Midwest College of Oriental Medicine

Sexual Violence, Domestic Violence, Dating Violence, and Stalking Policy

Introduction

The Midwest College of Oriental Medicine maintains a comprehensive policy to address student allegations of sexual violence, domestic violence, dating violence, and stalking. The MCOM policy supports a “survivor-centered” process. Survivor-centered means a systematic focus on the needs and concerns of a survivor of sexual violence, domestic violence, dating violence, or stalking that ensures the compassionate and sensitive delivery of services in a nonjudgmental manner; ensures an understanding of how trauma affects survivor behavior; maintains survivor safety, privacy, and, if possible, confidentiality; and recognizes that a survivor is not responsible for the sexual violence, domestic violence, dating violence, or stalking.

MCOM recognizes that consent is a freely given agreement to sexual activity; a person’s lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent; a person’s manner of dress does not constitute consent; a person’s consent to past sexual activity does not constitute consent to future sexual activity; a person’s consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another; a person can withdraw consent at any time; and 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 but without limitation to the following:

a) the person is incapacitated due to the use or influence of alcohol or drugs;

b) the person is asleep or unconscious;

c) the person is underage; or

d) the person is incapacitated due to a mental disability.

MCOM policy has established the following procedures that all survivors may follow if they choose to report an alleged violation of MCOM’s comprehensive policy regardless of where the incident of sexual violence, domestic violence, dating violence, or stalking occurred.

Students can contact:

1. Mr. Chris Krajnak, College Title IX coordinator, at 262-770-1921 (cell)
2. Dr. Kris LaPoint, Evanston campus director, at 773-842-9820
3. Gigi Dunbar, Racine campus director, at 262-554-6110
4. City of Evanston Police Department at 847-866-5000 (non-emergency) or 911
5. City of Mount Pleasant Police Department at 262-884-0454 (non-emergency) or 911
6. The Evanston YWCA Domestic Violence 24-hour crisis line, 877-718-1868
7. The Evanston YWCA community-based sexual assault crisis line, 877-718-1868
8. Dr. Julie A. Mayrose, Licensed Counselor, serves as the Racine campus Confidential Advisor and can be contacted at 262-554-2010
9. Drs. Robert Chelnick and Kris LaPoint serve as the Evanston campus Confidential Advisors and can be reached at 773-842-9820. The Evanston YWCA can provide additional resources.
Important additional information:

1. Dr. William Dunbar, President, and Dr. Kris LaPoint, Evanston Campus Director, can be contacted for confidential reporting.

2. The College maintains full privacy for survivors reporting a sexual violence matter. All survivors working with the College confidential advisor and/or the Evanston YWCA are assured of complete privacy and confidentiality.

3. Survivors may opt to anonymously report a sexual violence incident via the College's emergency 24-hour toll-free reporting line at 866-253-4818.

4. Survivors may opt to confidentially report a sexual violence incident via email or by calling the Evanston YWCA 24-hour crisis line at 877-718-1868.

5. Bystanders can report a sexual violence incident by calling the Racine Police Department or the Evanston Police Department at 911.

6. MCOM's procedure for responding to a report of an alleged incident of sexual violence, domestic violence, dating violence, or stalking, includes without limitation assisting and interviewing the survivor; identifying and locating witnesses; contacting and interviewing the respondent; contacting and cooperating with law enforcement, when applicable; and 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. Upon receiving a report of an alleged violation of the comprehensive policy, MCOM will provide survivors with concise information concerning the survivor's rights and options.

8. A survivor may have a medical forensic examination completed at no cost to the survivor, pursuant to the Sexual Assault Survivors Emergency Treatment Act.

Contact either hospital:
St. Catherine's Hospital, Kenosha, WI
3556 7th Ave, Kenosha, WI Phone 262-656-3011

Evanston Hospital
2650 Ridge Ave.
Evanston, IL 60201 Phone 847-570-2000

9. Call 800.656.HOPE (4673) National Sexual Assault Telephone Hotline
Call 800.656.HOPE (4673) to be connected with a trained staff member from a sexual assault service provider in your area.

When you call 800.656.HOPE (4673), you'll be routed to a local RAINN affiliate organization based on the first six digits of your phone number. Cell phone callers have the option to enter the ZIP code of their current location to more accurately locate the nearest sexual assault service provider.
Calling the National Sexual Assault Hotline gives you access to a range of free services including:

- Confidential support from a trained staff member
- Support finding a local health facility that is trained to care for survivors of sexual assault, and services like sexual assault forensic exams
- Someone to help you talk through what happened
- Local resources that can assist with your next steps toward healing and recovery
- Referrals for long-term support in your area
- Information about the laws in your community
- Basic information about medical concerns

The National Sexual Assault Hotline is a safe, confidential service. When you call the hotline, only the first six numbers of the phone number are used to route the call, and your complete phone number is never stored in our system. Most states do have laws that require local staff to contact authorities in certain situations, like if there is a child or vulnerable adult who is in danger.

While almost all callers are connected directly to a staff member or volunteer at a local sexual assault service provider, a handful of providers use an answering service after daytime business hours. This service helps manage the flow of calls. If all staff members are busy, you may choose to leave a phone number with the answering service. In this case, the number will be confidential and will be given directly to the organization’s staff member for a callback. If you reach an answering service, you can try calling back after some time has passed, or you can choose to call during regular business hours when more staff members are available. You can also access 24/7 help online by visiting online.rainn.org.

Sexual assault service providers are organizations or agencies dedicated to supporting survivors of sexual assault. The providers who answer calls placed to the hotline are known as RAINN affiliates. To be part of the National Sexual Assault Hotline, affiliates must agree to uphold RAINN’s confidentiality standards. That means:

- Never releasing records or information about the call without the consent of the caller, except when obligated by law
- Only making reports to the police or other agencies when the caller consents, unless obligated by law
- Agreeing to RAINN’s non-discrimination policy

10. A survivor may request that MCOM make reasonable interim protective measures and accommodations in response to an alleged violation of the comprehensive policy, including, without limitation, changes to academic, living, dining, transportation, and working situations, obtaining and enforcing campus no contact orders, and honoring an order of protection or no contact order entered by a state civil or criminal court.
11. Complainants alleging student violation of the comprehensive policy shall have the opportunity to request that the complaint resolution procedure begin promptly and proceed in a timely manner by speaking with one of the campus confidential advisors, who will report the complaint to the safety officer of that campus. The campus safety officer will then report to the College’s Title IX coordinator.

The Title IX coordinator resolving a complaint shall use a preponderance of the evidence standard to determine whether the alleged violation of the comprehensive policy occurred.

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.

A substantiated charge against an employee in the College will subject that employee to appropriate sanctions. Examples of possible sanctions include letters of reprimand, discipline, or job termination. A substantiated charge against a student at the College will subject that student to disciplinary action including possible dismissal from the program, consistent with the “Student Conduct / Right of Suspension or Dismissal” policy. If sexual harassment is determined to have occurred, MCOM may, in addition to all other remedies available, require that the perpetrator, as a condition of continued enrollment, refrain from coming closer than a certain distance from the complainant, not take any courses in which the victim is enrolled, and the victim may be, if requested, provided escort services from class to class, and to and from his or her vehicle. 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.

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. 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.

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 higher education 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.

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, MCOM shall provide a procedure by which each party can, at a minimum, hear the other party’s testimony.

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.

The complainant and the respondent shall, at a minimum, have the right to timely appeal of the
complaint resolution procedure’s findings or imposed sanctions if the party alleges a procedural error occurred, new information exists that would substantially change the outcome of the finding, or 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.

MCOM 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.

12. MCOM may impose sanctions following the implementation of its complaint resolution procedures in response to an alleged violation of the comprehensive policy.

13. MCOM provides immunity to any student who reports, in good faith, an alleged violation of MCOM’s comprehensive policy to a responsible employee, and the reporting student will not receive a disciplinary sanction by MCOM for a student conduct violation, such as underage drinking, that is revealed in the course of such a report, unless MCOM determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

14. MCOM prohibits any retaliation against those who, in good faith, report or disclose an alleged violation of its comprehensive policy, file a complaint, or otherwise participate in the complaint resolution procedure. The College has sanctions in place for anyone found to be engaging in retaliatory conduct.

15. MCOM recognizes the survivor’s right to report or not report the alleged incident to MCOM, law enforcement, or both.

16. MCOM acknowledges the survivor’s right to privacy. Any survivor reporting an alleged incident to MCOM through its stated reporting procedures will be afforded complete confidentiality, including information about the survivor’s right to privacy and which reporting methods are confidential.

17. In Illinois, MCOM will provide the contact information for its Title IX coordinator, its confidential advisor, the Evanston YMCA Sexual Assault Center, and Evanston Police Department.

In Wisconsin, MCOM will provide the contact information for its Title IX coordinator, its confidential advisor, Lutheran Social Services in Burlington, WI, and the Mount Pleasant Police.

18. When requested, MCOM will assist the survivor in notifying law enforcement.

19. The survivor may request interim protective measures and accommodations, including without limitation changes to academic, living, dining, working, and transportation situations, obtaining and enforcing a campus-issued order of protection or no contact order, if such protective measures and accommodations are reasonably available, and an order of protection or no contact order in state court.

20. MCOM will assist, upon the survivor’s request, in accessing local health and mental health services, counseling, and advocacy services.

21. MCOM will provide the survivor with its complaint resolution procedures if the survivor reports a violation of the comprehensive policy.
22. Within 12 hours after receiving an electronic report, MCOM shall respond to the electronic reporter and, at minimum, provide the information on its comprehensive policy and a list of resources available to the survivor. MCOM will respond to survivor(s) via phone or email.

Wisconsin: St. Catherine’s Hospital
3556 7th Ave, Kenosha, WI
262-656-3011

Illinois: Evanston Hospital
2650 Ridge Ave.
Evanston, IL 60201
847-570-2000

Internet sites for victims of sexual assault:

RAINN, A national sexual assault telephone hotline for national and local referral
https://www.rainn.org/about-national-sexual-assault-telephone-hotline

Sexual Assault Services, Lutheran Social Services, Racine (English & Spanish)
http://www.sasoflss.org/

Women’s Resource Center of Racine (24-hour domestic violence hotline)
http://www.wrcracine.org/

Women’s and Children’s Horizons (sexual assault hotline, Kenosha)
http://wchkenosha.org/sexual-assault

Evanston YWCA domestic violence program
http://www.ywca.org/site/c.ewK0LoO8LmK6F/b.7964393/k.783C/Domestic_Violence_Program.htm

Northwest Center Against Sexual Assault (Arlington Heights/Evanston area)
http://www.nwcasa.org/