receive or purchase a firearm. Federal law holds that any person who distributes, possesses with intent to distribute, or manufactures a controlled substance on or within one thousand feet of an educational facility is subject to a doubling of the applicable maximum punishments and fines. See the Federal Controlled Substances Act at 21 USC 800.

### **SCHOOL SANCTIONS \*\***

#### **(APPLIED TO ALL CATEGORIES OF SUBSTANCES)**

The following are prohibited under the Code of Conduct applicable to students:

- Use, possession or distribution of narcotic or other controlled substances, except as expressly permitted by law, or being under the influence of such substances.
- Use, possession or distribution of alcoholic beverages, except as expressly permitted by law and University regulation; or public intoxication.

The sanctions listed below may be imposed upon any covered person found to have violated the Code of Conduct. The listing of the sanctions should not be construed to imply that covered persons are entitled to progressive discipline. The sanctions may be used in any order and/or combination that the University deems appropriate for the conduct in question.

- a) Warning - A verbal or written notice that the respondent is in violation of or has violated the University's conduct expectations.
- b) Probation - A written reprimand with stated conditions in effect for a designated period of time, including the probability of more severe disciplinary sanctions if the respondent is found to be violating any University policy and regulation(s) during the probationary period.
- c) Fines - Fines may be imposed, as determined or approved by the University.
- d) Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- e) Housing Suspension - Separation of the respondent from his or her University controlled housing for a definite period of time. Conditions for readmission to housing may be specified.
- f) Housing Expulsion - Permanent separation of the respondent from the University's controlled housing.
- g) DeVry University Suspension - Separation of the respondent from the University for a definite period of time, after which the respondent is eligible to return. Conditions for readmission may be specified.
- h) DeVry University Expulsion - Permanent separation of the respondent from all of the university locations and DeVry Education Group institutions.

## **FACULTY AND STAFF**

Colleagues of the institution are prohibited from:

- While performing school business under the influence of a controlled substance.
- Possession, use, sale of a controlled substance.
- Furnishing a controlled substance to a minor.

Sanctions for this violation could lead up to termination of employment.

\*\*These sanctions are in addition to any criminal sanctions that may be imposed. Student colleagues are subject to both colleague and student sanctions.

## **LOCAL TREATMENT RESOURCES**

The following is a sampling of local area information and treatment resources. A more comprehensive listing of available counseling and treatment programs can be obtained in the Student Central.

### **Addison Campus**

Drug and Alcohol Abuse Hotline 630-355-2585

Central DuPage /Cadence Alcoholism Treatment Center 630-933-4000

Alcoholics Anonymous Naperville (630) 355-2622

## **STUDENT RIGHTS UNDER FERPA**

*(The Family Educational Rights and Privacy Act)*

DeVry University respects the rights and privacy of its students and acknowledge the responsibility to maintain confidentiality of personally identifiable information.

FERPA is a federal law that affords students the following rights with respect to their education records. These rights include:

1. **THE RIGHT TO INSPECT AND REVIEW THE STUDENT'S EDUCATION RECORDS**

Students have the right to review their education records within 45 days of the day the institution receives their request. Students should submit to the registrar, dean, or head of the academic department a written request that identifies the record(s) they wish to inspect. The institution official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the official to whom the request is submitted does not maintain the records, that official will advise the student of the correct official to whom the request should be addressed.

2. **THE RIGHT TO SEEK AN AMENDMENT OF INACCURATE OR MISLEADING INFORMATION**

Students may ask the institution to amend a record that they believe is inaccurate or misleading. They should write to the official responsible for the record, clearly identify the part of the record they believe should be changed and specify why it is inaccurate or misleading. If the institution decides not to amend the record as requested by the student, the student will be notified of the decision and advised of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when they are notified of the right to a hearing. Following the hearing, if the institution still decides not to amend the record, the student has a right to place a clarifying statement in the record.

3. **THE RIGHT TO LIMIT DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION**

Students have the right to consent to disclosure of personally identifiable information contained in their educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to a school official who has a legitimate educational interest. A school official is a person employed by the institution in an administrative, supervisory, academic, research, or support staff position (including campus security, incident commanders and health staff) or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer, or contractor outside of the institution who performs an institutional service or function for which the institution would otherwise use its own employees and who is under the direct control of the institution with respect to the use and maintenance of PII from education records, such as an attorney, auditor, intern or collection agent or a student volunteering to assist another school official in performing their tasks. School officials have a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for the institution.

Another exception that permits disclosure without consent is disclosure of directory information. Directory information is not considered to be harmful or an invasion of privacy if disclosed. See the Directory Information section for additional information.

#### **4. THE RIGHT TO FILE A COMPLAINT WITH THE U.S. DEPARTMENT OF EDUCATION IF THE INSTITUTION FAILS TO COMPLY WITH FERPA REQUIREMENTS**

##### **Complaints should be directed to:**

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
Phone: 1-800-USA-LEARN (1-800-872-5327)

#### **DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (FERPA) designates certain student information as “Directory Information” and gives the institution the right to disclose such information without having to ask students’ permission. The items listed below as “Directory Information” may be released for any purpose at the discretion of the institution. Under the provisions of FERPA, students have the right to withhold the disclosure of any or all of the categories of information listed below. **The following information will be released unless students specifically request that their information be withheld:**

- **Directory Information:** Name, address, telephone number, email address, date and place of birth, dates of attendance, previous institution(s) attended, major field of study (program), enrollment status, degrees and awards, past and present participation in officially recognized activities.
- **Hometown program:** Through DeVry’s Hometown program, information regarding students’ enrollment, activities, honors, graduation, awards and employment may be released to newspapers, students’ high schools, and various DeVry departments for informational and promotional materials it publishes.
- **Career Services:** Students approaching graduation and working with career services staff on career planning, job interviewing and resume preparation authorize release of the following records for a period of fifteen months after graduation: the resume, identifying data, academic work completed, immigration status (if applicable), and authorize career services to verify information graduates provide regarding their employment. At no time is compensation information released or published.



### **To Withhold Information**

To have directory or hometown program or career services information withheld, students must submit a written request to the Registrar. Once filed, this request becomes a permanent part of the student's record and no information may be released until the student instructs the institution otherwise.

### **VOTER REGISTRATION**

As a participant in Title IV Federal Student Financial Aid programs, DeVry University would like to remind students who are U.S. citizens of the importance of registering to vote.

If you are interested in participating in local, state, or national elections, please visit the Election Assistance Commission website at [www.eac.gov/voter\\_resources/register\\_to\\_vote.aspx](http://www.eac.gov/voter_resources/register_to_vote.aspx) to learn how you can register to vote.

### **UNAUTHORIZED DISTRIBUTION OF COPYRIGHTED MATERIALS**

DeVry University strives to provide access to varied materials, services and equipment for students, faculty and staff and does not knowingly condone policies or practices that constitute an infringement of Federal copyright law. Transmitting or downloading any material that you do not have the right to make available and that infringes any patent, trademark, trade secret, copyright or other proprietary rights of any party is prohibited.

Installing or distributing pirated or unlicensed software is also forbidden. Violation of these requirements may subject students, faculty and staff to civil and criminal liabilities. Students, faculty or staff who violate federal copyright law do so at their own risk. Copyright status is applied to a work as soon as it is created. Users should assume that all writings and images are copyrighted.

Title 17 of the United States Code (17 USC §501 et seq.) outlines remedies for copyright infringement that may include some or all of the following: obtaining an injunction to stop the infringing activity; impounding and disposing of the infringing articles; an award to the copyright owner of actual damages and the profits of the infringer, or in the alternative, an award of statutory damages which may be increased if the infringement is found to be willful; an award of two times the amount of the license fee a copyright owner could have gotten; an award of the full costs incurred in bringing an infringement action, and the award of attorney's fees; and for criminal copyright infringement, fines and imprisonment.

DeVry University maintains a campus network to support and enhance the academic and administrative needs of our students, faculty and staff. DeVry University is required by Federal Law – H.R. 4137 to make an annual disclosure informing students that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. DeVry University takes steps to detect and punish users who illegally distribute copyrighted materials.

DeVry University reserves the right to suspend or terminate network access to any campus user that violates this policy and Network access may be suspended if any use is impacting the operations of the network. Violations may be reported to appropriate authorities for criminal or civil prosecution. The existence and imposition of sanctions do not protect members of the campus community from any legal action by external entities.

### **Alternatives to Illegal Downloading**

Illegal downloads hurt artists and deter the incentive to create. U.S. laws protect the rights of individuals regarding their own works. Below are lists of sites that offer free or inexpensive products that you can use without violating copyright law.

### **FREE AND LEGAL**

#### **Clipart:**

<http://www.coolarchive.com/>

<http://www.clipart.com/>

**Fonts:**

<http://www.blambot.com/>

<http://www.fonts.com/>

**Photos:**

<http://www.freefoto.com/index.jsp>

<https://www.photospin.com/Default.asp?>

**Music:**

<http://download.cnet.com/windows/>

<http://www.epitonic.com/>

<http://betterpropaganda.com/>