

# VICTIM'S (SURVIVOR'S) RIGHTS

University of Aesthetics & Cosmetology (Chicago, IL), University of Aesthetics & Cosmetology (Downers Grove, IL), & Professional Cosmetology Education Center are hereinafter referred to as "University."

## VICTIM'S (SURVIVOR'S) RIGHTS UNDER IL LAW

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

## RIGHTS & REPORTING OPTIONS

### TITLE IX

Title IX of the Education Amendments of 1972 ("Title IX") prohibits discrimination based on sex, which includes sexual and relationship violence at any federally funded education program or activity. If the University receives a complaint of sexual and relationship violence or discrimination, the University will respond by considering each complaint based upon its facts & circumstances; prohibit retaliation against anyone for submitting a complaint or participating in a process related to Title IX.

### SEXUAL & RELATIONSHIP VIOLENCE

The University's policies strictly prohibit sexual & relationship violence; including, but not limited to threats of sexual & relationship violence. Individuals of any sex, sexual orientation, or gender identity may be victims of sexual or relationship violence.

### REPORTING RIGHTS

You have the right to report an incident of sexual or relationship violence to the University, law enforcement, or both. You also have the right to not make a report.

### ON CAMPUS REPORTING

Emergency Reporting: Call 911

Non-Emergency Reporting:

|   |                   |  |
|---|-------------------|--|
| University of Aesthetics & Cosmetology<br>Chicago, IL       | Leigh Anne Kelley | <a href="mailto:leighanne@uofac.edu">leighanne@uofac.edu</a> |
|   |                   | 773.635.0141   |
| University of Aesthetics & Cosmetology<br>Downers Grove, IL | Leigh Anne Kelley | <a href="mailto:leighanne@uofac.edu">leighanne@uofac.edu</a> |
|   |                   | 773.635.0141   |
| Professional Cosmetology Education Center,<br>El Dorado, AR | Jill Hanry        | <a href="mailto:admissions@pcec.edu">admissions@pcec.edu</a> |
|   |                   | 870.776.8865   |

**Responsible Employees:**

All University Educators & Staff are “responsible employees.” Title IX requires that when a responsible employee learns of sex discrimination; including sexual or relationship violence, that individual is required to promptly advise the Title IX Coordinator or other appropriate designees.

Survivor confidentiality cannot be guaranteed unless the responsible employee has been designated as a confidential resource.

**RIGHTS & PRIVACY & CONFIDENTIALITY**

The University is committed to protecting the privacy of all individuals involved in a report of prohibited conduct. In any report, investigation or resolution of a report, every effort will be made to protect the privacy interests of all individuals involved. Information will be limited on a “need to know” basis to assist with any investigation.

Information shared with the University cannot be revealed without permission unless permitted by law.

**CONFIDENTIAL ADVISORS**

**Confidential Advisors**

Students have access to confidential advisors to provide emergency and ongoing support to survivors of sexual violence.

| Campus  | Confidential Advisors   |
|---|---|
| University of Aesthetics & Cosmetology<br>Chicago, IL | Chicago Rape Crisis Hotline<br><br>1 N. LaSalle St #1150<br><br>(888) 293-2080<br><br>Chicago, IL 60602 |

|   |  |
|---|--|
| University of Aesthetics & Cosmetology<br><br>Downers Grove, IL | Community Crisis Center<br><br>(847) 697-2380<br><br>DuPage County Children’s Center<br><br>(630) 407-2750 |
| Professional Cosmetology Education Center<br><br>El Dorado, AR  | Turning Point<br><br>900 E 1st StEl Dorado, AR 71730<br><br>(870) 862-3672                                 |

## RIGHTS & RESPONSE PROCEDURE FOR REPORTS OF ALLEGED INCIDENTS

The following represents the procedure for responding to a report of an alleged incident of sexual violence, domestic violence, dating violence, or stalking.

1. SURVIVOR’S RIGHTS. Upon being notified of an alleged violation of the comprehensive policy by or on behalf of a student, the following:
  - a. right to report or not report the alleged incident to the higher education institution, law enforcement, or both, including information about the survivor's right to privacy and which reporting methods are confidential;
  - b. the contact information for the higher education institution's Title IX coordinator or coordinators, confidential advisors, a community-based sexual assault crisis center, campus law enforcement, and local law enforcement;
  - c. right to request and receive assistance from campus authorities in notifying law enforcement;
  - d. ability to request interim protective measures and accommodations for survivors, including honoring an order of protection or no contact order in State court;
  - e. a summary of the higher education institution's complaint resolution procedures, if the survivor reports a violation of the comprehensive policy.
2. WITNESSES. Identifying and locating witnesses,
3. INTERVIEWING. Contacting and interviewing the respondent,
4. AMNESTY. We will provide immunity to any student who reports, in good faith, an alleged incident to a responsible employee, as defined by federal law, so that the reporting student will not receive a disciplinary sanction for a student conduct violation, such as underage drinking, that is revealed in the course of such a report, unless the institution determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.
5. LAW ENFORCEMENT. Contacting and cooperating with law enforcement, when applicable, and
6. RESOURCES. Providing information regarding the importance of preserving physical evidence of the sexual violence and the availability of a medical forensic examination at no charge to the survivor.
7. PROHIBITION ON RETALIATION & OTHER SANCTIONS. Each campus may impose sanctions that may include, but are not limited to, suspension, expulsion, or removal of the student found, after complaint resolution procedures, to be in violation of the comprehensive policy of the higher education institution

- a. alleged perpetrators; and
- b. individuals who engage in retaliatory conduct against those who, in good faith, report or disclose an alleged violation of the comprehensive policy, file a complaint, or otherwise participate in the complaint resolution procedure.

## COMPLAINT RESOLUTION PROCEDURE

In matters of violations, the campus Director or other administrative staff will involve the local authorities best able to investigate the matter; however, if the campus does conduct an investigation and hearing, the following applies.

1. Complainants alleging student shall have the opportunity to request that the complaint resolution procedure begin promptly and proceed in a timely manner.
2. The complainant and respondent shall receive notice of the individual or individuals with authority to make a finding or impose a sanction in their proceeding before the individual or individuals initiate contact with either party and have the opportunity to request a substitution if the participation of an individual with authority to make a finding or impose a sanction poses a conflict of interest.
3. Campus administration will determine interim protective measures and accommodations available pending the resolution of the complaint.
4. Any proceeding, meeting, or hearing held to resolve complaints of alleged student violations of the comprehensive policy shall protect the privacy of the participating parties and witnesses.
5. The complainant, regardless of this person's level of involvement in the complaint resolution procedure, and the respondent shall have the opportunity to provide or present evidence and witnesses on their behalf during the complaint resolution procedure.
6. The complainant and the respondent may not directly cross examine one another, but may, at the discretion and direction of the individual or individuals resolving the complaint, suggest questions to be posed by the individual or individuals resolving the complaint and respond to the other party.
7. Both parties may request and must be allowed to have an advisor of their choice accompany them to any meeting or proceeding related to an alleged violation of the comprehensive policy, provided that the involvement of the advisor does not result in undue delay of the meeting or proceeding. The advisor must comply with any rules in the institution's complaint resolution procedure regarding the advisor's role. If the advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or an individual resolving the complaint, that advisor may be prohibited from further participation.
8. The complainant and the respondent may not be compelled to testify, if the complaint resolution procedure involves a hearing, in the presence of the other party. If a party invokes this right, the higher education institution shall provide a procedure by which each party can, at a minimum, hear the other party's testimony.
9. The complainant and the respondent are entitled to simultaneous, written notification of the results of the complaint resolution procedure, including information regarding appeal rights, within 7 days of a decision or sooner if required by State or federal law.
10. The complainant and the respondent shall, at a minimum, have the right to timely appeal the complaint resolution procedure's findings or imposed sanctions if the party alleges (i) a procedural error occurred, (ii) new information exists that would substantially change the

outcome of the finding, or (iii) the sanction is disproportionate with the violation. The individual or individuals reviewing the findings or imposed sanctions shall not have participated previously in the complaint resolution procedure and shall not have a conflict of interest with either party. The complainant and the respondent shall receive the appeal decision in writing within 7 days after the conclusion of the review of findings or sanctions or sooner if required by federal or State law.

11. The higher education institution shall not disclose the identity of the survivor or the respondent, except as necessary to resolve the complaint or to implement interim protective measures and accommodations or when provided by State or federal law.