A MESSAGE FROM
ATTORNEY GENERAL KWAME RAOUL

The prevalence of sexual assault on college campuses is deeply troubling. While many students experience sexual assault during college, incidents often are not reported to authorities for fear of not being believed or taken seriously. Studies show that more than one in five undergraduate women and more than one in 20 undergraduate men experience unwanted sexual contact while in college, but nearly three out of four students do not report their assault.

In Illinois, my office initiated the Preventing Sexual Violence in Higher Education Act, which sets standards to address sexual violence at higher education institutions throughout the state. Colleges and universities must also take action to prevent and respond to sexual violence on campus under federal law.

The Preventing Sexual Violence in Higher Education Act includes requirements to increase awareness about campus sexual violence and provides students with a confidential advisor and reporting process. The law also requires colleges and universities to create specific procedures to respond to campus sexual violence.

This brochure summarizes the rights every student has under this law and the responsibilities of higher education institutions in Illinois. For additional information please visit my website at www.illinoisattorneygeneral.gov.

Kwame Raoul
Illinois Attorney General

[1] Association of American Universities Campus Climate Survey on Sexual Assault and Sexual Misconduct, 2015.

KWAME RAOUL
ATTORNEY GENERAL

- For more information about the Preventing Sexual Violence in Higher Education Act, contact the Attorney General's Civil Rights Bureau at (877) 581-3692 or visit www.illinoisattorneygeneral.gov.
- For information about your school's comprehensive policy concerning sexual violence, including the complaint reporting procedures, contact your campus' Title IX coordinator or a confidential advisor.
- For 24-hour crisis intervention services, counseling and advocacy assistance, contact the Illinois Coalition Against Sexual Assault (ICASA) at (217) 753-4117 or at www.icasa.org to connect with a crisis center in your area.

www.IllinoisAttorneyGeneral.gov

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The Preventing Sexual Violence in Higher Education Act

Understanding Your Rights

OFFICE OF THE ILLINOIS ATTORNEY GENERAL

YOUR SCHOOL MUST…

Develop a **comprehensive policy** covering sexual violence, domestic violence, dating violence and stalking that includes reporting procedures and university response guidelines.

Provide a trained **confidential advisor** to any survivor to consult on the survivor's rights, options for reporting, and medical, legal and other assistance. These communications are confidential and privileged by law.

Provide a short and **clear written explanation of rights** to any survivor that details reporting options, potential accommodations (changing class schedules or residence hall room assignments), and the complaint resolution procedure.

Adopt an **amnesty provision** to encourage students to report sexual violence without fear of sanctions for certain conduct that violates a student code, such as underage drinking.

Define **consent** to include, at a minimum, that a person cannot consent to sexual activity if they are unable to understand the nature of the activity or give knowing consent, such as when the person is unconscious, asleep, or incapacitated due to drugs or alcohol.

Conduct annual **survivor-centered training for students and employees** to improve awareness and responsiveness to allegations of sexual violence.

YOU HAVE A RIGHT TO…

Report an incident **electronically, confidentially or anonymously** (in addition to other methods offered by your school). A third party or bystander can also report an incident. Your college or university must respond to a report submitted electronically within 12 hours.

Know **who will resolve your complaint** before they contact you and request a substitution if that individual poses a conflict of interest.

A **fair and balanced written complaint resolution process** that applies to all students at your campus.

Have an **advisor of your choice** present at any meetings or hearings such as a parent, attorney, or teacher.

Provide or **present evidence and witnesses** on your behalf during the complaint resolution procedure and testify outside the presence of the other student.

Receive **written notification of the outcome** of the complaint resolution procedure within seven days after a decision has been reached.

Timely appeal the complaint resolution procedure's findings or sanctions under certain circumstances.

Frequently Asked Questions

Where can I find information about my school's comprehensive policy?
All higher education institutions must prominently display their comprehensive policy on the school's website.

Are all schools covered by the Act?
The Act applies to all public and private (for-profit and non-profit) higher education institutions in Illinois. This includes all 2-year and 4-year colleges, public and private universities, community colleges, trade schools, and certificate programs.

Are schools required to provide education and training to students?
Yes, schools must offer training to all students who attend one or more classes on campus. The trainings should include information on consent, reporting, resources, bystander intervention, risk reduction strategies as well as other topics.

What reporting requirements do schools have under the law?
Schools must report data every year by November 1 to the Attorney General's Office regarding training and prevention programs, incidents, reports and complaint resolution outcomes. The Attorney General's website will list schools that fail to submit a report.