

## **POLICY 1.10 - MCHENRY COUNTY COLLEGE ANTI-VIOLENCE POLICY**

McHenry County College is strongly committed to providing a safe environment free from violence, threats of violence, aggression, intimidation, and harassment from students, employees or outside parties including visitors and vendors. The College will not tolerate any acts of violence including domestic violence occurring on campus. Prohibited behaviors include but are not limited to: acts of violence, threats or statements which expressly or impliedly carry an intent to cause harm to a person or property, physical aggression against persons or property, and any other form of violence otherwise described in Board policies, procedures, the Student Code of Conduct, and/or the College's Course Catalog.

To ensure a safe environment for employees, students, visitors and vendors, the College prohibits anyone from wearing, transporting, storing, or possession of firearms or other weapons on College property (including College-owned vehicles and parking lots), at College-sponsored or College-related functions or events, and during times when acting as a representative of the College whether on or off College premises. Any employee or student who violates this policy may face disciplinary action, including termination and/or expulsion. Furthermore, individuals who commit such acts may be removed from College premises and/or subject to disciplinary action, criminal penalties, or both. All members of the College community are encouraged to report violations of this policy before such violations begin to compromise the health, safety, and efficiency of the College community.

"Weapons" includes but is not limited to firearms (including any gun, rifle, shotgun, pistol, BB or pellet gun, any firearm or device from which a projectile may be fired by an explosive, any firearm or device operated by gas or compressed air), knives (including any bowie knife, spring blade knife, dagger, switchblade knife), explosives, chemical or biological weapons, slingshot, metal knuckles, blackjack, any object which by use, design, or definition may be used to inflict injury upon a person, and any object if used, attempted to be used, or threatened to be used to cause bodily harm. "Weapons" does not include mace or pepper spray type products designed and carried solely for the purpose of self-protection.

This policy does not apply to any certified law enforcement personnel engaged in official duties. Furthermore, this policy is not intended to eradicate or abridge the effect of other existing College policies regarding incidents of violence or weapons possession on College premises, at College-sponsored or College-related functions or events, or during times when individuals are acting as a representative of the College.

Persons seeking exceptions to this policy for strictly educational purposes must petition the Director of Campus Security. A request for an exception must have the written approval of the Vice President of Learning and Student Support Services and must describe in detail the purpose of the exception sought and the safety measures which will be observed if the exception is granted.

CROSS REF:            *Policy No. 3.1.10 - Causes for Termination of College Personnel*  
                              *Policy No. 4.4. et seq. - Student Behavior Policies*  
                              *Student Code of Conduct*

**McHENRY COUNTY COLLEGE**  
**Procedures to Implement Policy 1.10**

In accordance with Policy 1.10, any person that witnesses any direct or overt incident of violence as defined in the Policy are to report the incident as described in these procedures.

**I. Definitions**

- A. Violence:** Prohibited behaviors under Policy 1.10 include, but are not limited to, acts of violence, threats or statements which expressly or impliedly carry an intent to cause harm to a person or property, physical aggression against persons or property, and any other form of violence otherwise described in Board policies, procedures, the Student Code of Conduct, and/or the College's Course Catalog. Violence includes domestic violence occurring on campus or at an official College function.
- B. Emergency Incident:** Any incident, potential or actual, having an immediate impact, or which may have an immediate impact, on the safety and well-being of any individual.
- C. Non-Emergency Incident:** Any incident, potential or actual, that negatively impacts on the safety or well-being of any individual where the potential impact is not immediate and the matter can be addressed and resolved by the College's campus security personnel.
- D. Weapon:** "Weapons" includes but is not limited to firearms (including any gun, rifle, shotgun, pistol, BB or pellet gun, any firearm or device from which a projectile may be fired by an explosive, any firearm or device operated by gas or compressed air), knives (including any bowie knife, spring blade knife, dagger, switchblade knife), explosives, chemical or biological weapons, slingshot, metal knuckles, blackjack, any object which by use, design, or definition may be used to inflict injury upon a person, and any object if used, attempted to be used, or threatened to be used to cause bodily harm. "Weapons" does not include mace or pepper spray type products designed and carried solely for the purpose of self-protection.

**II. Reporting and Investigation Process**

**A. Procedures for Responding to Emergency Incidents:**

- 1. The person observing the incident: Persons observing a violent incident of an emergency nature should do the following:
  - a. Contact local emergency services by calling 911;
  - b. Contact the Director of Campus Security at 455-8733; and
  - c. Complete a Violent Incident Report as soon as possible.
- 2. The Response: Campus Security will do the following:
  - a. Coordinate with local emergency services if applicable;
  - b. Secure work areas where disturbances occurred;
  - c. Seek assistance for persons needing care;

- d. Develop and implement plan of action;
  - e. Document incident/event including circumstances and witnesses associated with the emergency situation;
  - f. Provide incident debriefing to victims, witnesses and other affected employees; and
  - g. Follow up on the filing of any Violent Incident Report.
3. Student violations will additionally be handled in accordance with Part B.2 below and the College's Student Code of Conduct.

**B. Procedures for Non-Emergency Incidents Involving the Workplace – Employees**

1. The Person Observing the Incident: Any person that witnesses, hears or is subject to any veiled or direct violence by an employee is to:
  - a. Report the incident to the employee's immediate supervisor. If the immediate supervisor is unavailable, not known, or if the immediate supervisor or administrator is the alleged offender, the incident should be reported to the Director of Human Resources at 455-8738 and the Director of Campus Security at 455-8733 for investigation and resolution;
  - b. Complete a Violent Incident Report; and
  - c. Cooperate in the investigation of the reported incident.
2. The Response: Upon receipt of a complaint, the following is applicable:
  - a. An administrator or supervisor receiving a complaint shall report the complaint to Director of Human Resources and Director of Campus Security to determine appropriate steps for investigation and resolution.
  - b. Those employees accused of making physical assault or making threats of violence may temporarily be removed from the workplace pending an investigation of the incident reported, consistent with College's policies and the College's collective bargaining agreement obligations. Local law enforcement will also be contacted where there has been an assault or the threat of an assault.
  - c. Those employees found to have engaged in acts of workplace violence are subject to discipline consistent with College discipline policies and the College's collective bargaining agreement obligations. Those employees found to have engaged in acts of workplace violence may also be referred to local law enforcement for possible prosecution.

**C. Procedures for Non-Emergency Incidents Involving Students**

1. The Person Observing the Incident:
  - a. Report the incident to the Director of Campus Security at 455-8733 for investigation and resolution;
  - b. Complete a Violent Incident Report; and

- c. Cooperate in the investigation of the reported incident.
2. The Response: The Director of Campus Security will determine the appropriate steps for investigation and resolution. Students found to be in violation of Policy No. 1.10 will be subject to the disciplinary measures in accordance with the College's Code of Student Conduct.

#### **D. Incidents Involving Non-Employees and Non-Students**

Purported violations of Policy 1.10 by persons other than employees and students will be referred to the Crystal Lake Police Department and/or the McHenry County Sheriff's Office.

#### **E. Incidents Involving a Weapon**

Possession of a weapon on campus or at an official College function is a violation of Policy 1.10. For any incident, emergency or non-emergency, involving a weapon, the following may occur:

1. The weapon may be confiscated by Campus Security or by any staff member who determines Policy No. 1.10 may have been violated.
2. An employee involved in an incident with a weapon may be subject to discipline in accordance with College Policy and the College's collective Bargaining Agreement obligations. A student may be subject to disciplinary measures, consistent with College procedures and/or the Student Code of Conduct and the procedures identified herein.
3. A weapon may be returned to an employee after a resolution of the incident where the Director of Campus Security has determined that the employee poses no threat and after the employee has fulfilled the terms of any discipline imposed in accordance with Policy 1.10.<sup>1</sup>
4. The weapon may be returned to a student after the student has met with the Director of Campus Security and demonstrated an understanding of Policy No. 1.10, College Policies, and/or the Student Code of Conduct and after the student has fulfilled the obligation of any discipline imposed in accordance with Policy No. 1.10 and/or the Student Code of Conduct.<sup>2</sup>
5. If the employee or the student violates Policy No. 1.10 a second or subsequent time, the College may confiscate the weapon permanently and/or turn the weapon over to the law enforcement authorities for further investigation.

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<sup>1</sup> The employee will sign a statement in the form of Appendix A herein acknowledging that s/he has read Policy 1.10 and these procedures and agrees not to violate them again with the understanding that another violation will result in further discipline and a permanent confiscation of the weapon.

<sup>2</sup> The student will sign a statement in the form of Appendix A herein acknowledging s/he has read Policy 1.10 and these procedures and agrees not to violate them again, with an understanding that another violation will result in additional discipline and a permanent confiscation of the weapon.

### **III. Record-keeping**

All records of workplace violence incidents will be retained by the College in accordance with the Local Records Act (See 50 ILCS 205/3 et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. S 1232(g)).

### **IV. Campus Security Report**

Campus Security will prepare a final report concerning any complaints of a violation of Policy 1.10. The report shall include a description of the Complaint, the investigation, the findings of campus security and the action taken against the person found to have violated the Policy. The final report shall also include an analysis of safety and security issues arising out of the incident with recommendations for addressing any safety and security issues arising out of the incident. For incidents involving employees, Campus Security will coordinate with the Department of Human Resources for preparation of the final report.

### **V. Confidentiality**

All reports made under this Policy will be held in confidence to the extent required by law. Administrators, the Director of Campus Safety, the Director of Human Resources and other necessary administrators are directed to limit disclosure of information to only those persons who, in their discretion, are required to be made aware of a complaint made under this Policy. Investigations under this Policy are to be made with the least amount of disclosure needed to effectively carry out the investigation. Further, the final report of the investigating administrator and all discussions concerning a resolution of a complaint will be kept confidential and released to only those persons who are legally permitted to have knowledge. Those making a report of misconduct under this Policy, those interviewed in an investigation under this Policy and those who are the subject of a report under this Policy are requested to limit their disclosure of information to their administrator, the assigned investigating administrator, and/or other necessary persons.

**APPENDIX A**

This will acknowledge that the College has returned \_\_\_\_\_, a  
(Identify weapon)  
weapon as defined in Policy 1.10, to \_\_\_\_\_ on  
(Name)  
\_\_\_\_\_. The \_\_\_\_\_ was confiscated by the College in  
(Date) (Identify weapon)  
accordance with Policy 1.10 on \_\_\_\_\_.  
(Date)  
\_\_\_\_\_ acknowledges that s/he has read and understands  
(Name)  
Policy 1.10 and other related policies and procedures and agrees to abide by such  
policies and procedures. \_\_\_\_\_ further acknowledges and  
(Name)  
agrees that any future violation of Policy 1.10 involving the weapon will result in further  
discipline and a permanent confiscation of the weapon.

\_\_\_\_\_  
Employee/Student

\_\_\_\_\_  
Director, Campus Security

# McHENRY COUNTY COLLEGE

## **ADDITIONAL PROCEDURES TO IMPLEMENT POLICY 1.10 AS IT PERTAINS TO INCIDENTS OF DOMESTIC VIOLENCE**

### **I. Definition:**

**Domestic Violence:** A pattern of coercive behavior that is used by one person to gain power and control over another, as defined in the Illinois Domestic Violence Act of 1986. It may occur between people in heterosexual and same-sex relationships, living together or separately, married or unmarried, in short-term or long-term relationships. Domestic violence is a major cause of injury to women, although men also may be victims of such violence.

### **II. Procedures:**

The purpose of these procedures is to provide guidance for students, employees and management to address the occurrence of domestic violence and its effects in the workplace and classroom. It is the intention of the College to use early prevention strategies in order to avoid or minimize the occurrence and effects of domestic violence in the workplace and classroom. Specifically:

- A. The College will provide available support and assistance to employees and students who are survivors and victims of domestic violence.
- B. Employees will receive training that will address what domestic violence is, its effects on the family and workplace, proactive responses, community resources and the College policy and procedures.
- C. The College will provide confidential means for coming forward for help, resource and referral information and other appropriate assistance that will be provided based on individual needs. A team of employees will be trained to serve as in-house resources. This will include but not be limited to the AVP of Human Resources, the Executive Dean of Enrollment and Student Development, the Director of Campus Security and the Health Promotions Specialist. The goal is to provide an environment that, whenever possible, is responsive to the special needs of the victim.
- D. The College will respect the confidentiality and autonomy of the adult survivor to direct her or his own life, to the fullest extent permitted by law.
- E. The College is committed to providing a workplace/classroom in which the perpetration of domestic violence is neither tolerated nor excused. Any physical assault or threat made by an employee or student while on campus or while at an official College function will be handled pursuant to the general procedures to implement Policy 1.10.

# VIOLENT INCIDENT REPORT FORM

Date of Incident: \_\_\_\_\_

Time of Incident: \_\_\_\_\_  a.m.  p.m.

Location of Incident: (Use reverse side of sheet to map and sketch)

## Victim Information

Name: _____	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Address: _____	Phone Number: ( ) _____
City: _____	Zip Code: _____

## Victim Description

<input type="checkbox"/> Student	If Employee, Job Title: _____
<input type="checkbox"/> Employee	
<input type="checkbox"/> Other	

## If Victim Is An Employee:

Work location: _____	Supervisor: _____
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## List any witnesses to the incident:

Name: _____	Phone Number: ( ) _____
Name: _____	Phone Number: ( ) _____

## Describe the incident in detail (see reverse side)

**Did the assault involve a firearm?**  Yes  No

If yes, describe: \_\_\_\_\_

**Did the assault involve another weapon other than a firearm?**  Yes  No

If yes, describe: \_\_\_\_\_

**Was the victim injured?**  Yes  No

If yes, describe: \_\_\_\_\_

**Who committed the assault (name, if known)?** \_\_\_\_\_

**Gender of the person(s) who committed the assault:**  Male  Female

## What is his/her relationship to the victim:

<input type="checkbox"/> Co-Worker	<input type="checkbox"/> Stranger	<input type="checkbox"/> Personal Relation	<input type="checkbox"/> Other (Explain)
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## FOR OFFICE USE ONLY:

Name of Person Reporting: \_\_\_\_\_

Signature: \_\_\_\_\_

Date of Report: \_\_\_\_\_

Campus Security Signature: \_\_\_\_\_

Date: \_\_\_\_\_

(Please turn sheet over for additional information)

