

# 2023

## Annual Security and Fire Safety Report Statistics from calendar years 2020, 2021 and 2022



This Annual Security and Fire Safety Report includes information for the following campuses:

- Livonia (Main Campus)
- Southfield Center
- Henry Ford College
- Macomb Community College

**M** MADONNA<sup>™</sup>  
UNIVERSITY

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**Mission Statement**

The mission of Madonna University, a Catholic, Felician, and Franciscan institution of higher learning, is to instill in its students Christian humanistic values, intellectual inquiry, a respect for diversity, and a commitment to serving others through a liberal arts education, integrated with career preparation and based on the truths and principles recognized within a Felician Franciscan tradition.

Madonna University’s mission receives its spirit from these Franciscan Values:

- Respect for the dignity of each person
- Peace and justice
- Reverence for creation
- Education for truth and service

**Introduction**

This Annual Security and Fire Safety Report for calendar years 2020, 2021, and 2022 (the “Annual Security Report”) is being published in accordance with the requirements of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (commonly referred to as the *Clery Act*). The Clery Act is a landmark consumer protection legislation enforced by the United States Department of Education. The Clery Act requires that all colleges and universities receiving Title IV financial aid comply with it, including its reporting requirements.

Published September 2023.

Crime statistics included in this Annual Security Report are for calendar years 2020, 2021, and 2022.

The purpose of this Annual Security Report is to provide faculty, staff, students and campus visitors with an overview of Madonna University's security resources, policies and procedures. The policies and procedures described in this Annual Security Report are posted on the following Madonna University websites:

- Department of Campus Safety <http://www.madonna.edu/resources/campus-safety>
- Undergraduate Admissions <https://madonna.edu/admissions/>
- Graduate Admissions <https://madonna.edu/admissions/graduate/>
- Human Resources <https://madonna.edu/resources/human-resources/>.

These policies and procedures are subject to change by Madonna University at any time, and updated versions of the Annual Security Report, if required, will be posted in PDF format on the foregoing Madonna University websites

This Annual Security Report is the result of the efforts of many people across the Madonna University campuses. In order to compile the required holistic crime statistics, Madonna University, through its Clery Act Work Group, gathers data from the campus community as well as from local, state, and federal agencies. Members of the Clery Act Work Group solicit information from police agencies in jurisdictions where Madonna University has campus property and from jurisdictions where Madonna University has non-campus property in order to obtain Clery Act crime statistics from those locales. Since no formal police report is required for a crime to be included in Madonna University's crime statistics, Campus Security Authorities (CSA's) are solicited for any relevant information they may have, and this information is reviewed for inclusion in the Annual Security Report. For reporting purposes, crime statistics reported are recorded in the calendar year in which the crime was reported.

In addition to the main campus (the "Livonia Campus") of Madonna University, Madonna University has identified three separate campuses at which Madonna University has a presence and has provided safety information along with crime statistics for each. Those additional campuses include three domestic sites:

- Macomb Community College,
- Henry Ford College, and
- Southfield Center.

All available safety and security information related to each of these campuses is included in a separate section of this report. None of these additional campuses own or control residential facilities for students under the control of Madonna University.

All of the crime statistics for all campuses are gathered, compiled, and reported to the campus community via the Annual Security Report which is published jointly on the above identified Madonna University websites. Madonna University also submits the annual crime statistics published in this Annual Security Report to the Department of Education, which is then made generally available to the public on the Department of Education website.

Paper copies of this Annual Security Report are also available at the following main campus locations: Department of Campus Safety, the Dean of Students Office, Human Resources, and Title IX Coordinator. All current faculty, staff, and students receive an email prior to the publication of the Annual Security Report notifying them of its availability.

## **Campus Safety/Law Enforcement**

The Madonna University Department of Campus Safety provides around the clock protection and services to the Madonna University community. Officers are on duty 24 hours a day, 7 days a week, and 365 days a year.

Madonna University Campus Safety is a service-oriented department that provides the following primary functions: the necessary services and controls to secure the personal safety of the entire University community, prevent crime, and protect the property of the University and its students, faculty/staff and visitors. The jurisdiction for Campus Safety includes Madonna University's main campus, the Livonia Campus. If an incident occurs at any other location, including at other locations that are owned, controlled or used by Madonna University, the law enforcement and/or public safety units of those other locations will have jurisdiction.

Campus Safety personnel are provided by a third party under contract with the University, but are not sworn officers of the law; however, they are uniformed, unarmed safety and security officers who communicate with local police, fire, and emergency medical services. This communication enables Campus Safety personnel to initiate and direct necessary emergency responders to the scene. Campus Safety coordinates with the Livonia Police Department in the investigation of crimes occurring on the Livonia Campus; however, there is no memorandum of understanding between Madonna University and Livonia Police Department regarding the investigation of crimes. Campus Safety personnel do not have authority to make arrests.

Campus Safety maintains a working relationship with the law enforcement authorities from the City of Livonia, Wayne County and the State of Michigan.

Campus Safety enforces Madonna University's policies in regard to all parking and fire lane regulations and vehicular traffic on the Livonia Campus; interviews all injured or sick persons, and, when necessary, arranges transport of such persons to a medical facility; investigates all reports of theft or loss of property; maintains security in and around all buildings on the Livonia Campus or other University designated property; reports all hazardous conditions; maintains regular patrols throughout the Livonia Campus; and performs other duties and makes other recommendations as may be reasonably necessary to accomplish the mission of the Campus Security department.

### **Reporting of Crimes and Emergency Situations – Madonna University**

Madonna University encourages everyone to accurately and promptly report a crime to Campus Security. Madonna University has designated the following areas as preferred receivers of crime reports:

Campus Safety, 127 University Center, West Wing (located next to the Dining Hall)

- Dial (734) 432-5442 or extension 5442 from any Livonia Campus telephone.
- Dial 911 from any Livonia Campus telephone.

Dean of Students Office, Administration Building, Suite 1103



- Dial (734) 432-5694

Title IX Coordinator, Administration Building, Suite 1103

- Dial (734) 432-5656

While Madonna University encourages accurate and prompt reporting of all crimes to Campus Safety and local police agencies, when a victim of a crime elects or is unable to make such a report, the victim should:

Dial 911 from a cell phone while on the Livonia Campus, and the call will be directed to Livonia Police Department.

Members of the Madonna University community should immediately report crimes or emergencies to Campus Safety. The University's response to emergency calls is as follows: upon receipt of a call, a Campus Security officer will investigate the complaint, involve additional resources, if necessary, to appropriately resolve the matter, and produce a formal report. If deemed appropriate, a timely warning or emergency notification may also be issued as described on page 21 of this Annual Security Report.

Reports submitted to Campus Safety will be included in the annual crime statistical disclosure.

## **Alcohol and Drugs**

Madonna University complies fully with local, state, and federal regulations regarding the sale, possession, and consumption of alcoholic beverages, including the enforcement of Michigan's laws which prohibit underage drinking. Additionally, the unlawful possession, use, or sale of illegal drugs or controlled substances is strictly prohibited. Through its collaboration with the Livonia Police Department, the University enforces both federal and state drug laws, and members of the Madonna University community are held responsible for their behavior if they violate University policy or federal or state laws.

The University's Department of Campus Safety, as well as members of the Residence Life and other Student Affairs staffs, enforces the University's policy on alcohol, drugs. In addition, Madonna University discourages the abuse of drugs and the illegal use of alcohol through compliance with the Federal Drug-Free Schools and Communities Act as well as alcohol and drug prevention programs. A description of Madonna University's policies and procedures concerning drug and alcohol use is contained in the "Student Handbook," which is available to all members of the campus community via the University's Portal.

Madonna University provided a number of educational programs regarding drug or alcohol abuse as required by the Drug-Free Schools and Communities Act of 1989.

These educational programs and events include the following:

### **Welcome Week, Alcohol Awareness Event/Module – Potions Protection Class**

This was a Harry Potter themed alcohol awareness program where students were able to get mocktails themed after the Harry Potter World. Immediately following the





program, students participated in an alcohol awareness module provided by Vector Solutions platform. After the module, there was a short 20 question quiz to assess student knowledge and retention of subject matter. It covered dangers of binge drinking, underage drinking, and the health consequences of dangerous drinking. Primary means of delivery was narrative short skits, including facts and relevant data.

**Mocktail Party:**

Campus Life hosted a Mocktail Party during St. Patrick's Day. At this event, students were provided information related to the dangers of underage and binge drinking. The event concluded with a trivia game geared toward assessing attendee's retention of the knowledge provided at the event.

**Witch's Brew Mocktail Party:**

Making Halloween themed mocktails which were immediately followed by an alcohol awareness presentation with a focus on binge drinking, and the consequences of drinking under the influence. This event culminated with a trivia game to assess participants retention of information on the presented subject matter.

**Emergency Blue Light Phones**

"Emergency Blue Light" phones have been strategically placed throughout the campus to further assist the campus community in reporting emergencies. The blue lights are easily seen when activated at the time of emergency use.

When activated, an emergency phone provides a direct, almost instantaneous, link to the Department of Campus Safety.

Emergency Blue Light phones are not just for emergencies. They are the campus community's direct link to Campus Safety and can be used to report a suspicious person or circumstance. The emergency phones serve as an additional means of communication with the Department of Campus Safety. These blue light phones also support the perception of a safe environment and communicate to potential wrongdoers that their presence is not welcome.

**Rave Guardian App**

The University implemented the Rave Guardian App, a free Smartphone-based campus security application that allows users to call 911, contact Madonna University Campus Safety and set up a timed virtual escort that notifies Campus Safety, as well as friends and family of your status and location.

**Daily Crime Log**

Madonna University Campus Safety maintains a Daily Crime Log for the Livonia Campus.



The log reflects all crimes and other serious incidents that have occurred on the Livonia Campus by the date reported, date occurred, general location, nature of the incident, and the disposition. This information is available to the public for review at any time on the Campus Safety website at <http://www.madonna.edu/resources/campus-safety>.

## **Confidential Reporting**

Anyone who is the victim of a crime and who does not wish to pursue action within the University conduct system, sexual misconduct process, or the criminal justice system may submit a voluntary confidential report to Madonna University. Confidential reports allow the University to keep the identity of the victim and/or witnesses of an alleged crime confidential while taking steps to ensure the safety of the campus community. With the victim's permission, a Campus Safety officer can file a report on the details of the incident without revealing the victim's identity (except to the Title IX Coordinator, in the event of a reported sex offense or sexual harassment).

The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to enhance the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method used, or potential assailant; and alert the campus community to the potential danger. Confidential reports are counted and disclosed in the annual crime statistics for the institution.

A victim or witness may also report a crime or incident and request that their identity remain confidential by utilizing any of the resources noted below. In addition, the victim or witness may use Campus Safety's Silent Witness form located on the Campus Safety website. However, the University's ability to successfully investigate and resolve issues may be adversely affected by using this form of request.

## **Resources for Anonymity**

- Title IX Coordinator (734)-432-5656
- Director of Counseling and Wellness (734)-432-5639
- Ulliance 1-(800)-448-8326
- First Step (734)-722-6800

The release of names associated with Campus Safety and police reports are governed by the Family Educational Rights and Privacy Act (FERPA).

## **Campus Security Authority**

A "Campus Security Authority" ("CSA") is an employee of Madonna University or other individual who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline or campus judicial proceedings. A CSA is also as any person who has the authority and the duty to take action or respond to particular issues on behalf of the University.



**Examples of individuals (outside of local law enforcement or Campus Safety) who generally meet the criteria for being a CSA include:**

- Dean of Students who oversees student housing, a student center or student extracurricular activities;
- Director of athletics, all athletic coaches (including part-time employees and graduate assistants);
- Faculty advisor to a student group;
- Student resident advisor or assistant;
- Student who monitors access to dormitories or buildings that are owned by recognized student organizations;
- Coordinator of Greek Affairs;
- Title IX Coordinator;
- Ombudsperson (including student ombudspersons);
- Director of a campus health or counseling center (including the Chief Health Officer);
- Victim advocates or others who are responsible for providing victims with advocacy services, such as assisting with housing relocation, disciplinary action or court cases, etc.;
- Members of a Sexual Assault Response Team (SART) or other sexual assault advocates; and
- Officers from local law enforcement or other security personnel who are contracted by the University to provide campus safety-related services.

Madonna University considers all campus officials (except for licensed pastoral and professional counselors acting in performance of those duties, as set forth below) to be Campus Security Authorities.

**Who is not a Campus Security Authority?**

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are **not** Campus Security Authorities under the Clery Act:

1. A Pastoral Counselor is a person who is:
  - a. associated with a religious order or denomination,
  - b. recognized by that religious order or denomination as someone who provides confidential counseling, and
  - c. functioning within the scope of that recognition as a pastoral counselor.
2. A “Professional Counselor” is a person who:
  - a. Possesses official responsibilities that include providing mental health counseling to members of the University community, and
  - b. Functions within the scope of his or her license or certification.



## **What are the Responsibilities of a Campus Security Authority**

The function of a CSA is to report to the official or office designated by the University to collect crime report information, such as the Campus Safety department, those allegations of Clery Act crimes that he or she concludes were made in good faith.

Campus Security Authorities are required to disclose statistics for offenses that occur on campus, in or on non-campus buildings or property owned or controlled by the University, and public property within or immediately adjacent to the campus.

When in doubt, all incidents are to be reported. Incidents reported by a CSA may be evaluated for a campus crime alert.

Campus Security Authorities are not responsible for determining whether a crime took place—that is the function of law enforcement personnel. A Campus Security Authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement.

To comply with the Clery Act requirements, Campus Security Authorities must report the crime immediately and follow the following steps:

1. Fill out a report form located on the Campus Safety website and forward it to Campus Safety and/or the Title IX Coordinator.
2. Inform the person who discloses the crime that the CSA must share the information.
3. Connect the person to available options and resources within the University and community.

### **Questions:**

If you have any questions about the role, responsibilities or the training of a Campus Security Authority, please contact:

**Director of Campus Safety:** Tamiko Hopkins  
(734)-432-5441  
campussafety@madonna.edu

## **Reporting of Crimes and Emergency Situations - Other Campus Locations**

Persons that become aware of crimes that occur at other University locations which are not on the Livonia Campus should notify the appropriate local police authority in that area first and then notify Campus Safety.

### **Southfield Center**

Southfield Police Department – Dial 911 (emergency call) or (248) 796-5500.

### **Macomb Community College**

Macomb College Police Department - Dial 911 (emergency calls) or (586) 286-2123.  
Macomb County Sheriff's Office - Dial 911 (emergency calls) or (586) 469- 5151.



## **Henry Ford College**

Dial 9630 or 9911 from any campus telephone or call 313-845-9630 to reach the Campus Safety Dispatcher 24 hours a day.

Dial 9862 from any campus telephone or call 313-845-9862 to reach the Secretary for the Campus Safety Office during normal business hours.

## **Facilities Management**

In addition to Campus Safety, the Facilities Management staff maintains the University buildings and grounds on the Livonia Campus with a concern for safety and security. Facilities Management personnel continually inspect the Livonia Campus facilities for potential safety and security hazards. Prompt response is made to repair the identified hazards in an effort to further assist in providing a safe environment.

The Livonia Campus administrative and academic buildings are generally locked between 10:00 p.m. and midnight daily and reopened by 7 a.m. During normal business hours the administrative and academic facilities at the Livonia Campus are open and accessible to students, staff, faculty and visitors.

After normal business hours and during breaks, these facilities are locked and only accessible to authorized individuals. Campus Safety officers conduct routine security and safety patrols of the academic and administrative buildings on the Livonia Campus to monitor conditions and investigate any unusual circumstances.

## **Residence Hall Access**

Access to the Residence Halls is limited to Residence Halls staff and to residential students and their guests (who are required to abide by Residence Hall policies). Access to the Residence Halls by University employees is on an "as-needed" basis. A security system is in place and requires the use of an access card to gain entry into the Residence Halls. All residential students are issued access cards or key fobs to gain access to the Residence Halls.

Residential students assume full responsibility for the behavior of their guests. Guests must be accompanied by their resident hosts during their stay. Anyone who attempts to gain unauthorized access to any Residence Hall may be removed and could receive a potential trespass notice.

## **Domestic Violence, Dating Violence, Sexual Assault and Stalking And Title IX Policy**

Madonna University prohibits the offenses of dating violence, domestic violence, sexual assault, and stalking, and conducts programs to prevent those crimes from occurring. All matters relating to the foregoing will be handled solely and exclusively in accordance with Madonna University's Title IX Policy which is available on Madonna University's website.

Individuals who experience sexual assault are encouraged to seek immediate medical attention. A complainant may wish to request a forensic examination from a Sexual Assault Nurse Examiner (SANE) at an area hospital. Complainants who choose to obtain a forensic examination should take a change of clothing and try not to shower, drink, eat, douche, brush teeth or hair, or change clothes prior to the exam as this may help preserve evidence



in a criminal complaint. Madonna University takes seriously the need to respect the privacy of the parties in responding to reports and complaints of sexual misconduct. The University shares information on a limited, “need to know” basis, in accordance with federal and state privacy laws.

A complete copy of Madonna University’s Policy on Sexual and Gender-Based Misconduct Policy (the “University’s Title IX Policy”) may be obtained:

- |           |  |
|-----------|--|
| Online    | <a href="http://www.madonna.edu/TitleIX">http://www.madonna.edu/TitleIX</a>                                    |
| In-person | Jesus Hernandez, Title IX Coordinator<br>(734) 432-5656<br>TitleIX@madonna.edu<br>1103 Administration Building |

### **The Violence Against Women Act (VAWA)**

The Violence Against Women Act (VAWA), which was reauthorized by Congress in 2013, defines those crimes as follows:

- **Dating Violence:** Defined as a violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the time length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - For the purposes of this definition:
    - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - B) Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence:** Defined as a felony or misdemeanor crime of violence committed:
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;



- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Sexual Assault: Defined as an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a "sex offense" is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
    - Rape is defined as the 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.
    - Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
    - Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.
  - Stalking: Defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
    - Fear for the person's safety or the safety of others; or
    - Suffer substantial emotional distress.

For the purposes of this definition:

- *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The State of Michigan definitions are as follows:

- Domestic Violence:
  - "Domestic violence offense" means any crime alleged to have been committed by an individual against his or her spouse or former spouse, an individual with whom he or she has a child in common, an individual with whom he or she has had a dating relationship, or an individual who resides or has resided in the same household. (Michigan Compiled Laws (MCL) 600.1060 Definitions. Sec.1060. (b))
- Dating Violence:
  - The State of Michigan does not have a definition of dating violence. In Michigan, Dating Violence is defined under Domestic Violence. (See Domestic Violence definition above).
- Sexual Assault

The State of Michigan defines sexual assault as Criminal Sexual Conduct:

- "Criminal sexual conduct" means any of the following:
  - (i) A violation, attempted violation, or solicitation or conspiracy to commit a violation of section 520b, 520c, 520d, 520e, 520f, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, 750.520f, and 750.520g.
  - (ii) An offense originally charged as an offense described in subparagraph (i) that is subsequently reduced to an offense not included in subparagraph (i).
- "Criminal sexual conduct" is further defined in:
  - Section 750.520b Criminal sexual conduct in the first degree; circumstances; felony.
  - Section 750.520c Criminal sexual conduct in the second degree; felony.





- Section 750.520d Criminal sexual conduct in the third degree; felony.
  - Section 750.520e Criminal sexual conduct in the fourth degree; misdemeanor.
- Stalking
  - The State of Michigan defines stalking as:
    - “Stalking” means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested. (MCL 750.411h)
- Consent
  - The State of Michigan does not have a definition of consent, in relation to sexual activity. Madonna University adopts the definition of consent noted in this report, page 14

## **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking**

Madonna University engages in comprehensive programming and strategies intended to end dating violence, domestic violence, sexual assault and stalking.

### **New Student Welcome Weekend**

All new first-year students at Madonna University are required to attend a program during Welcome Weekend offered prior to the start of the academic year. The program is designed to inform students how to prevent dating violence, domestic violence, sexual assault, and stalking. The delivery of the program is done in a manner that is comprehensive and intentional with the goal of helping the students learn strategies to end dating violence, domestic violence, sexual assault, and stalking. Content was delivered through Vector Solutions platform with a quiz at the end to assess retention of information by participants.

### **Sexual Violence Training for Football Team and Staff**

All members of the Madonna University football team, including coaching staff, participated in a sexual violence prevention program during the Fall semester. The program was designed to inform students how to prevent dating violence, domestic violence, sexual assault, and stalking. The delivery of the program is done in a manner that is comprehensive and intentional with the goal of helping the students learn strategies to end dating violence, domestic violence, sexual assault, and stalking. Content was delivered through Vector Solutions platform with a quiz at the end to assess retention of information by participants. The grant coordinator and Title IX Coordinator facilitated a conversation regarding the content of the program and application of principles to day-to-day scenarios. In addition, the coaching staff shared stories of the impact of such behaviors on college life

of students.

### **Residence Life Students and Staff**

All Madonna University residence life employees, including student employees, participate in annual training designed to inform them how to prevent and respond to incidents involving dating violence, domestic violence, sexual assault, and stalking within the residence halls. The delivery of the program is done in a manner that is comprehensive and intentional with the goal of helping the students learn strategies to end dating violence, domestic violence, sexual assault, and stalking.

### **Center for Personalized Instruction (CPI)/TRIO Staff**

All Madonna University employees, including student employees, in CPI/TRIO programs participate in annual training designed to inform them how to prevent and respond to incidents involving dating violence, domestic violence, sexual assault, and stalking within their administrative unit. The content also addresses the one-on-one relationships between mentors/tutors and the students they serve. The delivery of the program is done in a manner that is comprehensive and intentional with the goal of helping the students learn strategies to end dating violence, domestic violence, sexual assault, and stalking.

### **New Faculty and Instructional Staff**

New Madonna University faculty and instructional staff members participate in training online via the University's learning management system and Wright Specialties, a third-party vendor. The content of the material is designed to inform new faculty how to prevent and respond to incidents involving dating violence, domestic violence, sexual assault, and stalking. Information about sexual misconduct including domestic violence, dating violence, sexual assault, stalking, and reporting processes are conveyed to new faculty and instructional staff through online institutionally provided orientation materials.

### **General Training Open to Students and All Employees**

The University hosted "Love Doesn't Hurt", a program hosted by a local victim services provider, First Step. The training covered various aspects of sexual assault, domestic violence, stalking and best practices used to create awareness of such crimes. The program also provided ways to support the survivors of these crimes. This program was offered multiple times throughout the Fall semester.

### **All University Employees**

All Madonna University employees are required to complete online training modules on an annual basis through Vector Solutions, a third-party vendor, on Title IX, VAWA which covers domestic violence, dating violence, sexual assault, and stalking, the Clery Act, and several other safety related-topics.

### **Safety and Security Awareness Programs**

Madonna University engages in the following programming and strategies intended to inform students and employees about campus security procedures and practices.

- **New Student Orientation**



All Madonna University first-year students are required to attend a new student orientation program offered during the summer months prior to the start of the academic year. During the program, students are informed about campus safety resources and tips for staying safe on campus. In addition, students are also informed of the policies, procedures and resources for incidents involving matters of sexual misconduct, such as sexual assault, dating violence, domestic violence and stalking.

- **Active Shooter Education**

Active Shooter Education workshops are made available to all Madonna University students and employees on the Livonia Campus. This program is conducted by Campus Safety and intended to provide tips and tools for staying safe during active attacker events should they happen on campus. These trainings are made available through the University portal. Additional active shooter training is available to students, faculty and staff through the Vector Solutions training platform.

- **Bystander Intervention Program**

Madonna University demonstrates its commitment to maintaining a safe campus community by inviting all of its new first-year students participate in Bystander Intervention Training through online training modules. The Bystander Intervention Program is designed to encourage all participants to actively and safely engage in responding to incidents on campus.

**New Faculty and Instructional Staff**

New Madonna University faculty and instructional staff members participate in training online via the University’s learning management system and online training modules. The content of the program is designed to help new faculty and other instructional staff learn about campus safety resources and tips for staying safe on campus.

- **All University Employees**

All Madonna University employees are required to complete online training modules on an annual basis through an online training platform on several safety related-topics such as emergency response in the workplace, campus safety for students, and employee safety awareness.

**Madonna University and Community Resources**

The following on campus resources are available to students and employees:

Counseling	Director of Counseling & Wellness (734)-432-5639  Ulliance - Life Advisor Student Assistance Program 1-855-744-4700
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Health	<p>Trinity Health - Livonia 36475 Five Mile Road (734) 655-4800</p> <p>Livonia Health Center 20321 Farmington Road (248) 473-4300</p>
Mental health	<p>Director of Counseling &amp; Wellness (734)-432-5639</p> <p>Ulliance - Life Advisor Student Assistance Program 1-855-744-4700</p>
Victim advocacy	<p>Office of the Vice President for Student Affairs and Mission Integration (734) 432-5694</p> <p>Chief Diversity Officer (734) 432-5326</p>
Visa	International Students Office (734) 432-5791
Immigration assistance	International Students Office (734) 432-5791
Student financial aid	Student Financial Services (734) 432-5663
Other services available to victims	<p>Office of the Vice President for Student Affairs and Mission Integration (734) 432-5694</p> <p>Campus Ministry (734) 432-5839</p>

The following resources are available to students and employees in the larger Livonia community:

Counseling	<p>Livonia Counseling Center (734) 744-0170</p> <p>First Step - Sexual Assault and Domestic Violence Agency (Wayne County) 1-888-453-5900</p> <p>Haven (Oakland County) 877-922-1274</p> <p>Wayne County Sexual Assault Forensic Examiner's (WC SAFE) Program (313) 964-9701</p>
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Health	<p>Trinity Health - Livonia 36475 Five Mile Road (734) 655-4800</p> <p>Livonia Health Center 20321 Farmington Road (248) 473-4300</p> <p>Wayne County Sexual Assault Forensic Examiner's (WC SAFE) Program (313) 964-9701</p>
Mental health	<p>Livonia Counseling Center (734) 744-0170</p> <p>Trinity Health - Livonia 36475 Five Mile Road (734) 655-4800</p> <p>Branches Counseling, PLLC (734) 888-8724</p> <p>First Step - Sexual Assault and Domestic Violence Agency (Wayne County) 1-888-453-5900</p> <p>Haven (Oakland County) 877-922-1274</p> <p>Wayne County Sexual Assault Forensic Examiner's (WC SAFE) Program (313) 964-9701</p>
Victim advocacy	<p>First-Step Sexual Assault &amp; Domestic Violence Agency 1-(888)-453-5900</p> <p>National Domestic Violence Hotline 1-(800)-799-7233</p> <p>National Sexual Assault Hotline 1-(800)-656-4673</p> <p>Crime Victim's Services (517)-373-7373</p> <p>Wayne County Sexual Assault Forensic Examiner's (WC SAFE) Program (313) 964-9701</p>
Other services available to victims	<p>Poison Control 1-(800) 872-2437</p>

## How To Be An Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They



are “individuals who observe violence or witness the conditions that perpetuate violence.” They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm, including harm to themselves. We may not always know what to do even if we want to help.

Below are some ways to be an active bystander:

- If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interfere.
- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Interrupt people who seclude, hit on, attempt to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or an experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

### **Michigan Sexual Offender Registry**

Registered sex offenders employed by or attending the University are required to register with the Michigan State Police. This information may be accessed via the State Police Website at [www.mipsor.state.mi.us](http://www.mipsor.state.mi.us) or a link is provided on the Campus Safety website.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a Federal Law that provides for the tracking of convicted sex offenders enrolled at or employed at institutions of higher education. The Campus Sex Crimes Prevention Act (CSCPA) of 2000 further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

### **Timely Warning Notifications**

Madonna University employs a variety of means to notify the Livonia Campus community and visitors of potentially dangerous situations or threats to campus safety. A Timely Warning Notice (TWN) is reserved for certain crimes as determined necessary by the Director of Campus Safety, or designee, which occur within the Clery Act reportable geography, and for crimes that were reported to a Campus Security Authority and represent a serious or continuing threat to students, employees, and/or the University community. The decision to issue a TWN is made on a case-by-case basis.

TWN's include information regarding the date and time of the reported crime, as well as a



description that may aid in the identification of a suspect. Every attempt will be made to distribute a TWN as soon as possible after relevant facts are gathered but it will withhold the identity of any victims.

The Director of Campus Safety, or designee, has the ability to write and send a TWN. Updates may be sent out as new or more accurate information becomes available. The University may use one or more methods (text messaging, web posting, mass emails, etc.) to issue a TWN.

Although the Clery Act does not define “timely” it does require that the University report Clery Act crimes in a manner that is timely and will aid in the prevention of similar crimes. The intent of the warning is to provide the campus community with information necessary to make informed decisions about their safety. Madonna University is responsible for issuing timely warnings in compliance with the Clery Act.

**The Campus Timely Warning Notice may be disseminated through:**

- Madonna University campus-wide email,
- RAVE Text Mobile Safety System,
- posting on the Madonna University website,
- Madonna Campus Safety website,
- news media, and
- other communication means.

**Emergency Notifications and Evacuation Procedures**

Madonna University will issue emergency notifications to the campus community (or a segment or segments of the campus community), upon confirmation of a reported significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Livonia Campus or on public property within or immediately adjacent to the Livonia Campus.

Emergencies or dangerous situations may include, without limitation, disease outbreaks, severe weather (e.g., tornado, hurricane, etc.), gas leaks, fires, explosions and chemical or hazardous waste spills.

The following Evacuation/Emergency and Tornado Shelter procedures are marked and posted in all classrooms:

1. Leave by the nearest exit and advise others to do the same.
2. Proceed to a clear area that is at least 500 feet away from the affected building.
3. Assist people with disabilities in exiting the building.  
(Note: People with disabilities should prepare for emergencies by learning the locations of the “Protect in Place” sites and by informing co-workers, professors, and/or classmates of best methods of assistance during an emergency.)
4. Do not use elevators during an emergency evacuation.



## 5. Stay clear of emergency personnel and their vehicles.

“Protect in Place” rooms for persons on the Livonia Campus unable to use the stairs are located in the Academic Building, Rooms 2103, 2444 and in the Franciscan Center, Room S200. In the event that it becomes necessary to evacuate specific buildings to mitigate a life-threatening emergency, Campus Safety will coordinate efforts with emergency responders. In addition, all classroom and laboratory facilities, along with a number of administrative offices and other areas throughout the Livonia Campus, have an Emergency Preparedness Guide posted in conspicuous locations. The Guide, is an easily recognized ready reference outline of campus emergency procedures.

Madonna University will be testing the RAVE ALERT system twice a year in January and August.

### **Missing Residential Students**

A residential student is defined as a Madonna University student who resides in on-campus housing on the Livonia Campus under a housing contract and is currently enrolled as a student at the University. The following notification policies and procedures apply specifically to residential students:

- All residential students will be provided an option on an annual basis (except as designated below) to identify a contact person(s) to be notified by the University in the event that they are determined to be missing by Campus Safety or an appropriate local law enforcement agency. In such cases, the notification shall be made within 24 hours of the determination that the residential student is missing.
- Students' contact information will be registered confidentially with Residence Life. This information will be accessible only to authorized University officials and it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
- For students who are under 18 years of age and are not emancipated, their custodial parent or guardian and any other designated contact person(s) (that they have designated) will be notified within 24 hours that the residential student is missing.
- Generally, such notifications to parents, guardians or designated contact persons shall be made by the Dean of Students or designee.
- Regardless of whether the residential student that has identified a contact person is above the age of 18, or is an emancipated minor, Madonna University will inform the local law enforcement with jurisdiction in the area that the student went missing or that the student is missing within 24 hours.





## Responsibilities of Students and Employees

A safe Madonna University environment cannot be achieved solely by Campus Safety. The safest environment is achieved with the involvement and cooperation of all members of the campus community. Every member of the campus community, including without limitation faculty, students, and staff and campus visitors must assume responsibility for their own personal safety, and the security of their belongings by taking simple, common sense precautions. This sense of responsibility should also be extended to others. For example, although the Livonia Campus is well lighted, students should not walk alone after dark and should "buddy up" whenever possible while walking about the Livonia Campus. Even though you know your neighbor, your room should be locked when left unattended. All members of the University campus community with a car should keep all valuables locked in the trunk and doors locked when the vehicle is left unattended.

All members of the campus community should immediately report to Campus Safety any unusual circumstance or suspicious looking individual whom they feel does not belong in the residence halls or any campus facility.

### Definition of Crimes

Each Annual Security Report includes statistics on the following crimes that have been reported to Campus Safety and/or Campus Security Authorities:

- *Murder/Non-Negligent Manslaughter*: The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded from this definition.
- *Manslaughter by Negligence*: The killing of another person through gross negligence.
- *Robbery*: The taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- *Aggravated Assault*: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.
- *Burglary*: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a



felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

- *Motor Vehicle Theft*: The theft or attempted theft of a motor vehicle. (Includes all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joyriding)
- *Arson*: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.
- *Domestic Violence*: Includes felony or misdemeanor crimes of violence committed:
  - A. By a current or former spouse of the victim;
  - B. By a person with whom the victim shares a child in common;
  - C. By a person who is cohabitating with or has cohabitated with the victim as a spouse;
  - D. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - E. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- *Dating Violence*: A violence committed by a person:
  - A. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - a. The time length of the relationship;
    - b. The type of relationship; and
    - c. The frequency of interaction between the persons involved in the relationship.
- *Stalking*: The engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- A. Fear for his or her safety or the safety of others; or
- B. Suffer substantial emotional distress.
- C. For the purposes of this definition:
  - a. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- *Weapon Law Violations*: Violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.
- *Drug Abuse Violations*: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include, but are not limited to: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone's); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- *Liquor Law Violations*: Violations of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are **not** included in this definition.)

## Sex Offenses<sup>1</sup>

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<sup>1</sup> NOTE: As of 2013 crime statistics, the Rape definition is based on the Uniform Crime Reporting Handbook 2004(Summary Reporting Statistics). The other Sex Offenses



- *Rape*: 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. This definition includes any gender of victim or perpetrator.
- *Fondling*: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- *Incest*: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape*: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

## Hate Crimes<sup>2</sup>

Madonna University is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

- *Larceny*: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- *Vandalism*: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control, by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.
- *Intimidation*: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- *Simple Assault*: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or

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Definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

<sup>2</sup> NOTE: The above listed crime definitions from the Uniform Crime Reporting Handbook 2004 (Summary Reporting Statistics).



aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Crime statistics published in the Annual Security Report are reported from the following geographical locations as defined by the Clery Act:

- On-Campus:
  - Any building or property owned or controlled by Madonna University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purposes, including residence halls; and
  - Any building or property that is within or reasonably contiguous to the area identified in the above paragraph that is owned by Madonna University but controlled by another person, frequently used by students, that supports University purposes.
- On-Campus Student Housing (Residence Halls):
  - Any student housing facility that is owned or controlled by Madonna University, or is located on property that is owned or controlled by the University, and is within the reasonably contiguous geographic area that makes up the campus.
- Non-Campus:
  - Any building or property owned or controlled by a student organization that is officially recognized by Madonna University; or
  - Any building or property owned or controlled by Madonna University that is used in direct support of, or in relation to, the University's educational purposes, frequently used by students and is not within the same reasonably contiguous geographic area of the University.
- Public Property:
  - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the Livonia Campus or immediately adjacent to and accessible from the Livonia Campus.

While Madonna University recognizes a number of student organizations, none own or control buildings or property. The University does conduct academic classes at a number of off-campus sites considered non-campus. Crime statistics for these specific locations are identified, gathered and also reported annually as described above.

In 2023, according to the Clery Act, Madonna University had three separate additional campuses. They are Henry Ford College, Macomb Community College, and Southfield Center.

## **SEPARATE ADDITIONAL CAMPUSES**

### **SOUTHFIELD CENTER**

Madonna University's Campus Safety officers from the Livonia Campus do not have jurisdiction to respond to incidents at the Southfield Center. If an incident occurs at this location, the Southfield Police Department will have jurisdiction. Madonna University relies on Southfield Police Department to investigate criminal offenses; the University does not have a memorandum of understanding with the Southfield Police Department.

#### **Reporting of Crimes and Emergency Situations**

Madonna University encourages everyone at the Southfield Center to accurately and promptly report a crime to:

Southfield Police Department – Dial 911 (emergency call) or (248) 796-5500.

### **HENRY FORD COLLEGE<sup>3</sup>**

The Office of Campus Safety (OCS) supports the mission of the College and its commitment to student success by creating and sustaining a safe, secure, customer-focused campus environment that promotes diversity, inclusion, understanding, and acceptance.

**<https://www.hfcc.edu/campus-safety>**

#### **OCS Accountability and Operations**

The HFC Office of Campus Safety (OCS) is responsible for maintaining a safe and secure learning environment, which supports the College's mission of dedication to the education and enrichment of our students and community. The members of the OCS protect and enhance the overall safety of the College community by providing efficient and reliable services on a continuous 24-hour basis.

The staffing of the OCS is made up of full-time Campus Safety Associates, administrative personnel, and contract uniformed Security Officers.

The OCS is located Building N. The Dispatch Office (telephone and walk-up campus safety service) is open and staffed 24 hours a day. At least one Campus Safety Associate is usually on duty whenever classes are in session. Contract uniformed security officers are on duty 24 hours a day.

The OCS is open for administrative services during normal college business hours, which

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<sup>3</sup> The following represent the policies provided to Madonna University by Henry Ford College.



are Monday - Friday, 8:00 am to 4:30 PM during the Fall and Winter semesters and Monday - Thursday, 8:00 am to 6:30 PM during the Spring and Summer semesters.

When a Call for Service (CFS) is received, a Campus Safety Associate and/or Campus Safety personnel will respond to the situation and utilize whatever resources are needed. These additional resources may include assistance from local law enforcement agencies and emergency medical services. Emergency Notifications and Timely Warnings are used to alert our college community to potentially dangerous situations.

The Office of Campus Safety does not monitor or record through local police agencies any criminal activity by students at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

### **Responsibilities of the Henry Ford Community for Their Own Personal Safety and Security and the Safety and Security of Others**

Safety on our campus is a shared responsibility between the OCS, students, faculty, employees, and campus visitors. Everyone is encouraged to take steps to ensure both personal and College property is safe and to contact the OCS whenever they observe behavior or circumstances that may present a threat to our College community. The following precautions provide guidance.

- Report all suspicious activity to OCS immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night. Use the OCS Safe Walk escort.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended.
- Carry your keys at all times and do not lend them to anyone.
- Lock up bicycles and motorcycles.
- Lock car doors and close windows when leaving your car.
- Do not leave valuables in your car, especially if they can be easily noticed.
- IF YOU SEE SOMETHING, SAY SOMETHING.

Contacting the HFC Campus Safety Office for non-emergencies/general assistance

1. Dial 9630 or 9911 from any campus telephone or call 313-845-9630 to reach the Campus Safety Dispatcher 24 hours a day.
2. Dial 9862 from any campus telephone or call 313-845-9862 to reach the Secretary for the Campus Safety Office during normal business hours.

### **Local Law Enforcement Agencies**

Members of the HFC OCS maintain professional working relationships with local, county, state, and federal law enforcement agencies, as well as various emergency management agencies.



The Dearborn Police Department has local law enforcement jurisdiction for the HFC Main Campus and the East Campus (Nursing and M-Tec). They can be contacted for emergencies by dialing 911 or 313-943-2240 for non-emergencies. They are located at 16099 Michigan Avenue, Dearborn, MI 48126.

[www.cityofdearborn.org/government/departments/police](http://www.cityofdearborn.org/government/departments/police)

Crime Statistics: The OCS is required to keep and provide crime statistics relative to four general categories of crime statistics, which include Criminal Offenses, Hate Crimes, Violence against Women and Arrest and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws. The statistical report is included in this Annual Security Report (ARS) and is available on the Campus Safety webpage

<https://www.hfcc.edu/campus-safety/crime-stats>. A physical copy can be obtained at the OCS in Building N on Main Campus, and at the security desk at the East Campus - Nursing.

### **Daily Crime Log:**

The daily crime log of campus incidents can be found on the campus web site or a hard copy can be obtained at the Campus Safety Office in Building N. Faculty, staff, and students are encouraged to review these logs periodically to become more familiar with the types of locations of criminal incidents that may impact the College Community.

<https://www.hfcc.edu/campus-safety/daily-crime-logs>

## **Crime/Emergency Reporting and College Response**

### **Reporting Crimes and Other Emergencies**

College Community members – students, faculty, staff, visitors, and guests – are encouraged to report all criminal actions, emergencies, suspicious behavior or other public safety related incidents occurring within the College’s Clery geography to the Office of Campus Safety (OCS) in an accurate, prompt, and timely manner. The College’s Clery geography (as defined in the “Geography Definitions” elsewhere in this Annual Report, and hereafter referred to as the “College’s Clery Geography”) includes:

- On-campus property including buildings, and/or facilities located at the Main Campus and East Campus.
- Any designated non-campus properties and facilities;
- All public property, including thoroughfares, streets, and sidewalks that are within the campus or immediately adjacent to and accessible from the campus or non-campus property/facilities.

OCS has been designated by Henry Ford College as the official office for campus crime and emergency reporting. OCS strongly encourages the accurate and prompt reporting of crimes. Accurate and prompt reporting ensures OCS is able to evaluate, consider, and send timely warning notices, disclose crimes through ongoing disclosure processes such as the posting of crimes in the Daily Crime Log and accurately documenting reportable crimes in its annual statistical disclosure. Henry Ford College further encourages accurate and prompt reporting to OCS and/or the Dearborn Police Department when the victim of a crime elects to make such a report.





This publication focuses on OCS because it has primary responsibility for patrolling the Henry Ford College campus and it has been designated as the institution's primary reporting structure for crimes and emergencies. However, criminal incidents or incidents off campus can be reported to the Dearborn Police Department. Additionally, as outlined below, the College has also identified a list of primary campus security authorities (CSA) or preferred receivers of reports to whom crimes can be reported.

#### Primary Campus Security Authorities (CSA) or Preferred Receivers of Reports:

- Call the Office of Campus Safety by dialing 9630 or 9911 from any campus telephone or call 313-845-9630 to reach the Campus Safety Dispatcher 24 hours a day.
- Report in person to the Office of Campus Safety at the Campus Safety Office located in the "N" Building Lobby at 5101 Evergreen Rd.
- Crimes or emergency situations can be reported to the Dearborn Police Department by dialing 911 or reporting in person at 16099 Michigan Ave.
- Sex Offenses and other incidents of sexual or relationship violence can also be reported to the college's Title IX Coordinator, by dialing (313) 845-6301 or on-campus extension 6301, or in person at 5101 Evergreen Rd, Building "N", Office 223.
- Contact the Office of Human Resources (HR) by dialing (313) 845-9820 or on-campus extension 9820, or in person at 5101 Evergreen Rd, Welcome Center Building, Office W-315.
- Contact the Vice President of Student Affairs by dialing (313) 845-9887 or on-campus extension 9887, or in person at 5101 Evergreen Rd, "L" Building, Office L-422.
- Emergency Phones located throughout campus can also be used to contact Campus Safety to report a crime or emergency.
- Complete the online "Student/Employee Complaint Form" at: <https://cm.maxient.com/reportingform.php?HenryFordCC>. **This form should only be used for non-emergency or non-urgent reporting.**

#### Response to Reports

Dispatchers are available 24-hours a day to answer college community calls by dialing (313) 845-9630, or on-campus extension 9630 or 9911. In response to a call, OCS will take the required action by either dispatching a campus safety associate or asking the reporting party to go to the Campus Safety Office to file an incident report in person. All reported crimes will be investigated by the college and may become a matter of public record. Crime victims are given on and off campus resource information as necessary and appropriate. OCS procedures require an immediate response to emergency calls. OCS works closely with a full range of city and county resources to assure a complete and timely response to all emergency calls. Priority response is given to crimes against persons and personal injuries. OCS responds to and investigates all reports of crimes and/or emergencies that occur within the College's Clery geography. Campus Safety personnel also have the ability to notify the Dearborn Police and/or Fire Department dispatchers of emergency situations occurring on-campus or off-campus.



To obtain information or request any campus safety or safe walk services, community members should call OCS. Located throughout campus are well-marked exterior phones. These phones access the campus safety dispatcher and can be used to obtain emergency assistance or obtain general information.

When placing an emergency call, remember to stay on the line and wait for the dispatcher to end the call. These exterior phones should be used when seeking information and/or reporting activities – to include criminal incidents. If a member of the community finds any of these phones inoperative or vandalized, they should call the OCS so that the phone can be repaired or replaced as quickly as possible. If assistance is required from the Dearborn Police Department or Dearborn Fire Department, OCS will contact the appropriate unit. If a sexual assault or rape should occur on campus, staff on scene, including OCS, will offer the victim a wide variety of resources and services. This publication contains information about on-and off-campus resources and services and is made available to the Henry Ford College community. The information regarding “resources” is not provided to infer that those resources are “crime reporting entities” for Henry Ford College. As mentioned, crimes should be reported to OCS to ensure inclusion in the annual crime statistics and to aid in providing timely warning Campus Safety Alert notices to the community, when appropriate.

### **Responsible Employees and Reporting Requirements**

MCL 750.411h(1)(d). 10 34 CFR Part 106.8(a) requires designation of at least one “responsible employee” who ensures the recipient’s compliance for the institution. The Student Title IX Coordinator is the individual responsible for sexual misconduct issues in which a “student” is the accused party.

The Title IX coordinator(s) oversee the College’s compliance with Title IX, including its grievance procedure, education/prevention efforts, and training. The Coordinators review information about sexual misconduct complaints to identify and address any patterns or systematic concerns that arise during the review of such complaints. The Coordinators are available to meet with any College community member or campus organization that would like to discuss Title IX compliance at the College.

### **Voluntary Confidential Reporting**

Henry Ford College encourages anyone who is the victim or witness of any crime to promptly report the incident to OCS or the local Dearborn Police Department. OCS does not have a voluntary confidential reporting process because OCS reports are educational records and not law enforcement reports, thus OCS cannot hold reports of crime in confidence.

### **Confidential Reporting**

Students may make confidential reports to Professional Counselors assigned to the Counseling Center. Professional Counselors when acting in their capacity and function as Henry Ford College counselors do not make identifiable reports of incidents to the Official On-Campus resources unless the student specifically requests them to do so; however, the College encourages counsellors, if and when they deem it appropriate, to inform students they can report incidents of crime to OCS, which can be done directly or anonymously through the anonymous reporting processes as outlined below.



**Professional Counselor.** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community, and who is functioning within the scope of his or her license or certification. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can be made to the Associate Dean of Counseling Services. The Associate Dean of Counseling Services, in their capacity as a CSA, can make confidential crime reports to OCS to ensure inclusion in the annual disclosure of crime statistics without disclosing personal identifying information. The Associate Dean of Counseling Services will work closely with OCS in order to allow OCS to properly assess reports for timely warning consideration and to avoid double counting of crimes.

### **Anonymous Reporting**

Henry Ford College Office of Campus Safety, unless otherwise prescribed by law or as set forth within this Annual Security Report, does not take anonymous incident reports. The only exception to this policy is addressed below.

**Online Anonymous Reporting:** The College allows faculty, staff, and students opportunities to report incidents anonymously, which allows a reporting person to complete a report without providing any personal identifying information. Anonymous reporting can be accomplished using the Maxient Reporting System. Reporting is available using the Henry Ford College "Student/Employee Complaint Form" at: <https://cm.maxient.com/reportingform.php?HenryFordCC>. This form can be found on the Henry Ford College web page in the Campus Safety Section, Reporting and Incident, & Student Rights Toolkit.

While anonymous reporting is available by these means, the College's ability to investigate and appropriately address allegations of misconduct will be significantly limited. Crimes reported confidentially to the counseling center are not disclosed in the College's crime statistics or reporting processes, unless those crimes are reported to OCS through the facilitated anonymous reporting process.

The purpose of an anonymous report is to possibly take steps to promote safety. In addition, Henry Ford College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the college community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime's statistics for the institution.

### **Security of and Access to Campus Facilities**

During normal business hours, Henry Ford College campus is generally open and accessible to students, faculty, staff, and visitors of the College. However, during the 2020/2021 academic year, visitors to campus have been limited to those whose access is in direct support of the primary academic and administrative missions of the College. In July 2021, the campus was reopened with restrictions due to COVID restrictions imposed by the Wayne County Health Department and MIOSHA.

The majority of academic and administrative buildings are open during normal business



hours (typically Monday through Friday, from 8am to 5pm, except holidays) and are typically secured during the late evening hours, depending upon class schedules, special event scheduling and community usage. Academic & administrative buildings are typically secured from 11pm to 7am each night, and access is gained to these buildings via the access control system or Campus Safety Personnel. Members of the OCS regularly patrol the interiors and exteriors of all campus facilities.

OCS officers patrol the campus grounds via foot, vehicle, or bicycle, conduct regular interior and exterior checks of academic and administrative buildings and respond to incidents occurring anywhere within the college's Clery geography. After hours, the Dearborn Police will respond to any incidents at the East Campus. OCS will provide security escorts when requested for staff members, students, faculty, and guests.

### **Weapons Policy**

Henry Ford College Campus Safety Associates are unarmed and do not carry firearms. Outside law enforcement personnel who are authorized to possess weapons, may do so within the scope of their authority. No other persons are permitted to possess weapons on College property, even if such weapons are legally registered.

### **Security Considerations Used in the Maintenance of Campus Facilities**

Henry Ford College facilities and landscaping are maintained in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. OCS regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. College community members can additionally report hazards directly to Facilities Management through an online service response reporting process. The campus' overall safety and security program is supplemented by a variety of technological systems including: access control; closed circuit television; emergency phones; and fire detection, suppression, and reporting systems. Other members of the College community are helpful when they report equipment problems to OCS or Facilities Management. OCS is often consulted on security measures during construction and renovation capital project meetings.

### **Office of Campus Safety Training**

The Campus Safety Manager and Campus Safety Assistant Managers are primarily responsible for conducting intensive and continuing training for Campus Safety Associates. Training topics may include the Clery Act, campus safety authority, Title IX, sexual assault and gender violence response and investigation, public relations, race relations and implicit bias, interpersonal communications, crisis intervention and de-escalation, critical incident response and incident command system, emergency operations, and all facets of protection of persons and property. Training includes the use of on-line virtual training resources/webinars, in-service and guest lecturers, and select out-service seminars and conferences, and regular roll-call information sessions.

### **Crime Prevention and Safety Awareness Programming**

Henry Ford College offers many programs designed to inform students and employees about campus safety and security procedures and practices and the prevention of crimes. A common theme of all awareness and crime prevention programs is to encourage students and employees to be responsible for their own safety and for the safety of others



on campus. Crime prevention programs on personal safety and security are sponsored by various campus organizations throughout the year.

These programs include general crime prevention and security awareness programs, such as safety education forums, programs, and discussions about topics such as alcohol abuse, sexual assault and prevention, relationship violence awareness and prevention, bystander intervention, fire safety, emergency response and evacuation procedures, crime and risk reduction strategies and theft prevention. New students and faculty are encouraged to attend a training session that is offered at the beginning of each semester that explains college policies and expectations related to student conduct and behavior, campus safety, Title IX, and other services offered by the college.

NOTE: Due to COVID 19 restrictions and mitigation strategies, in-person programming has been limited and moved to social media and virtual platforms.

### **Campus Safety Alerts (Timely Warning Notices)-Notifying the Henry Ford College Community about Crimes**

In an effort to provide timely notice to the Henry Ford College community in the event of a criminal situation that, in the judgment of the Campus Safety Manager or designee, may pose a serious or continuing threat to members of the college community, a Campus Safety Alert (timely warning notice) will be issued.

Campus Safety Alerts will be distributed as soon as pertinent information is available, in a manner that is timely, that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar crimes or occurrences.

Campus Safety Alerts are primarily distributed by blast email to all students and employees on campus as soon as pertinent information is available. Alerts can also be sent/communicated via Henry Ford College's Regroup text/voice messaging system and a variety of other notification methods, as outlined in the Emergency/Immediate Notification section of this Annual Report and highlighted below. The intent of a Campus Safety Alert is to warn the campus regarding a criminal incident, providing individuals an opportunity to take reasonable precautions to protect themselves.

Campus Safety Alerts are generally written and distributed to the college community by the Campus Safety Manager or Campus Safety Assistant Manager, and they are routinely reviewed and approved by the Vice President of Marketing and Communications. The Campus Safety Manager or a Campus Safety Assistant Manager has the authority to issue a Campus Safety Alert without such consultation if consultation time is not available. Should the Campus Safety Manager and Campus Safety Assistant Manager be directly impacted and involved in an incident response or otherwise unavailable, any trained member from the Campus Safety Department could write and send a Campus Safety Alert.

Campus Safety Alerts are sent to the college community to notify members of the community about specific Clery Act crimes (as described below) that have been reported to OCS and that have occurred on or within the college's Clery geography (on-campus, non-campus, or public property), where after review and assessment it is determined that the incident may pose a serious or continuing threat to members of the College community. Crimes that occur outside the campus' primary Clery geography, as stipulated or other non-



Clery specific crimes, will be evaluated on a case-by-case basis. Information related to these crimes may be distributed to the campus as a Public Safety Notice, as outlined and described in the below policy statement for “Public Safety Notices.”

Updates to the college community, when deemed necessary, about any particular case resulting in a Campus Safety Alert may be: distributed via blast email, posted on the college website, shared with a local newspaper for a follow-up story, and/or distributed by the Campus Safety Manager.

Campus Safety Alerts are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Campus Safety Manager or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Campus Safety Alert.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Campus Safety Manager or their designee.

Typically, alerts are not issued for any incidents reported that are older than ten (10) days from the date of occurrence, as such a delay in reporting has not afforded the College an opportunity to react or respond in a timely manner.

The Campus Safety Manager and Campus Safety Assistant Managers may confer with the Henry Ford College Cabinet during the response to a crime to ensure a proper review of all Clery crimes (and other criminal incidents, as deemed appropriate) to determine if there is a serious or continuing threat to the community and if the distribution of a Campus Safety Alert is warranted.

Campus officials not subject to the timely reporting requirement are those with significant counseling responsibilities who were providing confidential assistance to a crime victim. At Henry Ford College this would only apply to professional counselors from the Counseling Center who are performing that specific function and role as their primary employment with the College.

### Campus Safety Alert Distribution Matrix

PRIMARY METHODS	Primary Message	Backup Message	Authority to Approve/Sen	Primary Message	Backup Message
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	Creator	Creator	d	Sender	Sender
Henry Ford College Messaging Alert System (Text/Voice/E mail, Blue Light Towers, and Audible Notification)	Campus Safety Manager	Campus Safety Assistant Manger	If time allows, consult with the VP of Marketing and Communicati ons; or, If time does not permit, the primary or backup creator/sende r can proceed.	Campus Safety Manager	Campus Safety Assistant Manger; or, VP of Marketing and Communicati ons.
HFC Website	VP of Marketing and Communicati ons	Any trained member of IT Departm ent	VP of Marketing and Communicati ons; or designee	VP of Marketing and Communicati ons	VP of Marketing and Communicati ons their designee; or, Any trained member of the IT Department.

SECONDARY METHODS	Primary Message Creator	Backup Message Creator	Authority to Approve/Send	Primary Message Sender	Backup Message Sender



Posting on Entrance Doors, Lobby Areas, or Bulletin Boards	Campus Safety Manager	Campus Safety Assistant Manger; or, their designee	If time allows, consult with the VP of Marketing and Communications; or, If time does not permit, the primary or backup creator/sender can proceed.	Campus Safety Manger	Campus Safety Staff; or, Facilities Staff
Social Media Platforms	VP of Marketing and Communications	IT Department; or designee	VP of Marketing and Communications	VP of Marketing and Communications or designee	IT Department; or designee
Press Releases	VP of Marketing and Communications	IT Department; or designee	VP of Marketing and Communications	VP of Marketing and Communications	IT Department; or designee

### Public Safety Notices

A Public Safety Notice may be sent to the college community for general crime prevention purposes, to inform the community of crimes and/or incidents that are not generally time sensitive or considered to be a continuing threat, but important to be aware of, and/or to inform the campus of incidents occurring on, around, or even off campus that do not meet the requirements or specifications for distribution of a Campus Safety Alert, as outlined above.

A Public Safety Notice may be sent via blast email or posted on the Henry Ford College web site, to all students and employees on campus. A Public Safety Notice is generally written and distributed to the college community the Campus Safety Manager or a Campus Safety Assistant Manager. These notices could also be sent by the Vice President of Marketing and Communications or their designee.

Updates to the college community about any particular case resulting in a Public Safety Notice, when deemed necessary, may be distributed via email, posted on the college website, included in the college newspaper, or may be shared with a local newspaper for a follow-up story; and may be distributed by the Campus Safety Manager or designee, as deemed necessary and appropriate.

### Daily Crime Log

The Office of Campus Safety makes the Daily Crime Log for the most recent 60-day period open to public inspection during normal business hours (typically Monday through Friday,





from 7am to 5 pm, except holidays) at the Campus Safety Dispatch, located in the “N” Building on Main Campus. Any portion of these crime logs that are older than 60 days are made available for public inspection within two business days of a request. The information in the crime log typically includes the incident number, crime classification, date reported, date occurred, general location of crime, and disposition of each reported crime. Faculty, staff, and students are encouraged to review these logs periodically to become more familiar with the types and locations of criminal incidents that may impact the college community.

Unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim, newly reported crimes/incidents within the college’s Clery geography and updated information regarding previously reported crimes are entered into the Daily Crime Log within two business days of when it is reported to the Office of Campus Safety. It is important to note that OCS has no expanded patrol jurisdiction outside of its identified Clery geography.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **Emergency Preparedness**

Henry Ford College has adopted an Emergency Operations Plan (EOP) that establishes policies, procedures, and an organizational hierarchy for response to emergencies on campus. The Plan outlines incident priorities, campus organization and the role and operation of Henry Ford College personnel during an emergency. Emergency operations planning at Henry Ford College means preventing, preparing for, responding to, and recovering from any and all emergencies that could affect the College and the local Dearborn community. Emergency preparedness at Henry Ford College is managed by the College’s Office of Campus Safety. The complete plan is available on the College’s website at: [https://my.hfcc.edu/system/files/attachments/eop\\_final.pdf](https://my.hfcc.edu/system/files/attachments/eop_final.pdf). The emergency response and evacuation protocols and procedures outlined within this Annual Report are reflective for both on-campus and non-campus buildings, and facilities.

### **Emergency Response**

The college’s units and/or departments are responsible for developing emergency response and continuity of operations plans for their area and staff. The Office of Campus Safety provides resources and guidance for the development of these plans. Emergencies occurring on campus should be reported to OCS by dialing (313) 845-9630 or on-campus extension 9630 or 9911, or by dialing 911 for outside emergency responders.

In conjunction with other emergency agencies, the college conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced are designed to assess and evaluate the emergency plans and capabilities of the institution. After-action reviews will be conducted following each test and/or exercise that documents the test/exercise, provides a description for each test/exercise, the date, time, whether the test was announced or unannounced, and an assessment of the lessons learned from the exercise.

### **Emergency Evacuation Procedures**

The emergency evacuation procedures are tested at least once each year. Students and



employees learn the locations of the emergency exits in the academic and administrative buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. OCS officers do not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, OCS staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Henry Ford College, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

OCS shall be responsible for the safe evacuation of all persons utilizing the College's facilities in the event of natural disasters, civil disturbances, and active threats. The level of necessity will determine the response by OCS. If large scale events occur that are beyond the resource capabilities of OCS and the College, officials will request assistance from outside emergency resources such as the Dearborn Police Department, Dearborn Fire Department, Michigan State Police, Wayne County Sheriff's Department, and/or state departments of emergency management. The need to implement evacuation from a campus building or the entire campus shall be based upon information received by or furnished to Henry Ford College.

The information may be in the form of instructions or advice from the Michigan State Police Emergency Management, the Governor's Office, or other officially recognized agency. Full or partial evacuations may be necessary as a protective action to reduce college community members' exposure to a hazard. Protective actions reduce TIME of exposure, create DISTANCE, or provide SHIELDING from a specific hazard. Hazards that may require an evacuation include:

- Fire
- HAZMAT release
- Bomb threat or suspicious device/package
- Hostile intruder
- Massive utility failure
- Severe weather conditions
- Hazard that renders facilities uninhabitable

**Exercise of Judgement and Contingencies:** The actions described are basically standard by nature. When situations arise for which the procedures to be followed are not fully prescribed in the College's Emergency Operations Plan (EOP), responsible personnel will be expected to exercise good judgement, make appropriate decisions, and provide any support necessitated by the situation.

As part of the decision-making process relative to an evacuation, the evacuation must be able to be completed well before the arrival of a hazard. When there is little to no warning



time, a shelter-in-place decision/order may be more appropriate. Additional factors to consider beyond warning time when deciding on whether or not to evacuate include:

- Size and geographical area affected
- Population density of the surrounding area
- Capacity and condition of the road network
- Are sufficient transportation resources available – college transportation, public transportation, and private transportation?
- Are there safe alternatives?
- Ability of campus facilities to provide shielding from the hazard
- Ability of facilities to support the population
- Local considerations and local police and emergency resources support

**Scope of an Evacuation:** The scope of an evacuation can include a single building, a group of buildings, and/or a large geographical area. The scope could go beyond the borders of the institution, and/or the College and may be impacted by an evacuation initiated by the local authorities. Size and scope considerations must be included in the overall decision-making process.

### **Building Evacuation**

- All building occupants are required to evacuate when the fire alarm sounds or upon order of an authorized College official, such as a Campus Safety Officer.
- If time permits, stabilize lab procedures, and unplug or disable any device that could make a dangerous situation even worse.
- Move to the closest exit and proceed down the EXIT stairwell in a safe and orderly manner. Take personal belongings with you. Do NOT use elevators.
- Remain at least three hundred (300) feet outside of the building and await further instructions. Keep roadways open and beware of approaching emergency vehicles. Notify emergency responders of anyone trapped, especially anyone with a physical disability.

### **Large-scale Campus Evacuation**

- If evacuation of part or all of the campus is necessary, monitor text message/voice alert system, email, and the College's website for additional information.
- Those in need of transportation will be directed to areas to await transport to an off-campus site.

### **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify OCS by dialing (313) 845-9630 or on-campus extension 9630 or 9911, or by dialing 911 for outside emergency responders.

- Remain Calm
- Do NOT use Elevators, Use the Stairs.
- Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform OCS or the responding Fire Department of the individual's location.

- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building until authorized to do so by a member of Campus Safety.

### **Shelter-in-Place Procedures – What It Means to “Shelter-In-Place”**

College authorities may instruct the college community members to “shelter-in-place” if a condition exists that is potentially life threatening and has an immediate threat to the health and personal safety of the college community. Immediate threats would include, but are not limited to: active shooter incidents, mass acts of violence, tornadoes, terrorist attacks, or hazardous materials incidents. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside. Community members should remain in a shelter-in-place status until the all-clear is communicated by emergency response personnel via an emergency rapid communication system(s).

### **Basis “Shelter-In-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest college building quickly. If police or fire department personnel are on the scene, follow their directions.

### **How You Will Know to “Shelter-In-Place”**

A shelter-in-place notification may come from several sources, OCS, other college employees, local law enforcement or outside emergency services, or other authorities utilizing the college’s emergency communications tools.

### **How to “Shelter-In-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be:
  - An interior room;
  - Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building several rooms maybe necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able. Henry Ford College Facilities

- staff will turn off the ventilation as quickly as possible.
- Make a list of the people with you and ask someone to call or email the list in to OCS so they know where you are sheltering.
  - Turn on a radio or TV and listen for further instructions.
  - Make yourself comfortable.

### **Off-campus Emergencies**

OCS officials often receive emergency information from the Dearborn 911 Dispatch Center regarding incidents in Dearborn that could imminently impact the safety of the Henry Ford College community. When appropriate, OCS notifies the college community of off-campus threats that could also represent a threat to the health or safety of students or employees.

### **EMERGENCY/IMMEDIATE NOTIFICATION**

Henry Ford College has developed a process to notify the college community immediately upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire. Emergencies occurring on or within any of the College's Clery geography (as defined in the "Geography Definitions" elsewhere in this Annual Report) should be reported to OCS by dialing (313) 845-9630 or on-campus extension 9630 or 9911, or by dialing 911 for outside emergency responders.

In the event of an emergency, an effective Campus-wide communications process is vital in order to provide the greatest safety possible for the College community. As part of its Emergency Management Operations, the College has adopted a formalized procedure for issuing emergency/immediate notifications to the college community.

The emergency/immediate notification capability of the emergency mass notification system (Regroup) is designed to assist the College in immediately notifying the college community upon confirmation of a significant emergency or dangerous situation occurring on or near the campus that involves an immediate threat to the health or safety of students or employees. A threat is imminent when the need for action is instant, overwhelming, and leaves no moment for deliberation. Such situations would include, but are not limited to, a hazardous materials incident requiring shelter-in-place or evacuation, an armed intruder on or near campus, an approaching tornado, or a fire actively raging in a campus building.

The College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system to the appropriate segment or segments of the college community, 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 an emergency.

Immediate notification to the campus can be accomplished through a variety of communications methods. Notification will be made by using some or all of the following



multi-modal notification methods depending on the type of emergency: College's Emergency Mass Notification System (Regroup) – which contains email, cell phone text, voice message alert; fire alarm (where available); public address systems/outdoor speakers (where available); social media; digital signage (where available), local media, webpage, and/or alert siren for shelter-in-place. If any of these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency. Confirmation of the existence of an emergency typically involves the response and assessment of OCS officers, sometimes in conjunction with campus administrators and other college officials, local police and first responders and/or the national weather center. When on-duty Campus Safety Associates become aware of a situation that may warrant the issuing of an immediate notification, the on-duty Campus Safety Associate confirms (through response, investigation, or collaboration with emergency responders) that there is a significant emergency and then immediately contacts the Campus Safety Manager or and Campus Safety Assistant Manager, who quickly evaluates the situation to determine if an alert is warranted, develops the content of the notification message, and then identifies the appropriate segment or segments of the college community who will receive the notification.

The Campus Safety Manager or a Campus Safety Assistant Manager has the ability and authority to issue an alert without delay and without further consultation with any other College official. Notification message content is determined based on the type of incident, the context with which it is occurring, and the immediate danger or threat to the college community and the need to advise college community members to take action. The College will endeavor to make such notification sufficiently specific so as to enable recipients to take an appropriate response to the threat. Pre-canned messages have been prepared as part of the emergency notification system to aid in rapid communication processes. In situations lacking the presence of an imminent threat, the Campus Safety Manager or a Campus Safety Assistant Manager consults with the President or other member of the Henry Ford College Cabinet prior to an alert being issued. Follow-up notices/communications will be provided as necessary during an active incident and may be provided by the Campus Safety Manager, a Campus Safety Assistant Manager or a member of the Office of Campus Safety. When a threat is neutralized or effectively removed, college community members will be appropriately informed via all or some of the aforementioned communications methods. Additionally, updates regarding a prolonged and ongoing emergency situation such as a health emergency (norovirus, serious illness, pandemic, etc.) can be provided by creating a banner (webpage) at the top of the College's homepage that would contain specific status update information along with links to public health agencies (for example) or other relevant entities.

When the emergency mass notification system is fully activated using the siren, email, and cell phone text/voice messaging, college officials will notify college community members of the emergency situation, its exact location, and will most likely request community members to protect themselves by evacuating the affected area if it is safe to do so and/or by employing the "shelter-in-place" concept. Local police, emergency responders, and select Dearborn officials are also alerted via text messaging or telephone contact with the Dearborn Police/Fire Dispatch, of any actual on-campus emergency that poses a threat to campus and/or the immediate local community.



If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.



## Emergency/Immediate Distribution Matrix

PRIMARY METHODS	Primary Message Creator	Backup Message Creator	Authority to Approve/Send	Primary Message Sender	Backup Message Sender
Henry Ford College Messaging Alert System (Text/Voice/Email, Blue Light Towers, and Audible Notification)	Campus Safety Manager	Campus Safety Assistant Manager	If time allows, consult with the VP of Marketing and Communications; or, If time does not permit, the primary or backup creator/sender can proceed.	Campus Safety Manager	Campus Safety Assistant Manager; or, VP of Marketing and Communications.
HFC Website	Campus Safety Manager	Campus Safety Assistant Manager; or their designee; or, Any trained member of IT Department	Campus Safety Manager; or designee	Campus Safety Manager	Campus Safety Assistant Manager; or their designee; or, Any trained member of the IT Department.

SECONDARY METHODS	Primary Message Creator	Backup Message Creator	Authority to Approve/Send	Primary Message Sender	Backup Message Sender
Digital Signage	Campus Safety Manager and the VP of Marketing and Communications	Campus Safety Assistant Manager; or, their designee	If time does not permit, the primary or backup creator/sender can proceed.	Campus Safety Manager	Campus Safety Staff; or, Facilities Staff



Social Media Platforms	VP of Marketing and Communications	Campus Safety Manager; or designee	VP of Marketing and Communications	VP of Marketing and Communications or designee	IT Department; or designee
Face-to-Face Communication and Alarm Systems	Campus Safety Manager	Campus Safety Manager or designee	Campus Safety Manager; or designee	Campus Safety Manager	Office of Campus Safety

**Emergency Mass Notification System (EMNS) Testing and Registration**

The Emergency Mass Notification System (EMNS) will be tested on the first Saturday of each month, excluding holidays, to ensure that all systems are working properly, and that Campus Safety Associates maintain a working knowledge of the system. These tests will also be educational moments for the college community to remind them that this system does exist, and that it is a working and functioning system that they can rely upon. Students, staff, and faculty are informed about the EMNS system during first-year orientation and new employee/faculty orientations. Students, staff, and faculty are enrolled in the EMNS system when they enroll for classes and are hired by the college. Updates and changes to your phone number or email address can be made through the Henry Ford College webpage. If a student, staff, or faculty would like to withdraw from the EMNS they must contact the Henry Ford College Human Resources Department.

The College’s primary and secondary means of communicating during an emergency situation include those addressed above. The following, although not all of these methods are always employed – modalities includes primary, secondary, and tertiary methods of notification that are decided upon based on the segment or segments of the collage community that require notification and the best method(s) determined to maximize that notification. The communications method used would depend on the type of emergency:

- Cell phone Text/Voice Messaging
- Alert Siren
- All Campus Email Alerts
- Voice-Mail
- Emergency Website, Facebook, and Twitter Accounts
- Public Media (TV, radio, news websites)
- Fire Alarm System Notification
- Public Address System from Siren
- Flyers posted throughout Campus
- Direct On-foot and in-person Notifications

**Preparation of Annual Disclosure of Crime Statistics & Clery Compliance**

The following information provides context for the crime statistics reported as part of compliance with the Clery Act. The Henry Ford College Office of Campus Safety is primarily responsible for preparing the Annual Security Report. This responsibility is



specifically designated to the Campus Safety Manager or designee. The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the College community obtained from the following sources: The Dearborn Police Department, Wayne County Sheriffs Department, Michigan State Police, and non-police or public safety personnel who have been designated as Campus Security Authorities or CSA's. The Title IX Office and Human Resources Department are key offices from which drug, liquor, and weapon offense referral data is obtained along with sexual offenses and potential reports of other Clery crimes.

Final report preparation is coordinated by the Campus Safety Manager with Human Resources and the Title IX Coordinator.

A written request for statistical information is made at least on an annual basis to all CSA's (as defined by federal law). CSA's are also informed in writing and/or through training to report crimes to OCS in a timely manner so those crimes can be evaluated for timely warning purposes. A CSA is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into an institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An Official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Statistical information is not requested from, nor is it provided by Professional Counselors of the Counseling Center who are performing that function and role as their employment with the College. Professional Counselors are not required by law to provide statistics for this compliance document. Counseling, as defined by the Federal law, who act in such capacities, have been advised that, while they are not obligated to report crimes for the purpose of compiling these statistics, they are encouraged, when they deem it appropriate, to inform the persons they are counseling of their ability to report any crimes to OCS for inclusion in the annual statistics. The Counseling Center facilitates anonymous reporting, as outlined earlier in this Annual Security Report.

All statistics are gathered, compiled, and reported to the college community via this report, entitled the "Annual Security Report," which is published by OCS no later than October 1<sup>st</sup> of each year. OCS submits the annual crime statistics published in this brochure via a Web-based reporting system to the Department of Education (ED). The statistical information gathered by the ED is available to the public through the ED website. OCS sends an email to every enrolled student and current employee on an annual basis



informing them of the availability of the Annual Security Report. The email includes a brief summary of the contents of this report. The email also includes the address for the OCS website where the Annual Security Report (ASR) can be found online, and notification that a physical copy may be obtained by making a request to OCS by calling (313) 845-9630 or in person at the Office of Campus Safety Office, Building N, 5101 Evergreen Rd, Dearborn, MI 48128. The availability of the ASR is also posted on the admissions application website and included on all Human Resources employment application forms informing prospective students and employees how to access the ASR and obtain a copy.

### **Specific Information about Classifying Crime Statistics**

The statistics in this brochure are published in accordance with the definitions and many of the standards and guidelines used by the FBI Uniform Crime Reporting (UCR) Handbook, National Incident-Based Reporting System (NIBRS), relevant Federal law (the Clery Act), and applicable State law.

### **Clery Act Reporting**

For Clery Act reporting purposes, the number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic. In cases involving Liquor Law, Drug Law, and Illegal Weapons Law violations, the statistics indicate the number of people arrested by law enforcement or referred to Student Compliance or Human Resources for possible disciplinary action for violations of those specific laws.

Hate crimes are reported in narrative form and are separated by category of prejudice. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime. For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by the offender's bias: Murder and Non-negligent Manslaughter, Sexual Offenses (rape, fondling, incest and statutory rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, intimidation, and Destruction/Damage/Vandalism of Property.

Campus Save was signed into law on March 7, 2013, as part of the reauthorization of the Violence Against Women Act (VAWA); it covers students and staff of institutions of higher education and amends the Jeanne Clery Act to include new reporting requirements for Domestic Violence, Dating Violence, and Stalking and additional policy statements and training requirements.



## **Geography Definitions from the Clery Act**

**On-Campus** *defined as:* (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

**Non-Campus Building or Property** *defined as:* (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately owned fraternity); or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Non-Campus geography** definition includes buildings or properties under temporary control during institutionally sponsored short-stay-away domestic or international trips for students of more than one night, or buildings or properties under temporary control during institutionally sponsored domestic or international trips for students to repeated locations.

- For example, students in the debate club take a trip to Washington, D.C. and stay at the same hotel every year. In this example, the institution must include in their Clery Act crime statistics any Clery Act crimes that occur in the rooms used by the students and any common areas used to access those rooms; including the lobby, elevator, and staircases.

**Public Property** *defined as:* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus or on-campus property/facilities.

**On-campus Student Housing Facility** *defined as:* Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This category is a considered a subset of the On-Campus category. Henry Ford College does not have any student housing facilities.

**Reasonably Contiguous** *is defined in as:* Any building or property an institution owns or controls that is in a location that students consider to be, and treat as, part of the "campus."

## **DRUGS AND ALCOHOL** **Drug and Alcohol Policy Statement**

Henry Ford College's compliance with provisions of the Drug-Free Schools and Communities Act is achieved through a comprehensive alcohol and other drug prevention program, which includes policy enforcement, education programs, counseling supports, and referral to treatment services.



The Henry Ford College Drug and Alcohol Policy applies to all members of the college community – faculty, staff, and students. The Policy defines prohibited behavior and outlines consequences for violations. Also described are educational and counseling resources.

As outlined more fully in the Policy, <https://policies.hfcc.edu/policy/drug-and>, it prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students on college property or as part of any of its activities, including College sponsored or student group sponsored activities off campus. Alleged violations of HFC regulations are adjudicated through the student conduct process. Consequences for violations may include, but are not limited to, some form of disciplinary probation, required attendance at educational programs, referral for assessment and treatment, and suspension from HFC for sale of illegal drugs or repeated violations of the regulations. In addition, students can expect to be arrested and prosecuted for unlawful possession, use, or distribution of illicit drugs and alcohol on campus.

Consistent with Michigan and federal law, HFC maintains a workplace free from the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance. The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illicit drugs, and alcohol are prohibited on any property under the control of and governed by the Dearborn School Board, and at any site where work is performed by individuals on behalf of the College. Pursuant to applicable College procedures governing employee discipline, any employee involved in the unlawful use, sale, manufacturing, dispensation, or possession of controlled substances, illicit drugs, or alcohol on College premises or work sites, or working under the influence of such substances, will be subject to disciplinary action up to and including dismissal and referral for prosecution.

Henry Ford College is a tobacco-free campus. For more information, please visit <https://policies.hfcc.edu/policy/smoke-free>.

### ***Drug and Alcohol Education and Prevention***

As a condition for receiving federal funds or any other form of federal financial assistance, all institutions of higher education must implement a drug and alcohol policy that complies with applicable federal, state and local drug and alcohol laws. The law requires institutions to implement a program that will prevent the unlawful manufacturing, dispensing, possession, use or distribution of illicit drugs and alcohol by students and employees. Any violation of these policies or of local, state or federal laws regarding illicit drugs or alcohol will result in appropriate disciplinary action. In addition to college disciplinary sanctions, students, faculty and staff involved with illegal use, possession, or distribution of controlled substances may face criminal penalties and the College will cooperate fully with law enforcement agencies as appropriate. If a student has concerns about alcohol, drug addiction or the impact on their lives, they should meet with a counselor in the Counseling division. The phone number is 313-845-9611.

If an employee has concerns about drug or alcohol use – their own or that of others – they may want to consult with the College’s Employee Assistance Program (EAP). The phone number is 800-847-7240.



As members of an academic community, students and employees can expect an atmosphere that supports personal growth and learning. The College requires that its students and employees comply with legal standards and student conduct standards as they apply to alcohol and illicit/illegal drug use and possession.

#### The Law (Alcohol)

- The minimum age in Michigan for the purchase, consumption or possession of alcoholic beverages is 21-years-old.
- It is illegal to furnish or serve alcoholic beverages to any person under the age of 21.
- The law prohibits carrying or consuming alcoholic beverages in open containers outdoors on public property, regardless of a person's age.
- It is illegal to possess, use false identification or to misrepresent one's age for the purpose of obtaining or consuming alcoholic beverages.
- No group which is not licensed by the Liquor Control Board (LCB) may sell alcoholic beverages. The use of chits, chips, tickets or other means of exchange in place of cash violates LCB regulations.
- It is illegal to appear in any public place manifestly under the influence of alcohol to the degree that you may endanger yourself or other persons or property or annoy persons in your vicinity.
- A person under the age of 21 is prohibited from operating a motor vehicle with ANY alcohol in his/ her system.
- Driving under the influence of alcohol (blood alcohol level of 0.08% or greater) is illegal.

#### ***Health Risks and Medical Consequences of Alcohol and Drug Use***

High risk alcohol and illegal drug use can cause serious problems. Illegal drug use includes the use of illicit drugs, as well as misuse of prescription drugs. Combining alcohol and drugs can greatly increase health risks.

Major health risks of alcohol and drug use include acute and chronic illness, psychological and emotional impairment, substance-use dependency, and death. Other health risks include short-term memory problems, learning impairments, sleep disruption, immune compromise, and mood swings. Side effects such as impaired judgment, slowed response time, mental confusion, and decreased motor coordination can lead to accidents, motor vehicle crashes, physical altercations, loss or damage to personal belongings and injuries. Use of alcohol and illegal drugs presents significant short-term and long-term health risks and medical consequences:

- Marijuana comes with significant risks that can impact a person's life and health and includes substantial risks to an individual's brain health, mental health, athletic performance, risks during pregnancy and to the unborn fetus, and the development of an addiction. Approximately 1 in 10 people who use marijuana will become addicted and if individuals start using before the age of 18, the rate of addiction increases to 1 in 6 (SAMHSA, CDC, 2020). Marijuana directly affects the brain, specifically the areas responsible for memory, learning, attention, decision making,



coordination, emotions and motor coordination and reaction times. These effects can make it difficult to learn and retain information, may interfere with driving skills, and increase the risk of injuries and potentially harmful behaviors. Marijuana use in developing brains of children and adolescents can reduce attention, memory and learning functions, and affect how the brain builds connections between the areas necessary for these functions. This can result in poor educational outcomes, cognitive impairments, diminished life satisfaction and achievement. These effects can be long lasting or even permanent. Physical effects of marijuana can include breathing and respiratory complications including chronic bronchitis, increased heart rate, problems with child development during and after pregnancy, sleep interference, intense nausea, and vomiting. Marijuana has been linked to mental health problems such as depression, anxiety, paranoia and suicidal thoughts as well as an increased risk of psychosis and psychotic disorders (including schizophrenia) in persons with a genetic predisposition to those disorders.

- Marijuana edibles, or food and drink products infused with marijuana and eaten, have some different risks than smoking marijuana, including a greater risk of poisoning. Unlike inhaling marijuana, ingesting marijuana can take 30 minutes to 2 hours to take effect. Overconsumption can lead to poisoning and/or serious injury. The effects of edibles may last longer than expected depending on the amount consumed, the individual's last meal, and medication, alcohol, or other substances used at the same time. The amount of THC, the active ingredient in marijuana, is very difficult to measure and is often unknown in edible products. Many users can be unprepared for the strength and long-lasting effects of edibles. Marijuana affects children and adults differently. Marijuana products that look like candy or treats have posed significant risks to children, who have required emergency medical care as a result of consuming such products.
- According to the 2018 National Survey on Drug Use and Health ("NSDUH"), 14.4 million adults ages 18 and older and 401,000 adolescents ages 12- 17 have an Alcohol Use Disorder. An estimated 88,000 people die each year due to alcohol related causes, making alcohol the third leading preventable cause of death in the United States. In 2018, alcohol-impaired driving fatalities accounted for 29% of the overall driving fatalities (10,511 deaths). Alcohol is a central nervous system depressant and affects every organ in the body and can impair brain function and motor skills. Alcohol interferes with the brain's communication pathways, affecting how the brain looks and works. These disruptions can change mood and behavior and make it harder to think clearly and move with coordination. Heavy use can increase the risk of certain cancers including head and neck cancer, esophageal cancer, liver cancer, breast cancer and colorectal cancer. Drinking heavily over a long time, or on a single occasion can damage the heart causing problems including cardiomyopathy, arrhythmias, stroke and high blood pressure. Alcohol causes the pancreas to produce toxic substances that eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas and liver



diseases include steatosis, alcoholic hepatitis, fibrosis and cirrhosis. Alcohol also weakens the immune system, making chronic drinker more susceptible to diseases like pneumonia and tuberculosis and drinking on a single occasion slows your body's ability to fight infections up to 24 hours after use. (NIAAA, 2020).

- Club drugs (MDMA, GHB, Rohypnol, Ketamine, and LSD (Acid)) can cause serious physical and mental health problems including long-lasting confusion, depression, increased anxiety, aggression, impulsiveness, cell and organ damage, heart and brain problems and in some cases, death. Because some club drugs are colorless, tasteless, and odorless, they can be added to beverages to sedate or intoxicate, with the intent to facilitate sexual assaults. • Stimulant medication, including Amphetamines like Adderall®, methylphenidate like Ritalin/Concerta, and illicit substances like methamphetamines and cocaine, can cause irritability, mood disorders, acute and/or chronic anxiety, elevated blood pressure, and cardiac arrest, particularly in those with preexisting heart conditions. Long-term use of some stimulants may cause permanent damage to the brain, heart, lungs, and other organs.
- Opioids include prescription pain relievers like oxycodone, morphine, fentanyl and heroin. When misused, opioids can lead to addiction, fatal overdose, spontaneous abortion, and infectious diseases associated with injection drug use like hepatitis and HIV. They also can cause serious health conditions including pulmonary complications, infection of the heart lining and valves, liver and kidney disease. Nearly half of the individuals who inject heroin reported using prescription opioids before starting to use heroin. Opioids can also greatly increase the risk of accidents and automobile crashes because they affect vision, depth perception, coordination, and other physical skills. Psychological side effects include poor concentration and impaired judgment. Driving under the influence of legal medication may result in a DUI violation.
- Long-term or heavy use of depressants like opioids, benzodiazepines and alcohol can lead to a profound physical addiction, requiring medically monitored detoxification in order to discontinue use safely. Individuals who are physically addicted to depressants can experience serious medical complications when attempting to discontinue use, including seizures, hallucinations, stroke, and death.
- Almost all drugs, carry the potential risk for overdose. Chronic, high-risk use of alcohol and drugs can also have psychological and social consequences, including loss of intimacy and significant relationships, pervasive feelings of unhappiness, a lack of motivation, drive and interest in the things that were once important, academic and employment impairments, financial losses, estrangement from family and other social support, inability to meet responsibilities and obligations, and significant legal issues. For additional information regarding commonly used drugs





and up to date health risks, visit: <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.

### ***Federal and State Penalties for Drug Sale and Possession***

The federal government decides if and how a drug should be controlled. Psychoactive (mind-altering) chemicals are categorized according to Schedule I to V. This schedule designates if the drug must be prescribed by a physician and under what conditions. Factors considered in this categorization include a drug's known and potential medical value, its potential for physical or psychological dependence, and risk, if any, to public health. Penalties for the illegal sale or distribution of a drug are established using the designation of Schedule I to V. The State of Michigan designates controlled substances as Schedule I through V, using similar definitions to those employed by the federal government. The State of Michigan's schedule designations of individual drugs are similar, but not identical to those of the federal government.

**Schedule I** drugs have a high potential for abuse, have no currently accepted medical use in the United States, and lack acceptable safety for use under medical supervision. Examples of substances listed in Schedule I include heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), peyote, methaqualone, and 3,4-methylenedioxy-methamphetamine (ecstasy). GHB (gamma-hydroxybutyrate) can be a Schedule I or III drug, depending on its form.

**Schedule II** drugs have a currently accepted medical use in the United States, despite a high potential for abuse that may lead to severe psychological or physical dependence. Examples include combination products with less than 15 milligrams of hydrocodone per dosage unit (Vicodin), cocaine, methamphetamine, methadone, hydromorphone (Dilaudid), meperidine (Demerol), oxycodone (OxyContin), fentanyl, Dexedrine, Adderall, and Ritalin. Federal and State of Michigan penalties for selling Schedule I and II drugs vary with the type and quantity of the drug. Additionally, if death, rape, or serious injury is associated with the use of the drug and/or if it is a second offense, penalties are more severe. Unless otherwise specified by federal law, the federal penalty for the first offense involving a Schedule I or II controlled substance, GHB, or 1 gram of flunitrazepam (Schedule IV) is imprisonment for not more than 20 years. If death or serious bodily injury results from the use of such substances, the penalty is imprisonment for not less than 20 years or more than life, a fine not to exceed \$1 million for an individual, or both. The State of Michigan's penalty for other Schedule I or II controlled substances is imprisonment for not more than twenty years, a fine of not more than \$25,000, or both.

The State of Michigan's penalty for unlawful manufacture, delivery, or possession with intent to deliver less than 50 grams of a Schedule I or II controlled substance is imprisonment for up to 20 years, and/or a fine of up to \$25,000. Use of a Schedule I or II controlled substance is a misdemeanor that has a penalty of imprisonment for up to one year, a fine of up to \$2,000, or both. Michigan law also provides for up to seven years imprisonment and/or a fine of not more than \$5,000 for individuals who manufacture, deliver, or possess with intent to manufacture or deliver gamma-butyrolactone (GBL), a compound related to GHB.



For less than 50 kilograms of marijuana, except in the case of 50 or more marijuana plants regardless of weight, 10 kilograms of hashish, or one kilogram of hashish oil, the federal penalty is imprisonment for not more than 5 years, a fine not to exceed \$250,000 for an individual, or both. In Michigan, with the exception of manufacture, possession, use, or sale consistent with the Michigan Medical Marihuana Act and Medical Marihuana Facilities Licensing Act, the “unlawful manufacture, delivery, or possession with intent to deliver” of less than 5 kilograms of marijuana or a mixture containing marijuana, or fewer than 20 marijuana plants, is a felony punishable by imprisonment for up to four years, a fine of up to \$20,000, or both.

**Schedule III** drugs have a potential for abuse that is less than Schedule I and II substances, and abuse may lead to moderate or lower physical dependence or high psychological dependence. Examples include products containing less than 90 milligrams of codeine per dosage unit such as Tylenol with codeine, ketamine, anabolic steroids such as oxandrolone, or testosterone.

**Schedule IV** drugs have a low potential for abuse relative to substances in Schedule III. Examples include propoxyphene (Darvon® and Darvocet-N 100®), alprazolam (Xanax®), clonazepam (Klonopin®), diazepam (Valium®), lorazepam (Ativan®), and midazolam (Versed®).

**Schedule V** drugs have a low potential for abuse relative to substances listed in Schedule IV and consist primarily of preparations containing limited quantities of certain narcotics that are used for antitussive, antidiarrheal, and analgesic purposes, such as Robitussin AC®, Lomotil, Motofen, Lyrica, Parepectolin.

Except as otherwise provided by federal law, the penalty for first offense sale of a Schedule III drug is imprisonment for not more than ten years, a fine of not more than \$500,000 for an individual, or both. The federal penalty for first offense sale of Schedule IV drugs is imprisonment for not more than five years, a fine of not more than \$250,000 for an individual, or both. The federal penalty for first offense sale of Schedule V drugs is imprisonment for not more than one year, a fine of not more than \$100,000 for an individual, or both.

The State of Michigan’s penalty for unlawful manufacture, delivery, or possession of Schedule III controlled substances is imprisonment for not more than seven years, a fine of not more than \$10,000, or both. The penalty for Schedule IV controlled substances is imprisonment for not more than four years, a fine of not more than \$2,000, or both. The penalty for Schedule V controlled substances is imprisonment for not more than two years, a fine of not more than \$2,000, or both. The penalty for use of lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocin, psilocybin, or a controlled substance classified in Schedule V is imprisonment for not more than six months, a fine of not more than \$500, or both. Use of all other Schedule I, II, III, and IV controlled substances is punishable by imprisonment for not more than one year, a fine of not more than \$1,000, or both.



VIOLATION	SUMMARY OF VIOLATIONS	POSSIBLE PENALTIES
Selling or furnishing alcohol to a minor	Alcohol shall not be sold or furnished to a minor.	First offense: a fine of not more than \$1,000 and imprisonment for not more than 60 days. Second or subsequent offense; a fine of not more than \$2,500 and imprisonment for not more than 90 days. Operator's or chauffeur's license may also be suspended. May be ordered to perform community service for any violation.
Consumption on public highway	No alcoholic beverage can be consumed on public highways.	Misdemeanor: not more than 90 days, a fine of not more than \$500, or both.
Open alcohol in vehicle	No alcohol item can be open, uncapped, or seal broken in passenger area of vehicle.	Misdemeanor: not more than 93 days in jail, a fine of not more than \$500, or both. May be ordered to perform community service and undergo substance abuse screening and assessment at own expense. Licensing sanctions may also be imposed.
Disorderly person (intoxicated)	Intoxicated in public place and endangering the safety of another person or of property, or causing a disturbance.	Misdemeanor: not more than 90 days in jail, a fine of not more than \$500, or both.
Minor operating with any bodily alcohol content	Person under 21 years of age who is driving cannot have any bodily alcohol content.	First offense: misdemeanor; a fine of not more than \$250 and/or community service for not more than 360 hours. Drivers license may be restricted for 30 days. Up to four points may be added to driver record.
Consumption or possession of alcohol by a minor or a	A person having control over any premises, residence, or other real	First offense: imprisonment for not more than 30 days, a fine of not



<p>controlled substance at a social gathering</p>	<p>property shall not knowingly allow a minor to consume or possess alcohol, or allow any individual to consume or possess a controlled substance, at a social gathering on or within that real property, unless consumption or possession of the controlled substance or alcohol is otherwise lawful.</p>	<p>more than \$1,000, or both. Second or subsequent offense: imprisonment for not more than 90 days, a fine of not more than \$1,000, or both.</p>
<p>Adult use and cultivation of marijuana in public</p>	<p>A person who possesses not more than twice the amount of marijuana allowed, cultivates not more than twice the amount of marijuana allowed, delivers without receiving any remuneration to a person who is at least 21 years of age not more than twice the amount of marijuana allowed, or possess with intent to deliver not more than twice the amount of marijuana allowed.</p>	<p>First offense: civil infraction and may be punished by a fine of not more than \$500 and forfeiture of marijuana. Second offense: civil infraction and may be punished by a fine of not more than \$1,000 and forfeiture of marijuana. Third and subsequent offenses: misdemeanor and may be punished by a fine or not more than \$2,000 and forfeiture of marijuana.</p>
<p>Possession or cultivation of marijuana by a minor</p>	<p>A person under 21 years of age who possesses not more than 2.5 ounces of marijuana or who cultivates not more than 12 marijuana plants.</p>	<p>First offense: civil infraction and may be punished as follows: If less than 18 years of age, by a fine of not more than \$100 or community service, forfeiture of marijuana, and 4 hours of drug education or counseling. If at least 18 years of age, by a fine of not more than \$100 and forfeiture of marijuana.</p> <p>Second offense: civil infraction and may be punished as follows: If less than 18 years of age,</p>



		by a fine of not more than \$500 or community service, forfeiture of marijuana, and completion of 8 hours of drug education or counseling. If at least 18 years of age, by a fine of not more than \$500 and forfeiture of marijuana.
Possession or cultivation more than two times the amount allowed by law	A person who possess more than twice the amount of marijuana allowed, cultivates more than twice the amount allowed, or delivers without receiving any remuneration to a person who is at least 21 years of age more than twice the amount of marijuana allowed.	Misdemeanor but a person shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence.
OWI (drunk driving)	A person licensed or not, under the influence of alcohol, drugs, or both, driving in a public place.	First offense: misdemeanor, \$100 to \$500 fine and one or more of the following: not more than 93 days in jail and/or community service not more than 360 hours. As part of a sentence, court may order suspension and/or restrictions of operator's license. Vehicle immobilization or ignition interlock may also be required. Up to six points may be added to driver record. If the person has a blood alcohol content of 0.17 grams or more, possible fines include one or more of the following: up to 180 days in jail, and/or a \$200 to \$700 fine, and/or up to 360 hours of community service. Other possible penalties include: driver's license suspension for up to one year, license



		plate confiscation, vehicle immobilization, and up to six points may be added to an offender's driving record.
Permitting person under the influence to drive	Allowing intoxicated person to drive in area open to the public.	Misdemeanor: not more than 93 days in jail, or fine not less than \$100 or more than \$500, or both.
Minor possessing or transporting alcohol in motor vehicle	Person under 21 years of age may not possess or transport alcohol in a vehicle. (Does not apply to transport of alcohol by a minor if a person of at least 21 years of age is present inside the motor vehicle.)	Misdemeanor: May be ordered to perform community service and undergo substance abuse screening and assessment at own expense; vehicle can be impounded for up to 30 days. License sanctions may also be imposed.
Operating while visibly impaired (OWVI)	A person driving in areas open to public while impaired from alcohol, drugs, or both.	First offense: misdemeanor, community service for not more than 360 hours; and/or imprisonment for not more than 93 days; and/or a fine of not more than \$300. May be required to immobilize vehicle. Restrictions on driver license may also be imposed.
Operating with any presence of a Schedule I drug (OWPD)	A person driving in areas open to the public with any amount of a schedule I or other designated controlled substance in the body.	First offense: \$100 to \$500 fine and one or more of the following: not more than 93 days in jail and/or community service not more than 360 hours. As part of sentence, court may order suspension and/or restrictions of operator's license. Vehicle immobilization or ignition interlock may also be required. Up to six points may be added to driver record.

OWI causing death of another person	A person driving under the influence of alcohol or a controlled substance causes the death of another person	Felony: Imprisonment of not more than 15 years, a fine of \$2,500- \$10,000, or both. Vehicle may be forfeited or immobilized.
OWI causing serious impairment	A person driving under the influence of alcohol or a controlled substance causes a serious impairment of a body function of another person	Felony: Imprisonment for not more than 5 years, a fine of \$1,000- \$5,000, or both. Vehicle may be forfeited or immobilized.
Purchase/possession/consumption or attempt to purchase/possess/consume by minor (MIP)	Person under 21 years of age may not purchase, possess, or consume alcohol.	First offense: Civil infraction, a fine of not more than \$100, or court-ordered participation in substance use disorder services, community service, or substance abuse screening at own expense. Second offense: misdemeanor: up to 30 days imprisonment if in violation of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or by a fine of not more than \$200, or both. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services. May be ordered to perform community service and undergo substance abuse screening and assessment at own expense. Licensing sanctions may also be imposed. Third or subsequent offense: misdemeanor: up to 60 days imprisonment if the court finds that the minor



		violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or by a fine of not more than \$500.00, or both. . May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services. May be ordered to perform community service and undergo substance abuse screening and assessment at own expense. Licensing sanctions may also be imposed
Using false ID to purchase alcohol	A minor shall not use fraudulent identification to purchase alcohol, nor shall another individual furnish fraudulent identification to a minor.	Imprisonment for not more than 93 days, a fine of not more than \$100, or both

### ***College Policies***

Use, possession, or distribution of alcoholic beverages and drugs is forbidden on campus. Persons appearing on campus while under the influence of alcoholic beverages, narcotics and other dangerous drugs, except as expressly permitted by law, will be subject to disciplinary and/or legal action.

Possession, consumption, sale, or purchase of any controlled substance which is illegal under state or federal law is prohibited on the campus of HFC.

### **College Sanctions**

Employees found in violation of College Policies, employee performance, conduct policies, state or federal laws are subject to due process action which may include required treatment, education, training, restriction of privileges, a warning, suspension or dismissal. Students found in violation of College conduct policies or state of federal laws are subject to disciplinary action and may consist of payment of fines, verbal reprimand, restitution of damages, restriction of privileges, disciplinary probation, suspension, dismissal and/or notation on the student's record of dismissal or suspension.





Brochures are available in the Counseling Office located in the Learning Resources Center. Anyone with questions should call 313-845-9611 or 313-845-9612. Read more: Penalties for Underage Drinking DUI in Michigan: [http://www.ehow.com/about\\_6631168\\_dui-vs\\_-driving-impaired-michigan.html](http://www.ehow.com/about_6631168_dui-vs_-driving-impaired-michigan.html) .

**Federal Law: Sanctions**

Federal law prohibits the trafficking of illegal possession of controlled substances as outlined in 21 United States Code, Section 811 and 844. Depending on the amount, first offense maximum penalties for trafficking marijuana range from five years in prison and a fine of \$250,000 to life imprisonment and a fine of \$4 million. Again, depending on the amount, first offense maximum penalties for trafficking class I and II controlled substances (methamphetamine, heroin, cocaine, cocaine base, PCP, LSD, fentanyl analogue) range from five years to life imprisonment and maximum fines ranging from \$2-\$4 million. First offense penalties and sanctions for the illegal possession of a controlled substance ranges from up to one year in prison and a fine of at least \$1,000 but not more than \$250,000 or both.

***Suspension of Financial Aid Eligibility for Drug Related Offenses***

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified in the following table. If convicted of an offense involving:

<b>Possession of a Controlled Substance</b>	<b>Ineligibility Period</b>
First Offense	1 year
Second Offense	2 years
Third Offense	Indefinite

<b>Sale of a Controlled Substance</b>	<b>Ineligibility Period</b>
First Offense	2 years
Second Offense	Indefinite

A student whose eligibility has been suspended based on a conviction for possession or sale of a controlled substance may resume eligibility before the end of the ineligibility period if:

- A. the student satisfactorily completes a drug rehabilitation program that –
  - i. complies with the criteria prescribed in the federal regulations; and
  - ii. includes two unannounced drug tests; or
- B. the conviction is reversed, set aside, or otherwise rendered nugatory.

***Michigan Law and College Policies***



To provide for the safety of members of the College community and the protection of College property, HFC has set minimum standards of conduct. Detailed information may be found in College Policies and/or General Student Regulations. These College standards of conduct do not replace, or relieve, persons from the obligation to comply with the requirements of civil or criminal laws. Unlawful behavior may result in criminal prosecution as well as College disciplinary action. The use or possession of marijuana on any property owned or managed by HFC, and by HFC's faculty, staff, or students on any HFC property or during off-campus HFC business or events remains illegal and fully criminalized according to federal law. HFC is subject to the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. In addition, the HFC Drug and Alcohol Policy prohibits the unlawful manufacture, distribution, dispensation, possession, and use of controlled substances, illicit drugs, and alcohol on property governed by HFC's Board of Trustees and at any site where college work is performed.

### **Review of 2018-2020 Activities (Biannual Assessment)**

The College has few incidents of alcohol and drug use reported or observed annually. During the 2018-20 academic years, there were zero cases reported involving alcohol/drug use, possession or suspected sale.

The College has a very effective response and referral process, and an annual educational activity. There is no need at this time to modify activities, although additional referral agencies and support resources are always sought to benefit students and employees. The above document is sent to employees and students at mid-point of each fall and winter semester. Students can register for 15-week, 12-week, or eight-week classes. Sending the email out mid-semester ensures all students receive the email.

The College's Behavioral Intervention Counselor oversees education and support provided to students who are found in non-compliance with laws or policies, or who are suffering from addiction. This counselor specializes in additions and behavioral modification. To encourage additional students to seek assistance if they or a family member or friend are grappling with substance abuse or addiction, the Behavioral Intervention Counselor conducts an annual program held during Welcome Back Days. This activity is held openly in the Student & Culinary Arts Center (Building M on the main campus) during the first weeks of fall and winter classes. Students receive information about legal and health issues, risks, campus and community resources and support systems. College counselors provide individual counseling upon referral throughout the year.

Drug/Alcohol Abuse Education Programs

Emergency Assistance/Campus Contacts:

Off-campus call 911

Campus Safety: 313-845-9630, On-campus call 9911 or 9630

Human Resources: 313-845-9820

Student Affairs: 313-845-9610

Report behavior where suspicion of alcohol or drug use is present:

<https://publicdocs.maxient.com/incidentreport.php?HenryFordCC>

Assistance, Treatment, Support and Community Resources

On Campus Counseling: HFC employs full-time and part-time licensed professional



counselors who provide individual counseling, workshops and group sessions to students experiencing personal issues, including those impacted by drug and/or alcohol abuse or addiction. Three counselors have specialized education and training in addiction and alcohol and drug education. Counseling Department: 313-845-9611 or 313-845-9612.

Off Campus Substance Abuse Resources:

- Alcoholic Anonymous 24-hour helpline: 248-332-3521
- Eastwood Clinic (affiliated with St John's Health) 800-626-3896
- Downriver Community Alliance Central: 800-686-6543
- Latino Family Services (Detroit) 1-313-279-3232
- Narcotics Anonymous 24-hour helpline: 248-543-7200
- Oakdale Recovery Center: 734-397-3088
- Psychiatric Intervention Center: 734-721-2000
- Apex Behavioral Health: 313-271-8710
- Employee EAP- HR Benefits Office: 800-847-7240

***Notification of Victims of Crimes of Violence***

In accordance with the Higher Education Opportunity Act (HEOA), the College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the College against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

***Sex Offender Registry and Access to Related Information***

The Adam Walsh Child Protection and Safety Act of 2006 provides for the registration and tracking of sex offenders. Institutions of higher education are required to issue a statement advising the college community of where to obtain law enforcement agency information provided by a state concerning registered sex offenders. The law also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

In the State of Michigan, information regarding registered sex offenders who are subject to community notification may be obtained from a community member's respective local municipal police agency and/or the Michigan State Police. The Dearborn Police Department is located at 16099 Michigan Ave, Dearborn, MI (phone 313 943-2221) or visiting the Michigan State Police sex offender web site at [https://www.michigan.gov/msp/0,4643,7-123-1878\\_24961---,00.html](https://www.michigan.gov/msp/0,4643,7-123-1878_24961---,00.html).



## **VIOLENCE AGAINST WOMEN (VAWA) REAUTHORIZATION**

### **Sexual Misconduct Policies, Services, Resources, and Protocols**

Henry Ford College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Henry Ford College issues this statement of policy to inform the college community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

### **Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
  - i. A Felony or misdemeanor crime of violence committed by –
    - a. A current or former spouse or intimate partner of the victim;
    - b. A person with whom the victim shares a child in common;
    - c. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    - d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
    - e. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  - ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
  
- Definition of a **Crime of Violence:** According to Section 16 of Title 18 of the United States Code, the term "crime of violence" means:
  - i. An offense that has an element of the use, attempted use, or threatened use of physical force against the person or property of another; or,
  - ii. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.



- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - ii. For the purposes of this definition –
    - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - b. Dating Violence does not include acts covered under the definition of domestic violence.
  - iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
  - **Rape** is defined as the 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.
  - **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
  - **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking:**
  - i. Engaging in a conduct directed at a specific person that would cause a reasonable person to-
    - a. Fear for the person's safety or the safety of others; or,
    - b. Suffer substantial emotional distress.
  - ii. For the purposes of this definition –
    - a. **Course of Conduct** means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
    - b. **Reasonable Person** means a reasonable person under similar circumstances and with similar identities to the victim.

- c. **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

***Jurisdictional Definitions of Domestic Violence,  
Dating Violence, Sexual Assault, Stalking, and  
Consent***

The State of Michigan laws can be found in the Michigan Compiled Laws (MCL) and viewed at [www.legislature.mi.gov](http://www.legislature.mi.gov)

- **Domestic Violence** is defined as an assault or assault and battery of: 1) a current or former spouse, 2) an individual with whom the assailant has or has had a dating relationship, 3) an individual with whom the assailant has had a child in common, or 4) a resident or former resident of the assailant's household.
  - **"Dating relationship"** means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.
- **Dating Violence** is a form of domestic violence under Michigan law.
- Michigan criminal laws regarding sexual assault are separated into four degrees of criminal sexual conduct. For each of those criminal offenses, the following definitions apply:
  - **"Sexual contact"** includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for: (i) revenge, (ii) to inflict humiliation, or (iii) out of anger.
  - **"Sexual penetration"** means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.
- **Sexual Assault** is called Criminal Sexual Conduct in the State of Michigan. It is gender neutral and includes marital, stranger, date, acquaintance, and child sexual assault. Criminal Sexual Conduct is forcing or coercing an individual to engage in any non-consensual sexual contact or sexual penetration.
- **Stalking** is a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.



- **Consent** is not defined by Michigan law and is not an element of criminal sexual conduct that prosecutors are required to disprove beyond a reasonable doubt. Rather, consent is an affirmative defense available for defendants who are charged with committing criminal sexual conduct. HFC's Sexual Misconduct Policy defines consent as the "words or actions that show a knowing and voluntary agreement to engage in mutually agreed upon sexual activity. Effective consent is absent when the activity in question exceeds the scope of effective consent previously given. Consent is a free and clearly given yes, not the absence of a no, and cannot be received when a person is incapacitated by alcohol or drugs."

### ***How to Be an Active Bystander***

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, call OCS at (313) 845-9630, or the local police by dialing 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Be direct, delegate responsibility, or cause a distraction when you see a person secludes, hits on, tries to make out with, or has sex with people who are incapacitated.
- Intervene when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

### ***Risk Reduction***

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or



harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- **Be Aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don't know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- Make sure **your cell phone is with you and charged** and that you have cab money and/or an on-demand driver app loaded.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **Know your resources**. Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
- **Stay alert**. When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be careful about posting your location**. Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- **Make others earn your trust**. A college environment can foster a false sense of security. They may feel like fast friends but give people time to earn your trust before relying on them.
- **Think about Plan B**. Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
- **Be secure**. Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.
- When you go to a social gathering, **go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.





- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get them to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.) Be explicit with doctors so they can give you the correct tests.
- If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## ***VIOLENCE AGAINST WOMEN ACT (VAWA)***

### ***Henry Ford College Sexual Misconduct Policy/Title IX***

#### **I. Policy Title: Sexual Misconduct Policy/Title IX**



## **II. Who Does This Policy Affect?**

This Policy applies to all members of the College community, including, HFC Board of Trustees, students, faculty, employees, staff, independent contractors, vendors, volunteers, others engaged in business with the College, guests, and visitors ("HFC Community Members").

## **III. Purpose**

Henry Ford College ("HFC" or "College") is comprised of two Dearborn campuses, the Main campus and the East campus (MTEC) The College is committed to creating and maintaining a safe and non-discriminatory collage community that is free from both sexual and gender-based misconduct and that enables individuals engaged in HFC programs or activities to participate fully in the educational mission of the College. In addition to sexual misconduct, Title IX also includes, but is not limited to, pregnancy/pregnancy related issues and gender equality in athletics, academic programs and activities. This policy complies with the requirement of Title IX. 20 U.S.C. 1092 (f)(7) and 1681 (a) and its implementing regulations.

This Policy is intended to ensure a safe and non-discriminatory educational and work environment and describes the process by which HFC meets its obligations under Title IX and its implementing regulations.

The purpose of this Policy is to eliminate, prevent and address sexual misconduct. In addition, this policy describes the process for reporting violations, investigating written complaints and the method to adjudicate the alleged violations. This policy also identifies resources available to HFC Community Members who are involved in an incident of sexual misconduct.

"Unless otherwise indicated, all references throughout this Policy to individuals or titles (e.g., Title IX Coordinator) shall include that individual's designee."

"Unless otherwise stated, all references to "days" in the Policy shall mean calendar days. To the extent a deadline falls on a weekend or a College holiday, the next business day shall be the applicable deadline."

## **IV. Policy Statement**

The College is committed to offering programs, activities and an educational environment free from sex and gender discrimination and conducive to positive learning and working experiences free from sex and gender discrimination. The College prohibits, and will not tolerate, sexual misconduct. For the purposes of this policy, sexual misconduct includes, but is not limited to, behaviors such as rape, sexual assault, sexual battery, sexual harassment, sexual coercion, domestic violence, dating/relationship violence, sexual exploitation, and stalking. College community members shall not engage in sexual misconduct. Persons who engage in such prohibited behavior are subject to disciplinary action, up to and including discharge for employees and dismissal for students and may be subject to criminal prosecution.



The College will respond to all complaints of alleged conduct that may be in violation of this policy. All reported Prohibited Conduct will receive a prompt, equitable, impartial, and thorough investigation and/or resolution; and will provide for appropriate disciplinary or other corrective action.

This Policy will apply when all of the following are met, in the reasonable determination of the Title IX Coordinator:

- occurred on or after August 14, 2020;
- occurred in the United States;
- occurred in the College's Education Program or Activity education program or activity includes locations, events, or circumstances over which the College exercised substantial control over both the respondent and the context in which sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College, whether such a building is on-campus or off-campus; and
- At the time of filing a formal complaint, a Complainant is participating in or attempting to participate in the education program or activity at the College; and
- Constitutes Sexual Misconduct, as defined in this Policy.

The College will provide due process as described in this policy. The Sexual Misconduct Complaint Procedure is designed to provide due process for both parties. This includes providing the parties with an opportunity to present evidence, witnesses and relevant information during the investigation and hearing process described below.

All College proceedings under this Policy are conducted in compliance with the requirements of Title IX of the Education Amendments of 1972 ("Title IX") and regulations promulgated thereunder in 2020; Title VII of the Civil Rights Act of 1964 ("Title VII"); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), as amended by the VAWA Act of 2013, and state and federal law, as may be applicable.

#### **A. Notice of Non-Discrimination**

HFC does not discriminate against any person in any of its education or employment programs and activities on any basis prohibited by federal law or other applicable law, including on the basis of sex or gender, and it does not tolerate discrimination or harassment on the basis of sex or gender. The prohibition on discrimination extends to admission and employment, unless excepted by law.

The College complies with Title IX of the Education Amendments of 1972 (Title IX), and its implementing regulations (34 C.F.R. Part 106, as amended by 85 FR 30026 (May 19, 2020)), a federal law that provides that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, including admissions and employment.



## **B. Jurisdiction and Timing**

- I. **Personal and Geographical Jurisdiction.** Any person may file a complaint of sexual misconduct against a registered or enrolled student or current employee under this process. A "student" means any student who is registered or enrolled at the College at the time of the alleged sexual misconduct (including, but not limited to, sexual misconduct that is alleged to have occurred during any academic recess, provided that there is an expectation of the student's continued enrollment at the College). If a student who was currently enrolled at the time of the alleged sexual misconduct subsequently withdraws from all courses, the College shall maintain personal jurisdiction. An "employee" is defined as a current employee.

This process applies to students, employees, and third parties. The process covers acts of Prohibited Conduct committed by or against students, employees, and third parties when the prohibited conduct occurs in the College's education or employment programs or in activities which include locations, events, or circumstances over which the College exercised/exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a College student organization that is officially recognized by the College.

- II. **Timing of Complaints and Availability of Procedures.** So long as there is jurisdiction pursuant to B.1. above, there is no time limit to invoking this process in responding to complaints of alleged sexual misconduct. Nevertheless, students and HFC Community Members are encouraged to report alleged sexual misconduct as soon as possible in order to maximize the College's ability to obtain evidence, and conduct a thorough, impartial and reliable investigation. HFC encourages reporting within 180 days of an incident as delays in reporting alleged sexual misconduct may result in the loss of relevant evidence and witness testimony and may impair the College's ability to collect information relevant to the process. If the Respondent is a student who will be graduating, a hold will be placed on the Respondent's account until proper resolution of any sexual misconduct charges may occur, provided that a hearing opportunity can be scheduled in accordance with the Title IX timeline for the earliest practicable date that may reasonably accommodate the parties and their witnesses.

## **C. Role of Title IX Coordinator**

The Title IX Coordinator(s) oversees the College's compliance with Title IX, including its grievance procedure, education/prevention efforts, and training. The Coordinator(s) reviews information about sexual misconduct complaints to identify and address any patterns or systematic concerns that arise during the review of such complaints. The Coordinator(s) is available to meet with any College Community Member or campus organization that would like to discuss Title IX compliance at the College. Please see the College's Title IX policy at: <https://policies.hfcc.edu/policy/sexual-misconduct>

Assistance may be obtained 24 hours a day, seven days a week, by dialing 911.



During business hours (8:00 a.m. to 4:30 p.m., Monday through Friday), you are also strongly urged to contact, whether student or employee, one of the following Title IX Coordinators as soon as reasonably possible to report any sexual misconduct you believe may have occurred. A formal complaint may be filed with the Title IX Coordinator in person, by regular mail, or by electronic mail, by using the contact information listed below.

**Title IX Coordinator:** Munira Kassim

Assistant Director of Student Conduct and Compliance /Title IX Coordinator

Location: Building N, Office N227

Phone: 313.845.6301

**Students:**

For complaints against a student, contact the Title IX Coordinator identified above.

**Employees:**

For complaints against an employee, contact either the Title IX Coordinator identified above or the Employee Deputy Title IX Coordinator: Mark Tade

Location: Welcome Center, 3rd Floor

Your health, safety and well-being are the College's primary concern. If you, or someone you know, may be the victim of any form of sexual misconduct, you are strongly urged to seek immediate assistance.

***D. Responsible Employees:***

Creating a safe environment is the responsibility of all members of the College community. All College employees are considered Responsible Employees and are required to promptly report allegations of sexual misconduct or other violations of this policy to either the Title IX Coordinator or designees and/or Campus Safety within three business days. All College employees, including the College's Board of Trustees, faculty, and staff, must promptly report sexual misconduct that they observe or learn about, and that involves a member of the College community or occurred at a College event or on College property. The Board of Trustees, employees, faculty, and staff are required to report this information even if the Complainant indicates they plan to report the complaint. The Board of Trustees, employees, faculty, and staff are directed to refer to the Title IX Resource Guide for guidance in their reporting obligations. See the Related Documents section below for a link to the Title IX Resource Guide.

The College's Licensed Counselors are the only confidential employees not required to report sexual misconduct incidents to the Title IX Coordinator without Complainant permission.

***E. Reporting Options***

The College encourages all individuals to report Prohibited Conduct or a potential violation of this Policy to the Title IX Coordinator, the Office of Campus Safety, and/or local law



enforcement. Any person can make a sexual misconduct report as follows:

- I. To the Title IX Coordinator or Deputy Title IX Coordinator in person, by mail, phone, email, or by any other means that results in the Title IX Coordinator or Deputy Title IX Coordinator receiving the person's verbal or written report.
- II. Report to the Office of Campus Safety.
- III. To the United States Department of Education's Office for Civil Rights regarding an alleged violation of Title IX ([www2.ed.gov/about/offices/list/ocr/complaintintro.html](http://www2.ed.gov/about/offices/list/ocr/complaintintro.html) or by calling 1-800-421-3481).
- IV. **Confidential or Anonymous Reporting:** There are many supportive resources available at the College. Some of the resources are designated as confidential. Other resources provide support but may need to involve others. For confidential or anonymous reporting, you must either submit an anonymous online report or meet with a licensed counselor at the HFC Counseling Center. If safety to others is a concern, or as required by law, the College may need to report the allegation.

The College is committed to fostering a community that promotes reporting of all types of sexual misconduct. All individuals are encouraged to promptly report conduct that may violate this Policy to the College and report conduct that may violate criminal law to both the College and local law enforcement.

The College can most efficiently and effectively investigate and respond to allegations of sexual misconduct if the complaint is made as promptly as possible after the alleged misconduct occurs.

## **RESOURCES:**

### **A. On-Campus Resources:**

Office of Campus Safety:

When threatened or confronted with an emergency, call Campus Safety: 9911 from a campus phone or (313) 845-9630 from the outside. Campus Safety can also be reached through your HFC Reach Out App and by email at [campussafety@hfcc.edu](mailto:campussafety@hfcc.edu).

Counseling Center: <https://www.hfcc.edu/student-services/counseling>

Student Outreach and Support (SOS)

Assisted Learning Services (Disabilities)

Office of Student Conduct and Title IX Contact: (313) 845-6301

For additional resources, go to <https://www.hfcc.edu/student-rights>

### **B. Off-Campus Resources:**

#### **For Victims and Families of Domestic Violence/Rape/Sexual Assault:**

In Case of Emergency Call

9-1-1

#### **24-Hour Help**

RAINN National Sexual Assault Hotline:

1-800-656-HOPE (4673)

Information and Chat: [www.rainn.org](http://www.rainn.org)



**National Teen Dating Abuse Helpline:**

1-866-331-9474

TTY: 1-866-331-8453

Text: Loveis to 22522

Information and Chat: [www.loveisrespect.org](http://www.loveisrespect.org)

**National Domestic Violence Hotline:**

1-800-799-SAFE (7233)

TTY: 1-800-787-3224

Information and Chat: <http://www.thehotline.org/>

**First Step-24-hour help lines**

(734) 722-6800

(888) 453-5900

**Dearborn Resources**

**ACCESS**

2651 Saulino Court

Dearborn, MI 48120.

Phone: (313) 842-7010

Fax: (313) 842-5150

<https://www.accesscommunity.org/>

**Detroit Resources**

**Southwest Detroit Resources:**

**CHASS –LA VIDA CLINIC**

5635 West Fort Street

Detroit, MI 48209

<http://chasscenter.org>

Phone: 313.849.3920

Fax: 313.849.0824

**Detroit Police Rape Counseling Center**

420 St. Antoine

Detroit MI 48201

313.833.1660

**Wayne County Resources**

**First Step**

Smithbauer Center

4400 S. Venoy

Wayne, MI 48184

734.722.1772

**Lincoln Park**

1394 Cleophus Parkway

Lincoln Park, MI 48146

313.383.2975



**VOICES (sexual abuse survivors) - Catholic Social Services** (313) 883-2100  
Further information about Title IX and sex discrimination in education is available from the Office for Civil Rights, 400 Maryland Avenue, SW, Washington, DC 20202-1100 (by Customer Service Hotline: 800-421- 3481; fax: 202-453-6012; TDD: 877-521-2172; email: [OCR@ed.gov](mailto:OCR@ed.gov); or on the web, at <http://www.ed.gov/ocr>).

## **F. Retaliation Prohibited**

It is a violation of College Policy to retaliate against any person making a complaint of sexual misconduct, any person cooperating in the investigation of (including testifying as a witness) of any allegation of sexual misconduct, and supporters of the Complainant. For the purposes of this document, retaliation means when a faculty/staff member/employer takes adverse action against a/an student/employee because she or he has engaged in a protected activity such as filing a complaint of discrimination or harassment. Retaliation may be found even when the underlying charge does not constitute discrimination or harassment in violation of College policies, and all persons who participate in a discrimination or harassment proceeding, not only the Complainant, are protected against retaliation. The College will not tolerate retaliation.

An adverse retaliatory action is an action taken to deter a reasonable person from opposing a discriminatory or harassing practice and/or from participating in a discrimination or harassment proceeding or, more generally, from pursuing her/his rights. Examples of adverse actions include failing grade, termination, denial of promotion or demotion, and unjustified negative evaluations or references. Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, snubbing a colleague, or addressing poor class/work performance. Students/Employees who have filed a complaint or expressed opposition to discrimination or harassment are still expected to perform their student/employee responsibilities and follow appropriate classroom/work decorum.

The College or other person may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this part, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, may amount to retaliation. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination. The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation. However, a determination regarding responsibility alone will not be sufficient to conclude that any party made a materially false statement in bad faith.





## G. First Amendment Protections

The College is also required and committed to upholding the First Amendment of the United States Constitution. Nothing in this process is intended to abridge the rights or freedoms guaranteed by the First Amendment, or to infringe on the proper exercise of academic freedom. The protections of the First Amendment must be carefully considered in all complaints involving speech or expressive conduct. The fact that speech or a particular expression is offensive is not, on its own, necessarily a legally sufficient basis to establish a violation of this policy.

This policy is not intended to restrict any rights that would otherwise be protected from government action by the First Amendment of the U.S. Constitution; (2) Deprive a person of any rights that would otherwise be protected from government action under the Due Process Clauses of the Fifth and Fourteenth Amendments of the U.S. Constitution; or (3) Restrict any other rights guaranteed against government action by the U.S. Constitution.

## V. Definitions

For purposes of this policy, the following definitions will apply:

**“Actual knowledge”** means notice of sexual harassment or allegations of sexual harassment to a recipient’s Title IX Coordinator or any official of the recipient who has the authority to institute corrective measures on behalf of the recipient, or to any employee of an elementary and secondary school.

**"Clery Act"** refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

**"College"** means Henry Ford College.

**“Dating Violence”** means a pattern of assaultive and/or controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. The Respondent has intentionally behaved in ways that causes fear, degradation and humiliation to control the victim. Forms of abuse can be physical, sexual, emotional and/or psychological.

In determining whether an individual has engaged in “dating violence,” the following must be established: the Respondent and the victim have been in a societal relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on a consideration of the following factors: 1.) length of the relationship, 2.) type of the relationship, and 3.) the frequency of interaction between the persons involved in the relationship.

**“Document Filed by a Complainant”** means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the recipient) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party under this regulation.



**“Domestic Violence”** is a pattern of behavior in which one person uses physical, sexual, economic or emotional abuse to control the victim. This behavior specifically includes assaults or an assault and battery of a person’s spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household. MCL 750.81(2) considers “domestic violence” a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

**“Duty to Report”** all College Board of Trustees, employees, faculty and staff, are identified as Responsible Employees. All Responsible Employees who learn of sexual misconduct or sexual harassment against a student or employee or other form of discrimination are expected to notify the Student or Employee Title IX Coordinator, including all Title IX violations as described under Section III, Purpose, have a Duty To Report under this Policy. If the allegation of gender-based harassment, sexual harassment or sexual assault involves a minor under the age of 17, the Board member, employee, faculty or staff is required to notify the Employee Title IX Coordinator and the Office of Campus Safety. An employee (including faculty and staff) who fails to report may be found to have violated Henry Ford College’s policies, and be subject to disciplinary actions, up to and including termination, in accordance with Collective Bargaining Agreement, if applicable. College employees whose role with the College is to serve in a privileged, professional capacity, such as licensed counselors, are not bound by this expectation except as required to law. College Employee for purposes of this Policy includes the Board of Trustees, all unionized, exempt and non-exempt Community College Members.

**“Education Program or Activity”** includes locations, events, or circumstances over which the school or district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. 34 C.F.R. § 106.44(a).

**"Effective Consent"** means words or actions that show a knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Effective consent is absent when the activity in question exceeds the scope of effective consent previously given. Consent is a free and clearly given yes, not the absence of a no, and cannot be received when a person is incapacitated by alcohol or drugs. See definition of incapacitation, below.

**"FERPA"** refers to the Family Educational Rights and Privacy Act.

**“Formal Complaint”** means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed.

**“Grievance Process”** The process of addressing Formal Complaints of Title IX Sexual Misconduct before the imposition of any disciplinary or other actions that are not Supportive Measures against a Respondent.

**"Hearing Officers"** mean the trained individuals identified/appointed by HFC to serve as the decision maker on Title IX complaints.



**"Incapacitation"** means the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol [or other drug] is involved, one does not have to be intoxicated or drunk to be considered incapacitated. Rather, incapacitation is determined by how the alcohol consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. It is not the practice of the College to pursue disciplinary action against a Complainant or witness for his or her improper use of alcohol or drugs (e.g., underage drinking), provided that such individual is acting in good faith as a Complainant or witness to the events of the alleged sexual misconduct. The question is whether the Respondent knew, or a sober, reasonable person in the position of the Respondent should have known, that the Complainant was incapacitated. Because incapacitation may be difficult to discern, students are strongly encouraged to err on the side of caution, e.g., when in doubt, assume that another person is incapacitated and therefore unable to give effective consent. Being intoxicated or drunk is never a defense to a complaint of Sexual Misconduct under this Process.

**"Investigators"** refers to the individuals trained and designated by the Title IX Coordinator to conduct investigations of alleged sexual misconduct, and to determine whether or not there is a reasonable basis to grant a hearing (as more specifically described in Section 4, below). The Title IX Coordinators and the Title IX hearing officers are also trained investigators and may be part of an investigative team at any time when necessary. 20 U.S.C. Section 1232g; 34 CFR Part 99. Sokolow, Brett A., Lewis, W. Scott, Schuster, Sandra K., NCHERM Institute on Responding to Campus Sexual Misconduct. 2010, p. 49.

**"Non-Consensual Sexual Contact"** means sexual contact that occurs without effective consent.

**"Non-Consensual Sexual Intercourse"** means sexual intercourse that occurs without effective consent. MCL 750.520d(1)(a) states that a person is guilty of third-degree criminal sexual conduct if the person engages in sexual penetration with another person and that person is at least thirteen but younger than sixteen years old. Accordingly, a thirteen-year-old child cannot legally consent to sexual penetration with another person because sexual penetration of a thirteen-year-old child is automatically third-degree criminal sexual conduct. *People v. Starks*, 473 Mich. 227.

**"Notice"** is when the College has actual knowledge is notice of sexual harassment or allegations of sexual harassment to a recipient's Title IX Coordinator or any official of the recipient who has authority to institute corrective measures on behalf of the recipient. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the recipient with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the recipient.

**"Off Campus Conduct"** means conduct that occurred on any place other than on College-owned or leased property, at any College sanctioned function, at the permanent or



temporary local residence of a College student, faculty member, employee, or visitor, or elsewhere in Michigan, and is reasonably related to a college function or activity.

“Parties” includes the Complainant and Respondent as defined below:

- **“Complainant”** an individual, who must be participating or attempting to participate in the College’s Education Program or Activity who is alleged to be the victim of conduct that could constitute sexual harassment.
- **“Respondent”** an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**“Preponderance of Evidence”** is a standard of evidence meaning that a proposition is more likely than not to be true.

**“Prohibited Conduct”** or **“Sexual and Gender-Based Misconduct”** is a broad term encompassing “Sexual Exploitation,” “Sexual Harassment”, “Sexual Assault” “Sexual and/or Gender Based Stalking” “Sex and Gender-Based Discrimination” “Sexual Harassment” which causes a hostile environment,” “Non-Consensual Sexual Contact,” “Gender-Based Harassment,” “Retaliation” “Intimate Partner Violence” and “Non-Consensual Sexual Intercourse,” as defined in this process. Sexual misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship, sexual misconduct can be committed by men or by women, and it can occur between people of the same or different sex.

**“Rape”** which is a form of sexual assault, is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, oral penetration by a sex organ of another person, without the consent of the victim encompasses conduct such as rape and sexual assault.

**“Responsible Employees”** means all Board of Trustees, faculty, employees, and staff (including teaching assistant, coaches, supervisors, club advisors) responsible for reporting allegations of sexual harassment and gender-based misconduct. Any employee of the College, unless the employee is authorized or required by law to keep information confidential as a result of her/his professional role (including employees of Counseling Services) are considered to be Responsible Employees. See Title IX Resource Guide.

**“Retaliation”** It is a violation of College Policy to retaliate against any person making a complaint of sexual misconduct, any person cooperating in the investigation of (including testifying as a witness) of any allegation of sexual misconduct, and supporters of the Complainant. For the purposes of this document, retaliation means when a faculty/staff member/employer takes an adverse action against a/an student/employee because she or he has engaged in a protected activity such as filing a complaint of discrimination or harassment. Retaliation may be found even when the underlying charge does not constitute discrimination or harassment in violation of College policies, and all persons who participate in a discrimination or harassment proceeding, not only the Complainant, are protected against retaliation. The College will not tolerate retaliation.

**“Sexual Assault”** is defined as having or attempting to have sexual intercourse or having



sexual contact with another individual by force or threat of force; without consent; or where that person is incapacitated.

**"Sexual Contact"** means the deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person's intimate parts. Sexual Assault is any sexual contact without consent.

**"Sexual Exploitation"** means taking sexual advantage of another person without effective consent, and includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person; causing the prostitution of another person; recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts (including genitalia, groin, breasts or buttocks) of another person; allowing third parties to observe private sexual acts; engaging in voyeurism; and/or knowingly and intentionally exposing another person to a significant risk of a sexually transmitted infection.

**"Sexual Harassment"** means conduct on the basis of sex that satisfies one or more of the following: (1) a school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e. quid pro quo); or (ii) unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or sexual assault (as defined in the Clery Act) dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWM) The College strongly encourages individuals to report all unwelcome conduct based on sex to the Title IX Coordinators. In evaluating any complaint of sexual harassment, the perceived offensiveness of a particular expression, standing alone, is not sufficient by itself to be actionable. The exclusive purpose of this distinction is to protect individuals from sex or gender discrimination, consistent with both federal regulatory law and the requirements of the First Amendment to the United States Constitution.

**"Sexual harassment which causes a hostile environment"** means unwelcome conduct based on sex or gender (e.g., sexual orientation, gender stereotypes, sexual preference and/or pregnancy or a pregnancy-related status), which is so severe, persistent, or pervasive, that it unreasonably interferes with an individual's College employment, academic performance or participation in College programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or abusive. Types of potential harassment include, but are not limited to, stalking and bullying. The inclusion of a definition of "sexual harassment" that is separate from the definition of "sexual harassment causing a hostile environment" was adopted based on the language used in the Montana-Missoula OCR Letter: <https://www.justice.gov/sites/default/files/opa/legacy/2013/05/09/ops-fi...>

Examples of sexual harassment include, but are not limited to:

- Sexual violence, including sexual assault, rape and sexual exploitation
- Threats or insinuations that led the recipient reasonably to believe that granting or denying sexual favors will affect her/his reputation, education, employment, advancement, or standing at the College



- Sexual advances, sexual propositions, or sexual demands that are not agreeable to the recipient
- Unwelcome sexually explicit material presented via email, text message, or other means of communication
- sexual misconduct such as stalking, cyberstalking, recording or transmitting sexual images without an individual's consent, and voyeurism
- Unwelcome and persistent sexually explicit statements or stories that are not legitimately related to employment duties, course content, research, or other College activities or programs
- Repeatedly using sexually degrading words or sounds to a person or to describe a person
- Unwanted and unnecessary touching, patting, hugging, or other physical contact of any body part
- Recurring comments or questions about a person's sexual prowess, preferences, deficiencies or behavior.

Simply because a type of sexual behavior does not fall within a clear definition of sexual harassment that does not render the sexual behavior acceptable in the workplace or classroom. The behavior may be in violation of other College policies, and if disruptive or unprofessional may be subject to disciplinary action.

**"Sexual Intercourse"** means penetration (anal, oral or vaginal) by, but not limited to, a penis, tongue, finger, or an inanimate object.

**"Sexual Violence"** means a physical sexual act perpetrated without consent. This encompasses conduct such as rape and sexual assault.

**"Stalking"** means a pattern of behavior made up of a series of two or more separate non-continuous acts which shares the same purpose and causes a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed or molested.

**"Student Code of Conduct"** means HFC's Student Code of Conduct, as enforced by the Office of Student Conduct and Compliance.

**"Supportive Measures"** The term "supportive measures" or "interim supportive measures" means "non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed." 34 C.F.R. § 106.30(a).

Supportive measures "are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment." Examples include "counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restriction]ns on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain



areas of the campus, and other similar measures.”

Supportive measures are coordinated by the Title IX Coordinator, and should be kept confidential, to the extent that maintaining confidentiality does not otherwise interfere with the provision of supportive measures.

**“Title IX Coordinator”** means the individual identified by HFC who will receive Title IX Complaints, issue appropriate notice to the parties, determine interim measures, and determine whether the complaint is appropriate for the Title IX process, or informal resolution, or dismissal.

**"VP"** refers to the Vice President of Student Affairs and Vice President of Human Resources (and/or their designees). The College has designated the VP's designees as the Title IX Coordinators listed above for purposes of this process and in accordance with federal regulations.

**"Vice President's Office"** means the Office of the Vice President of Student Affairs or the Vice President of Human Resources located in the Administration Building, currently Room numbers 430 and 424.

## **Related Misconduct; Criminal Proceedings**

### **A. Other Related Misconduct.**

In accordance with this process, the Hearing Officer is empowered to hear allegations of, and to recommend and/or impose sanctions for, sexual misconduct and any other violation(s) of the College's Student Code of Conduct directly related to the alleged sexual misconduct. Such related misconduct may include, without limitation, violations of the rules of privacy as articulated herein, violations of the Title IX Coordinator's directive(s) discussed in the Title IX Complaint Procedures, and/or violations of other College policies that occurred in the course of the alleged sexual misconduct.

Employees, students and other College Community Members are expected to comply with all College policies, including without limitation, the College's Drug and Alcohol policies. Any students, employees or College Community Members who appear before the Panel, whether as parties to the proceedings or as witnesses, are expected to provide truthful testimony in accordance with the College's Student Code of Conduct, employment or other College policies.

### **B. Effect of Criminal Proceedings**

Because sexual misconduct may constitute both a violation of College policy and criminal activity, the College encourages students to report alleged sexual misconduct promptly to local law enforcement agencies. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence within 72 hours of incident. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of College Policies, criminal investigations or reports are not determinative of whether sexual misconduct, for purposes of this process or applicable College Policies, has occurred. Conduct may constitute sexual misconduct under this process even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute. In such cases, the Complainant may not initially understand the results of the



criminal investigation, the nature of criminal procedure, or the grounds for the law enforcement decision not to prosecute. The Complainant in such cases may request that the Title IX Coordinator identify an advocate to assist the Complainant in seeking and attending a meeting with the local prosecutor to gain an understanding of the decision to decline a prosecution.

The filing of a complaint of sexual misconduct under this process is independent of any criminal investigation or proceeding, and (except that the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence) the College will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and take interim measures to protect the Complainant and the College community, if necessary, as described in the Procedures.

The Procedure for filing a Title IX sexual misconduct or sexual harassment complaint at the College shall be developed by the President and/or his or her designee in accordance with this Policy. These Procedures shall appear on the College's website and there is a link below under Related Documents that will take you to this Procedure.

## **V. Responsible Party for Administration and Enforcement**

Vice President of Student Affairs  
Title IX Coordinators

## **VII. Related Documents**

Incident Report Form

[www.hfcc.edu/incidentreport](http://www.hfcc.edu/incidentreport)

Student Code of Conduct

<https://policies.hfcc.edu/policy/henry-ford-college-1>

Procedure for Reporting a Sexual Misconduct/Title IX Complaint (need to add link to updated procedures)

Title VII of the Civil Rights Act of 1964 (Federal) at

<https://www.eeoc.gov/laws/statutes/titlevii.cfm>

Title IX

<https://www2.ed.gov/about/offices/list/ocr/docs/titleix-regs-unofficial.pdf>

Equal Educational and Employment Opportunities and Non-Discrimination

<https://policies.hfcc.edu/policy/equal>

Drug and Alcohol Policy

<https://policies.hfcc.edu/policy/drug-and>

Dangerous Weapons Policy

<https://policies.hfcc.edu/policy/dangerous>

Non-Retaliation Policy

<https://policies.hfcc.edu/policy/non>

Jeanne Clery Act

<https://www.govinfo.gov/content/pkg/FR-2014-10-20/pdf/2014-24284.pdf>

Title IX Resource Guide

## **VIII. Policy History**





- a. Current Policy Approved by Board: December 14, 2020
- b. Previous Revisions: June 22, 2015; November 20, 2017
- c. Previous Policy Section(s): Students Previous Policy No(s):8550

**This policy supersedes and replaces any and all policies related to this subject.**

Adopted date: Monday, December 14,2020

***Programs to Prevent Domestic Violence, Dating  
Violence, Sexual Assault, and Stalking***

Henry Ford College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking as defined in the Violence Against Women Act.

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Henry Ford College's educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students that:

- Clearly communicate that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);
- Provide the definitions of domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms;
- Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct;
- Provide a description of safe and positive options for bystander intervention, Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Provide information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;



- Provide an overview of information contained in the Annual Security Report in compliance with the Clery Act;
- Provide information regarding:
  - Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, or stalking occurs;
  - How the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
  - Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both in the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report); and
  - Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
  - Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this Annual Report).

### ***Primary Prevention and Awareness Programs***

The College provides primary prevention and awareness programs to all incoming students and employees that involves the distribution of educational materials to new students, participating in and presenting information and materials during new student and employee orientations, providing programs by invitation at staff meetings or academic programs, and requiring incoming first-year students and returning upper-class students to take online courses related to sexual assault and high risk drinking awareness and education. These trainings include:

- Clearly articulated statements that the College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking;
- The Federal and State definitions of domestic violence, dating violence, sexual assault and stalking;
- The College and State definitions of consent;
- A description of safe and positive options for bystander intervention; and
- Information on specific risk reduction strategies.

### ***Ongoing Prevention and Awareness Campaigns***

The College provides an annual educational campaign for all students and employees designed to provide ongoing education and programming around issues of sexual violence – including sexual assault, domestic violence, dating violence, and stalking. Campaign strategies employed include face-to-face presentations, online training programs, printed materials, tabling displays and related lectures.



The following are some specific examples of annual programs currently offered by the college. This list is not all inclusive:

- Online Education:
- Orientation Programing: Incoming first-year students participate in an information session about the Clery Act and Title IX information, in addition to learning about the Sexual Misconduct Policy, bystander intervention, and resources. New faculty and employees receive Clery Act and Title IX information during their orientation programs.
- Domestic Violence
- Intimate Partner Violence
- Anxiety and Depression
- Human Trafficking
- Sexual Assault and Harassment
- Active Attacker Training

**NOTE:** Due to the pandemic and the College's decision to move to remote learning and working in March of 2020, these and other face-to-face programs were suspended. The Violence Against Women Act (VAWA) defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.
- Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - **Rape**- The 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.
  - **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.

For the purposes of this definition:

Consent means voluntary, positive agreement between the participants to engage in specific sexual activity.

Age of consent in Michigan is 16 years of age.

- **Domestic Violence:** A felony or misdemeanor crime of violence committed
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition:

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- **Consent** is not defined by Michigan law and is not an element of criminal sexual conduct that prosecutors are required to disprove beyond a reasonable doubt. Rather, consent is an affirmative defense available for defendants who are charged with committing criminal sexual conduct. HFC's Sexual Misconduct Policy defines consent as the "words or actions that show a knowing and voluntary agreement to engage in mutually agreed upon sexual activity. Effective consent is absent when the activity in question exceeds the scope of effective consent previously given. Consent is a free and clearly given yes, not the absence of a no, and cannot be received when a person is incapacitated by alcohol or drugs."

### ***Michigan Laws and Definitions***

The State of Michigan laws can be found in the Michigan Compiled Laws (MCL) and viewed at [www.legislature.mi.gov](http://www.legislature.mi.gov)

- **Domestic Violence** is defined as an assault or assault and battery of: 1) a current or former spouse, 2) an individual with whom the assailant has or has had a dating



relationship, 3) an individual with whom the assailant has had a child in common, or 4) a resident or former resident of the assailant's household.

- **“Dating relationship”** means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.
- **Dating Violence** is a form of domestic violence under Michigan law.

Michigan criminal laws regarding sexual assault are separated into four degrees of criminal sexual conduct. For each of those criminal offenses, the following definitions apply:

- **“Sexual contact”** includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for: (i) revenge, (ii) to inflict humiliation, or (iii) out of anger.
- **“Sexual penetration”** means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.
- **Sexual Assault** is called Criminal Sexual Conduct in the State of Michigan. It is gender neutral and includes marital, stranger, date, acquaintance, and child sexual assault. Criminal Sexual Conduct is forcing or coercing an individual to engage in any non-consensual sexual contact or sexual penetration.
- **Stalking** is a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
- **Consent** is not defined by Michigan law and is not an element of criminal sexual conduct that prosecutors are required to disprove beyond a reasonable doubt. Rather, consent is an affirmative defense available for defendants who are charged with committing criminal sexual conduct. HFC's Sexual Misconduct Policy defines consent as the “words or actions that show a knowing and voluntary agreement to engage in mutually agreed upon sexual activity. Effective consent is absent when the activity in question exceeds the scope of effective consent previously given.

Consent is a free and clearly given yes, not the absence of a no, and cannot be received when a person is incapacitated by alcohol or drugs.”

### ***How to Be an Active Bystander***

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, call OCS at (313) 845-9630, or the local police by dialing 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/ employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Be direct, delegate responsibility, or cause a distraction when you see a person secludes, hits on, tries to make out with, or has sex with people who are incapacitated.
- Intervene when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

### ***Risk Reduction***

Risk Reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- **Be Aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don’t know where you are going, act like you do.



- **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- Make sure **your cell phone is with you and charged** and that you have cab money and/or an on-demand driver app loaded.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be careful about posting your location.** Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends, but give people time to earn your trust before relying on them.
- **Think about Plan B.** Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
- **Be secure.** Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.
- When you go to a social gathering, **go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.



- **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get them to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.) Be explicit with doctors so they can give you the correct tests.
- If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

***Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Occurs***

After an incident of sexual assault, dating violence, or domestic violence, the victim should consider seeking medical attention as soon as possible at a local medical facility. Sexual Assault Nurse Examiners (SANE) at the hospital are trained and certified in physical evidentiary recovery kit collection. Evidence may be collected, even if the victim chooses not to make a report to law enforcement.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past





96 hours, so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring, or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or local police.

### ***Involvement of Law Enforcement and Campus Authorities***

Although the College strongly encourages all members of its community to report violations of this policy to Campus Safety and the Dearborn Police Department, it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement.

However, the Office of Campus Safety will assist any victim with notifying law enforcement if the victim so desires. The Dearborn Police Department may also be reached by calling (313) 943-2201, or 911 in emergency situations; or in person at the Dearborn Police Department located at 16099 Michigan Ave in Dearborn.

### ***Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking***

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator (office: Building N, Room 223; phone (313) 845-6301) by calling, writing, or coming into the office to report in person. Reports of all domestic violence, dating violence, sexual assault, and stalking made to Campus Safety will automatically be referred to the Title IX Coordinator for review. The Title IX Coordinator is not a confidential reporting entity and is required to report criminal incidents to Campus Safety.



**Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault, or Stalking is Reported**

Incident Being Reported	Procedures Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide victim with access to medical care</li> <li>2. Institution will assess immediate safety needs of victim</li> <li>3. Institution will assist victim with contacting local police if Complainant requests AND provide the victim with contact information for local police department Institution will provide victim with referrals to on-and off-campus mental health providers</li> <li>4. Institution will assess need to implement interim or long-term protective measures, if appropriate</li> <li>5. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>6. Institution will provide a "No Contact" directive to accused party if deemed appropriate</li> <li>7. Institution will provide written instructions on how to apply for a Personal Protection Order (PPO)</li> <li>8. Institution will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding timeframes for inquiry, investigation, and resolution</li> <li>9. Institution will inform the victim of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is</li> <li>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation</li> </ol>
Stalking	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim</li> <li>2. Institution will assist victim with contacting local police if Complainant requests AND provide the victim with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for a Personal Protection Order (PPO)</li> <li>4. Institution will provide written information to victim on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> </ol>



	<ol style="list-style-type: none"> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No Contact” directive to accused party if deemed appropriate</li> </ol>
Dating Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim</li> <li>2. Institution will assist victim with contacting local police if Complainant requests AND provide the victim with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for a Personal Protection Order (PPO)</li> <li>4. Institution will provide written information to victim on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No Contact” directive to accused party if deemed appropriate</li> </ol>
Domestic Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim</li> <li>2. Institution will assist victim with contacting local police if Complainant requests AND provide the victim with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for a Personal Protection Order (PPO)</li> <li>4. Institution will provide written information to victim on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No Contact” directive to accused party if deemed appropriate</li> </ol>

Please note, an employee complaint will be conducted either in accordance with this procedure or applicable Collective Bargaining Agreement.

***Facilitated Anonymous Reporting through the Counseling Center***

Professional counselors assigned to the Counseling Center are confidential resources and do not report incidents. In their capacity and function, they do not make identifiable reports of incidents to the official on-campus resources unless the student specifically requests them to do so; however, the College encourages counselors to inform students that they can report incidents of crime to the Office of Campus Safety, which can be done directly or



anonymously (as described in “Anonymous and Confidential Reporting” elsewhere in this Annual Report). Students may request the Counseling Center to facilitate anonymous reporting using an internal form designed to capture general details about the incident (date, time, location, and brief description of the incident type) for inclusion in the College’s Annual Security Report.

### ***Anonymous Online Reporting***

Students and employees of the College may additionally file a report about sexual misconduct anonymously through the college’s online Maxient reporting system (as described in “Anonymous and Confidential Reporting” elsewhere in this Annual Report), but note, while anonymous reports are accepted, the College’s ability to address the misconduct reported in this manner is significantly limited. The amount of detail provided in these reports may enable the College to initiate an investigation into the circumstances surrounding the report. Such an investigation may jeopardize the anonymity of the reporting person or Complainant.

### ***Employee Assistance Program***

Henry Ford College also provides an Employee Assistant Program (EAP) for use by employees. The EAP is available to all benefit eligible employees with such problems as sexual or physical abuse, depression, marital and relationship conflict, stress, grief, critical incident stress, anxiety, and other personal matters. The contact number of the EAP is 855-775-4357.

All information relating to an employee’s EAP participation is strictly confidential. Only the EAP provider maintains EAP records. The EAP provider does not release specific information about an employee’s use of EAP services, unless the employee gives their advance written consent. The EAP does not report incidents to any Official On-Campus Resources unless the employee specifically gives them permission to do so.

### ***Assistance for Victims – Rights & Options***

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services in the institution and in the community;
- A statement regarding the institution’s provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action.



## ***Personal Protection Orders (PPO) and No-Contact Orders***

The Student Compliance and Title IX Coordinator may decide to issue a “no-contact directive” as a protective measure. For example, a no-contact directive may prohibit the Claimant and Respondent from having contact with one another. No-contact directives are issued on a case-by-case basis and are enforced at the College level.

A Personal Protection Order (PPO) is different than a no-contact directive. A PPO is issued by the state court system – not by the College. A PPO is a judicial order that forbids an individual from doing something or requires an individual to do something. A PPO is enforced by the police. A PPO is only issued by the local county circuit court in the State of Michigan. In Wayne County you can apply for a PPO at:

Wayne County Clerk’s Office  
Coleman A. Young Municipal Center  
Suite 928  
Detroit, MI 48226  
(313) 224-6262

<https://www.waynecounty.com/elected/clerk/personal-protection.aspx>

Any person who obtains a PPO in Michigan or any reciprocal state should provide a copy to the OCS and the Title IX Coordinator. A Complainant may then meet with Campus Safety to develop a Safety Action Plan, which is a plan for Campus Safety and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: safe walks, special parking arrangements, changing classroom/work site location, or working with Academic Advising on alternative class possibilities, allowing a student to complete assignments from home, allowing an employee to develop a flexible work schedule, etc.

## ***Accommodations and Protective measures Available for Victims***

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Henry Ford College will provide written notification to students and employees about accommodations available to them, including academic and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures.

At the victim’s request, and to the extent of the victim’s cooperation and consent, College offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, working, or transportation situations regardless of whether the victim chooses to report the crime to law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to



a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, providing a safe walk, etc.

To request changes to academic, transportation, and/or working situations, or protective measures, a victim should:

- **Students:** Contact the Title IX Coordinator and/or the Campus Safety Manager.
- **Employees/Faculty:** Contact the Human Resources Office and/or the Campus Safety Manager.

### ***Confidentiality***

Victims may request that directory information on file with the College be withheld by request. This request can be made to the Registrar's Office by visiting the Welcome Center or by calling (313) 845-9600. Employees can contact the Human Resources Office to make a similar request regarding directory information at (313) 845-9820.

Henry Ford College protects all student information in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). Regardless of whether a victim has opted-out of allowing the College to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know; i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally-identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Campus Safety Alert is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld; this could include the specific location where an incident is reported to have occurred when reporting the location could inadvertently identify the victim.

### ***On- and Off-Campus Services for Victims***

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Henry Ford College will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services, including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and assistance in notifying appropriate local law enforcement. If a sexual assault or rape should occur on campus, staff on-scene, including OCS, will offer the victim a wide variety of services. This information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for Henry Ford College.



These resources include the following:

ON CAMPUS	EMPLOYEES	STUDENTS
Counseling/Mental Health	NOT PROVIDED	Henry Ford College Counseling Center Building A-117 (313) 845-9611 *Confidential Resource
Health Services	NOT PROVIDED	NOT PROVIDED
Victim Advocacy	NOT PROVIDED	NOT PROVIDED
Legal Assistance	NOT PROVIDED	NOT PROVIDED
Visa & Immigration Assistance	NOT PROVIDED	International Student Services (313) 317-6842
Student Financial Aid	NOT PROVIDED	Financial Aid Office Welcome Center (313) 845-9600 <a href="mailto:finaid@hfcc.edu">finaid@hfcc.edu</a>
LGBTQ+	<a href="mailto:safe@hfcc.edu">safe@hfcc.edu</a>	<a href="mailto:safe@hfcc.edu">safe@hfcc.edu</a> and Sexuality and Gender Acceptance Club (SAGA) Troy Gibson <a href="mailto:trgibson3@hfcc.edu">trgibson3@hfcc.edu</a>
Office of Campus Safety	(313) 845-9630	(313) 845-9630
Vice President of Academic Affairs	NOT PROVIDED	(313) 845-9835
Sexual Misconduct Resource Site	<a href="https://www.hfcc.edu/student-rights">https://www.hfcc.edu/student-rights</a>	<a href="https://www.hfcc.edu/student-rights">https://www.hfcc.edu/student-rights</a>  <a href="http://www.michigan.gov/campussexualassault">www.michigan.gov/campussexualassault</a>



OFF CAMPUS	EMPLOYEES	STUDENTS
Counseling/Mental Health	Employee Assistance Program (EAP) 855-775-4357 *Confidential Resource  ACCESS 6451 Schaefer Rd Dearborn, MI (313) 945-8380	ACCESS 6451 Schaefer Rd Dearborn, MI (313) 945-8380
Health Services	ACCESS 6451 Schaefer Rd Dearborn, MI (313) 945-8380	ACCESS 6451 Schaefer Rd Dearborn, MI (313) 945-8380
Victim Advocacy	First Step: (734) 416-1111 24-Hour Help Line: (734) 722 6800 or 888-453-5900 <a href="http://www.firststep-mi.org">www.firststep-mi.org</a>  Detroit Police Rape Counseling Center 420 St. Antoine St Detroit, MI 48201 (313) 833-1660 24-hours	First Step: (734) 416-1111 24-Hour Help Line: (734) 722 6800 or 888-453-5900 <a href="http://www.firststep-mi.org">www.firststep-mi.org</a>  Detroit Police Rape Counseling Center 420 St. Antoine St Detroit, MI 48201 (313) 833-1660 24-hours
Legal Assistance	Lakeshore Legal Aid 19855 W. Outer Drive Suite 502E Dearborn. (313) 314-1500	Lakeshore Legal Aid 19855 W. Outer Drive Suite 502E Dearborn. (313) 314-1500
Visa & Immigration Assistance	ACCESS 6451 Schaefer Rd Dearborn, MI (313) 945-8380	ACCESS 6451 Schaefer Rd Dearborn, MI (313) 945-8380
Dearborn Police Department	Dearborn Police Department 16099 Michigan Ave Dearborn, MI (313) 943-2201	Dearborn Police Department 16099 Michigan Ave Dearborn, MI (313) 943-2201
LGBTQ+	Affirmations of Ferndale <a href="http://www.goaffirmations.org">www.goaffirmations.org</a>  Transgender Michigan <a href="http://www.transgendermichigan.org">www.transgendermichigan.org</a>	Affirmations of Ferndale <a href="http://www.goaffirmations.org">www.goaffirmations.org</a>  Transgender Michigan <a href="http://www.transgendermichigan.org">www.transgendermichigan.org</a>

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- Rape, Abuse, and Incest National Network [www.rainn.org](http://www.rainn.org) 1-800-656-4673
- Department of Justice [www.justice.gov/ovw/sexual-assault](http://www.justice.gov/ovw/sexual-assault)
- Department of Education, Office of Civil Rights  
<https://www2.ed.gov/about/offices/list/ocr/index.html> –





- National Teen Dating Abuse Helpline [www.loveisrespect.org](http://www.loveisrespect.org) 1-866-331-9474
- National Domestic Violence Hotline [www.thehotline.org](http://www.thehotline.org) 1-800-799-7233
- Michigan Sexual Assault Hotline 1-855-864-2374
- National Sexual Assault Hotline 1-800-656-HOPE
- Michigan VOICES (sexual abuse survivors) – Catholic Social Services (313) 883-2100

### ***Adjudication of Violations***

The College’s disciplinary process includes a prompt, fair, and impartial process from the initial investigation to the final result. A prompt, fair, and impartial proceeding includes a proceeding that is:

- A. Completed within reasonably prompt timeframes designated by an institution’s policy, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
- B. Conducted in a manner that –
  1. Is consistent with the institution’s policies and transparent to the accuser and accused;
  2. Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
  3. Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- C. Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
- D. The proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- E. The proceedings will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- F. The proceedings will require simultaneous notification, in writing, to both the accuser and the accused, of the result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C.1232g), commonly referred to as the Family Educational Rights and



Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

- G. The accuser and the accused will receive simultaneous notification, in writing, of any change to the result and when such results become final.

***If the Complainant Does Not Wish to Pursue Resolution***

All reported cases of sexual misconduct will be referred to the Title IX Coordinator for a preliminary assessment. In cases where the Complainant does not wish to pursue a resolution, the College has two options:

1. The College may attempt to resolve the complaint in a manner consistent with the Victim's request. This may include holding the report for action at a later date.
2. The college may pursue a judicial hearing against the Respondent named in the investigation. Under these circumstances, the College would take into consideration the nature of the assault, the safety of the Victim and the collage community, as well as the previous disciplinary history and previous allegations of sexual misconduct.

Whether or not criminal charges are filed, the College or a person may file a complaint under the sexual misconduct and grievance procedures outlined in the following section, depending upon the status of the accused (student or employee).

***Title IX Student and Employee Grievance Process  
(includes cases of Sexual Assault, Dating Violence,  
Domestic Violence, and Stalking)***

Please note, an employee complaint will be conducted either in accordance with this procedure or applicable Collective Bargaining Agreement.

**A. Intake Meeting with Complainant.**

Upon receipt of notice of any allegation of sexual misconduct, the Student Title IX Coordinator will first schedule an individual intake meeting with the Complainant in order to provide to the Complainant a general understanding of this process and to identify forms of support or immediate interventions available to the Complainant. The intake meeting may also involve a discussion of any interim measures that may be appropriate in light of the known information.

**B. Complainant Wishes to Pursue Formal or Informal Resolution.**

At the initial intake meeting with the Complainant, the Student Title IX Coordinator will gather basic information about the alleged incident and seek to determine how the Complainant wishes to proceed, (e.g., whether the Complainant wishes to pursue Formal Resolution, Informal Resolution or does not wish to pursue resolution of any kind).

If the Complainant wishes to proceed with either Informal Resolution or Formal Resolution,



the Student Title IX Coordinator will determine the name of the Respondent, the date, location, and nature of the alleged sexual misconduct, and will schedule an individual intake meeting with the Respondent in order to provide to the Respondent - with a general understanding of this process and to identify forms of support or immediate interventions available to the Respondent.

If the Complainant wishes to proceed with Formal Resolution, the Student Title IX Coordinator will promptly prepare and forward a formal complaint to the investigators for investigation. The formal complaint will set forth the name of the Respondent, and the date, location and nature of the alleged sexual misconduct.

If the Complainant wishes to proceed with Informal Resolution, the Student Title IX Coordinator will promptly refer the matter and initiate Informal Resolution proceedings in accordance with Section V, below.

### **Complainant Does Not Wish to Pursue Resolution or Requests Confidentiality.**

If the Complainant does not wish to pursue Formal or Informal Resolution and/or requests that his or her complaint remain confidential, Title IX nevertheless requires the College to investigate and take reasonable action in response to the Complainant's information. The Student Title IX Coordinator will inform the Complainant, however, that the College's ability to respond may be limited. The Student Title IX Coordinator may refer the allegation to a designated investigator to conduct a preliminary investigation into the alleged sexual misconduct. The investigator may weigh the Complainant's request(s) against the following factors: the seriousness of the alleged sexual misconduct; whether there have been other complaints of sexual misconduct against the same Respondent; and the Respondent's right to receive information about the allegations if the information is maintained by the College as an "educational record" under FERPA. The Student Title IX Coordinator will inform the Complainant if the College cannot ensure confidentiality. Even if the College cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality or that the complaint may not be resolved, the Student Title IX Coordinator reserves the authority to undertake an appropriate inquiry, issue a "no-contact" order, and take other reasonably necessary measures, including the interim measures.

### **D. Interim Measures.**

In all complaints of alleged sexual misconduct, regardless of whether the Complainant wishes to pursue Formal Resolution, Informal Resolution or no resolution of any kind, the College will undertake an appropriate inquiry and take such prompt and effective action that is reasonably practicable under the circumstances to support and protect the Complainant, including taking appropriate interim steps before the final outcome of the investigation and hearing, if any. Accordingly, at or after the intake meeting, the Student Title IX Coordinator may impose a "no-contact" order, which typically will include a directive that the parties refrain from having contact with one another, directly or through proxies, whether in person or via electronic means, pending the investigation and, if applicable, the hearing. The Student Title IX Coordinator, also may take any further protective action that he or she



deems appropriate concerning the interaction of the parties pending the hearing, if any, including, without limitation, directing appropriate College officials to alter the students' academic and/or College employment arrangements and/or issuing an interim suspension. When taking steps to separate the Complainant and the Respondent, the Student Title IX Coordinator will seek to minimize unnecessary or unreasonable burdens on either party; provided, however, that every reasonable effort will be made to allow the Complainant to continue in his or her academic and/or College employment arrangements. Violation(s) of the Student Title IX Coordinator's directive and/or protective actions will constitute related offenses that may lead to additional disciplinary action.

## INFORMAL RESOLUTION

A Complainant who wishes to file a formal complaint with the Student Title IX Coordinator but who does not wish to pursue Formal Resolution, or an investigative team (in place of a reluctant victim) may request a less formal process, known as "Informal Resolution," as more particularly described in this section.

Although less formal than Formal Resolution, Informal Resolution is an appropriate resolution process; it is not mediation. The Respondent is expected to attend the Informal Resolution proceeding but is not required to participate.

### **A. Purpose of Informal Resolution.**

Informal Resolution provides an opportunity for the Complainant to confront the Respondent, in the presence of, and facilitated by, a presiding officer, and to communicate their feelings and perceptions regarding the incident, the impact of the incident, and their wishes and expectations regarding protection in the future. The Respondent will have an opportunity to respond.

### **B. Advisors.**

The Complainant and the Respondent each may bring an advisor to the Informal Resolution. Advisors are assigned and subject to the same restrictions set forth for advisors in Formal Resolution, outlined above. The Panel Chair or a designee of the Chair will preside over the Informal Resolution and may elect to be assisted by another member of the Panel or senior staff representative of the Vice President of Student Affairs.

### **C. Informal Resolution Where Respondent Acknowledges Responsibility.**

If, during the course of the Informal Resolution, the Respondent elects to acknowledge his or her actions and take responsibility for the alleged sexual misconduct, the Informal Resolution will be concluded and the Panel Chair will propose a sanction. If both the Complainant and the Respondent agree to such proposed sanction, the complaint will be resolved without any further rights of appeal by either party. If either the Complainant or the Respondent objects to such proposed sanction, a hearing before the Panel will be convened for the exclusive purpose of determining a sanction, which determination is subject to appeal. For purposes of this sanction hearing, all of the other provisions of this process relating to the imposition of a sanction for sexual misconduct shall apply (including,



for example, the provision for an impact statement, and the provisions governing the effective date of the sanction).

#### **D. Informal Resolution Where Respondent Contests Responsibility.**

If the Respondent contests the complaint of alleged sexual misconduct, the Vice President of Student Affairs, his or her designee or the Student Title IX Coordinator may nevertheless impose a protective order agreed upon by the parties, or (with or without such agreement) based on information derived from the Informal Resolution proceedings, taken together with any other relevant information known to the College at the time of the Informal Resolution.

#### **E. Election of Formal Resolution.**

The College or the Complainant may, at any time prior to the conclusion of the Informal Resolution, elect to end such proceedings and initiate Formal Resolution instead. In such cases, statements or disclosures made by the parties in the course of the Informal Resolution may be considered in the subsequent Formal Resolution.

#### **F. Privacy of Informal Resolution.**

In order to promote honest, direct communication, information disclosed during Informal Resolution must remain private while the Informal Resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the College.

### **FORMAL RESOLUTION**

A Complainant may elect to pursue a formal resolution, which involves a hearing before the Panel, as more particularly described in this section. Such a hearing is also referred to as "Formal Resolution." Formal resolution shall be completed within a reasonable timeframe (which is usually 60 days) unless extended for good cause by the Student Title IX Coordinator.

#### **A. The Hearing Officer Cadre.**

Formal Resolution involves a hearing before a trained Hearing Officers (the "Cadre") made up of two College administrators. Each hearing will be led by a Chair (Chair). The Cadre is a standing group composed of administrators approved by the VP of Student Affairs. The hearing will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

#### **B. Investigation.**

When the Complainant indicates a desire to pursue Formal Resolution, the Student Title IX Coordinator will forward the complaint to an appointed investigative team. The Student Title IX Coordinator and the Deputy Student Title IX Coordinator may serve as investigators on any investigation, if necessary. The investigation will be conducted in an adequate, reliable



and impartial manner. The investigative team will receive annual training that draws on process, procedures, and professional resources.

Investigators are neutral factfinders, who, during the course of the investigation, typically conduct interviews with the Complainant, the Respondent, and each third-party witness (including expert witnesses, where applicable); visit and take photographs at each relevant site (if necessary); and, where applicable, coordinate with law enforcement agencies to collect and preserve relevant evidence. The completed investigative report (the "investigative report") includes, among other things, summaries of interviews with the Complainant, the Respondent and each witness; summaries of interviews with expert witnesses (where applicable); photographs of the relevant site(s) and related logs; other photographic, electronic and forensic evidence; and a detailed written analysis of the events in question.

A typical investigation should be completed within 15 (fifteen) business days, if not sooner, but may be delayed with good cause, as determined by the Student Title IX Coordinator. If a hearing is granted by the investigative team, the Hearing Chair and the Panel will be provided with a copy of the investigative report. In addition, at least one member of the investigative team shall be present at the Panel hearing to answer any questions the Panel or the parties may have with regards to the investigative report.

The investigative team shall keep the complaint and investigation confidential to the extent possible or as required by law.

### **C. Granting/Denying a Hearing.**

The investigative team will determine whether or not there is enough information available to grant a hearing. If the investigative team determines that a hearing should be granted, notice of that determination will be delivered, concurrently, to both parties and to the Student Title IX Coordinator. If a hearing is denied, a notification summarizing the investigative report will be distributed concurrently to the parties and to the Student Title IX Coordinator.

The investigative team may specify which alleged violations of the Student Code of Conduct, which type or types of sexual misconduct and, if applicable, which other, related alleged misconduct (as described in Section I.B above or the current Student Code of Conduct) will be reviewed by the Panel during the hearing. Concurrently with the delivery of the investigators' notice of a determination, the investigative team may, where the alleged sexual misconduct is sufficiently serious in their reasonable discretion, suggest to the Student Title IX Coordinator that interim measures be taken and may suggest what those interim measures should be, if not already in place.

If the Respondent has been placed on an interim suspension, the Panel will use all information that is provided to the administration (in lieu of an investigative report) in addition to any subsequent information received, as the basis for any sexual misconduct allegation.

A Complainant whose request for a hearing is denied, and a Respondent whose records have been placed on hold, may appeal that decision to the Vice President of Student



Affairs, whose decision will be final.

If the case involves a reluctant Complainant and the investigative team has granted a hearing, the investigative team will present information to the Panel in place of the Complainant. The team may have the option to pursue an informal resolution (see Article V below) with the approval of the Student Title IX Coordinator.

#### **D. Complainant Changes Election to Informal Resolution; Respondent Elects to Accept Responsibility.**

Upon receipt of the investigative report, the Complainant may decide to elect Informal Resolution instead of Formal Resolution, by submitting a written request to the Student Title IX Coordinator prior to the hearing date. At any time prior to the hearing, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged sexual misconduct. In such cases, the Panel Chair will propose a resolution to the Complainant and a sanction. If both the Complainant and the Respondent agree to such proposed sanction, the complaint is resolved without a hearing and both parties will waive their rights an appeal. If either the Complainant or the Respondent objects to the proposed sanction, a hearing before the Panel will be convened for the exclusive purpose of determining a sanction, which determination is subject to appeal. For purposes of this sanction hearing, all of the other provisions of this process relating to the imposition of a sanction for sexual misconduct shall apply (including, for example, the provision for an Impact Statement, and the provisions governing the effective date of the sanction).

#### **E. Notice of Hearing; Challenges to Panel; Delivery of Notice.**

If a hearing is granted by the investigators or occurs as a result of an interim suspension, or is granted by the Vice President of Student Affairs on appeal (as stated in IV(C) above), the Panel Chair will commence the Formal Resolution process by providing written notice to both parties (the "Notice of Hearing") stating: (1) the date, time, and place of the pre-hearing meeting at which preliminary matters will be discussed, as more fully addressed in Section IV.G.2, below; and (2) the names of the Panel members selected to serve as the Panel. A party wishing to challenge the participation of any Panel member must notify the Panel Chair, in writing, within five (5) business days of the scheduled hearing date stating the specific reason(s) for the objection. Failure to do so will constitute a waiver of any objection to the composition of the Panel. If a party wishes to challenge the participation of any panel member and notifies the Panel Chair in writing within the allotted timeframe, the Chair will determine whether the challenge has merit and reserves discretion to make changes in the Panel composition at any time. The Notice of Hearing will be delivered, at the Panel Chair's discretion, by email or in person, and will be considered effective immediately upon receipt. The parties are expected to cooperate in the scheduling of the hearing. If either party fails to appear at the scheduled hearing, the Panel Chair may postpone the proceedings or direct that the Panel proceed and determine the complaint on the basis of the investigative report and any other available information, provided the absent party was given appropriate notification of the scheduled hearing date, as outlined in this section.

#### **F. Advisors to the Parties.**



The proceedings will provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. (Advisor means any individual who provides the accuser or accused support, guidance, or advice.) The proceedings will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

## **G. Hearing Procedures**

**Pre-Hearing Submissions.** The parties will provide the Panel Chair with a list of witnesses they propose to call, copies of documents, and a description of any other information they propose to present at the hearing, on or before a date set by the Chair. Evidence of the Complainant's past sexual history will not be permitted at the hearing unless it is relevant to the complaint. The Chair will provide each party with a copy of the list of witnesses, and identification of copies of documents or other information submitted by each party. In the absence of good cause, as determined by the Chair in his or her sole discretion, the parties may not introduce witnesses, documents, or other information at the hearing that were not provided to the Chair by this deadline. The parties are also responsible for the attendance of their witnesses at the hearing.

**Pre-Hearing Meeting and Determination of Complaint and Witnesses.** The Chair will schedule a pre-hearing meeting prior to the hearing date. At the meeting, the Chair will review hearing procedures with the parties, separately or jointly, at the discretion of the Chair. The Chair will also review the complaint of alleged sexual misconduct (and related misconduct, if applicable), and review the parties' respective lists of proposed witnesses to assist them in eliminating redundant information. The College reserves the right, through the Chair, (a) to add to or modify the alleged violations specified by the investigators, pursuant to Section IV.C, above, at the pre-hearing meeting, and (b) to add witnesses to the witness lists at the pre-hearing meeting and/or at the hearing.

**Pre-Hearing Discussion.** Once a Panel member has been named to a Panel, he or she may not publicly or privately discuss the merits of the complaint with anyone not involved in the proceedings, with the parties themselves, or with anyone acting on the behalf of the parties. The Chair will provide the panelists with a copy of the Notice of Hearing, the investigative report, and the list of witnesses submitted by the parties with an instruction to avoid any public or private discussion of the merits of the complaint.

**Legal Counsel.** Legal counsel may be present (at the expense of the individual parties) at the hearing on behalf of either party. Such counsel may privately consult with and advise the parties during the proceeding, but may not question witnesses, address the Panel or otherwise directly participate in the hearing.

**Conduct of the Hearing.** The hearing will not follow a courtroom model, and formal rules of evidence will not be observed. Accordingly, for example, the parties may elect to rely upon the statements of witnesses contained in the investigative report if such witnesses are unavailable to attend the hearing. The Chair will determine the order of the witnesses (if





any) and resolve any questions of procedure arising during the hearing, if any. The parties are responsible for ensuring that their proposed witnesses are present. Members of the Panel will review in advance of the hearing all the written materials provided to them by the Chair in accordance with Section IV.G.1, above. The parties will have received or been provided the opportunity to review all available materials during earlier stages of the pre-hearing process. The parties will be expected not to repeat undisputed details or non-material circumstances that would merely duplicate information contained in the investigative report or in other written materials. Only the Chair and the Panel may question the individual parties and any witnesses, unless permission is granted by the Chair to modify the questioning process provided the modification does not result in an adversarial tone. Both parties and their advisers may ask the Chair to pose additional questions or inquire further into specific matters by submitting these requests in writing, at the discretion of the Chair. If necessary, a brief break may be granted to allow both parties an opportunity to prepare and submit such requests. The Chair is empowered to disallow or reframe any questions that are irrelevant or redundant. After all witnesses have been questioned, each party may make a closing statement and request a short recess to prepare it. If the Panel determines that unresolved issues exist that would be clarified by the presentation of additional information, the Chair may suspend the hearing and reconvene it in a timely manner to receive such additional information. A delay may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents or other information that should have been presented at the pre-hearing meeting. A Student IX Coordinator or Deputy Student Title IX Coordinator may attend any Provision 4 Hearing at any time to observe the hearing. If the Student Title IX Coordinator or the Deputy Student Title IX Coordinator did not directly participate in the investigation, then their presence in the hearing shall be for the purpose of observation only.

**Testimony or Participation by the Accused.** The Respondent has the option not to testify; however, the exercise of that option will not preclude the Panel from proceeding and determining the complaint on the basis of the investigative report and other available information. In addition, as indicated in Section IV.E, above, if the Respondent fails to appear at the hearing, after being duly notified of its place and time, the Panel will proceed with the scheduled hearing and make a determination on the basis of the investigative report and any other available information.

**Testimony via Electronic Technology.** Upon timely request by a party or witness, the College may be able to make arrangements (in appropriate circumstances) where parties or witnesses are otherwise unable to participate in the hearing via electronic means. The availability of testimony via electronic technology will be at the sole discretion of the Chair.

**Recording.** The hearing will be digitally recorded and is the sole official verbatim record of the hearing for the purposes of FERPA.

**Standard of Proof.** The Department of Education's Office of Civil Rights has interpreted Title IX to require schools to evaluate evidence of alleged sexual misconduct under a "preponderance of the evidence" standard and that is the standard adopted by this process. A preponderance of the evidence means that the information shows that it is "more likely than not" that the Respondent violated College policy. In the context of a hearing, the Respondent will be found to be responsible for the alleged sexual misconduct



if the Panel concludes that such sexual misconduct is more likely than not occurred based upon careful review of all information presented. In making its determination, the Panel shall carefully consider all of the information presented and follow the procedures stated in this process in order to ensure as fair a hearing as possible for all parties.

**Impact Statement.** If the Panel determines that the Respondent is responsible for sexual misconduct, e.g., that the sexual misconduct “more likely than not” occurred, both the Complainant and the responsible student may present the Panel with a statement recommending a sanction (the “impact statement”) for consideration by the Panel. The Panel is not bound by these statements in determining a sanction. Witnesses other than the parties may be allowed to provide a written character statement to the Panel during the Sanction Phase of the hearing. The Chair may determine, in his or her sole discretion, whether portions of any written impact statement should be redacted because of the inflammatory or inappropriate nature of those statements.

**Sanction.** The Panel is required to consider suspending, dismissing, or expelling any student found responsible for sexual misconduct; however, the Panel may impose any sanction that it finds to be fair and proportionate to the violation. In determining an appropriate sanction, the Panel may consider any record of past violations of the Student Code of Conduct, as well as the nature and severity of such past violation(s). The Panel will also consider, as part of its deliberations, whether the sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation on the Complainant and the College community. The sanction decision will be made by the Panel by majority vote. Any sanction imposed will be explained or supported in the written decision of the Panel.

The following are examples of penalties which can be imposed:

1. **Interim Suspension:** Separation from the College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, although this deadline may be extended upon application to, and at the discretion of, the Vice President of Student Affairs/Designee. During the suspension period, the student is banned from College property, functions, events and activities without prior written approval from the Vice President of Student Affairs/Designee. This sanction may be enforced with a trespass action if necessary.

The Student Conduct and Compliance Officer may, at their discretion, remove a student from a class or suspend him or her from the College for an interim period pending an investigation or disciplinary proceedings. The Student Conduct and Compliance Officer may also, with the approval of the President or his/her designee, remove a student from a class or suspend him or her for an interim period, whenever the Vice President/Designee determines in consultation with the Behavioral Intervention Team that there is reasonable cause to believe that the continued presence of a student in class or on the College campus poses a direct threat to the health or safety of others.



**“Direct Threat”** is defined as a significant risk to the health and safety of others (or self) that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services.

The determination that a student poses a direct threat to others shall be made through an individualized assessment based on reasonable judgment relying on the most current medical knowledge of the individual or the best available objective evidence. This assessment shall determine the nature, duration, and severity of the risk, the probability that the potentially threatening injury will actually occur, and whether reasonable modifications of policies, practices, or procedures will significantly mitigate the risk. Following a proper determination that a student poses a direct threat the College may require as a precondition to student’s return that the student provide documentation or information demonstrating that the student no longer poses a direct threat. The documentation or information should allow the College to appropriately assess whether or not the student currently poses a direct threat. Documentation or information could include a treatment plan that the student followed, a report from the student’s treating professional, or consent for the College to talk with the student’s treating professional; this list is non-exhaustive as these are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances. This is a non-exhaustive list and are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances.

1. **Warning Placed in Student Record:** A written notice that the student violated the Code of Conduct and that they will face more severe sanctions if they violate the Code of Conduct again.
2. **Restitution:** Compensation for damage caused to the College or any person’s property.
3. **Community/College Service Requirements:** A student or a student organization can be required to complete a specific service project.
4. **Loss of Privileges:** The student is denied specified privileges for a designated period of time.
5. **Confiscation of Prohibited Property:** Items whose presence is in violation of the Code of Conduct are confiscated and become College property (i.e., weapons, drugs, etc.). Prohibited items may be returned to the owner at the discretion of the Vice President of Student Affairs/Designee and/or Campus Safety.
6. **Behavioral Agreement-** This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
7. **Educational Program or Assignment: Requirement** to attend, present and/or participate in an educational program relative to the violation. It may also be a requirement to sponsor or assist with an awareness program or event. Another possibility is an assignment to produce a written, spoken or videotaped piece on a topic related to the violation.
8. **College Probation:** The student is put on official notice that, should further violations occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.



9. **Eligibility Restriction:** The student is deemed “not in good standing” with the College for a specified period of time. Specific limitations or exceptions may be granted by the Vice President of Student Affairs/Designee and terms of this conduct sanction may include, but is not limited to, the following:
  - a. Ineligibility to hold any office in any student organization recognized by the College or hold an elected or appointed office at the College; or
  - b. Ineligibility to represent the College to anyone outside the College community in any way including, participating in the student abroad program, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
10. **Expulsion:** Permanent separation from the College. The student is banned from College property and the student’s presence at any College sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.
11. **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the office with the approval of the Vice President of Student Affairs/Designee.

Student groups or organizations can also be sanctioned.

The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:

- a. One or more of the sanctions listed above, specifically 1 through 7, 10 through 12, and/or
- b. Deactivation, de-recognition, loss of all privileges (including status as a College registered group/organization), for a specified period of time.

#### B. Interim and Permanent Suspension

1. In some cases, the College will place a hold on the student’s account to prevent the student from registering for additional classes or receiving transcripts. This step is usually taken when a student fails to respond to correspondence or is in the midst of upholding a suspension.
2. In more severe cases, the Vice President/Designee may, at his/her discretion, remove a student from a class or suspend him or her from the College for an interim period pending an investigation or disciplinary proceedings. In the event a student is suspended based on conduct that posed a direct threat to the health and safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services, the College may require as a precondition to student’s return that the student provide documentation or information demonstrating that the student no longer poses a direct threat. The documentation or information should allow the College to appropriately assess whether or not the student currently poses a direct threat. The documentation or information should allow the College to appropriately assess whether or not the student currently poses a direct threat. Documentation or information could include a treatment plan that the student followed, a report from the student’s treating professional, or consent for the College to talk with the student’s treating professional; this list is non-



exhaustive as these are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances. This is a non-exhaustive list and are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances.

If circumstances are such that the Student's Conduct and Compliance Officer determines it is not practical to give the student an opportunity to appear personally before an interim suspension is imposed because the safety of others is of immediate concern because of a direct threat of harm to others, then the Student Conduct and Compliance Officer may issue an interim suspension pending a final decision regarding an adverse action against the student and the opportunity for such an appearance shall be given as soon after the imposition of an interim suspension as is practical. In addition, the student will be afforded the earliest opportunity to speak with the Vice President of Student Affairs/Designee either by phone, through HAWK email or via a letter addressed to the Vice President of Student Affairs/Designee at 5101 Evergreen Road, L-430, Dearborn, MI 48128

3. The College believes suspending or restricting the student will preserve the safety of the student/others, preserve the integrity of an investigation, protect College property and/or prevent disruption of College operations.
4. Voluntary and Involuntary Withdrawals. The Vice President/Designee may also, with the approval of the President or his/her designee, remove a student from a class or suspend him or her for an interim period, for purposes of obtaining a medical, psychiatric or psychological evaluation, whenever the Vice President/Designee determines that there is reasonable cause to believe that the continued presence of a student in class or on the College campus poses a threat to him/herself or to others or to the stability of normal College classes or functions. In such situation the voluntary or involuntary withdrawal process will begin.
5. If practical, a student will be given an opportunity to appear personally before the Vice President/Designee before he or she is suspended on an interim basis. Such an appearance is solely for the purpose of considering:
  - a. The reliability of the information concerning the student's alleged conduct; and
  - b. Whether the alleged conduct and surrounding circumstances reasonably indicate that the continued presence of the student in class or on the College campus poses a threat to him/herself or to others or to the stability of normal College classes or functions.

If circumstances are such that the Vice President/Designee does not believe it is advisable to give the student an opportunity to appear personally before an interim suspension is imposed because of a concern of a threat to themselves or others, the student will be



afforded the earliest opportunity to speak with the Vice President of Student Affairs/Designee either by phone, through HAWK email or via a letter addressed to the Vice President of Student Affairs/Designee at 5101 Evergreen Road, L-430, Dearborn, MI 48128.

**Decision.** The Panel will simultaneously notify, in writing, both the accuser and the accused, of the result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking; Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C.1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.)

**Appeals.** Either party may appeal the Panel's decision by notifying the Chair of the Panel in writing within five (5) calendar days of the date of the Panel's decision. All appeals are not automatically approved. The Vice President of Student Affairs will determine if any of the following criteria is present before granting an appeal.

- substantial evidence not previously considered;
- evidence of bias by the administrator who conducted the disciplinary hearing;
- significant errors in procedures by the administrator who conducted the disciplinary hearing; and/or
- significant finding of inequity in disciplinary actions related to findings.

**Effective Date of Sanction.** Sanctions imposed by the Panel become effective immediately until the resolution of any timely appeal of the Panel's decision. The Vice President of Student Affairs (or his or her designee) may suspend the determination pending exhaustion of any appeals by the Respondent or may allow the Respondent to attend classes or to engage in other activity on a supervised or monitored basis, or may make such other modifications to the determination as may be advisable in the sole discretion of the Vice President of Student Affairs (or his or her designee). The Vice President of Student Affairs (or his or her designee) decision may not be appealed.

**Privacy of the Hearing Process; Final Outcome Letter.** In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearing (including the investigative report, the Notice of Hearing, and the pre-hearing submissions referenced in written statements, testimony, or other information introduced at the hearing, and any transcript of the hearing itself, may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

In addition to complying with Title IX and FERPA, the College is required to comply with the Clery Act. Under the Clery Act, both the Complainant and the Respondent must be informed of the hearing outcome, and the College may not impose any limitations on the re-



disclosure of this information. Accordingly, following the hearing, the Panel will issue a written decision letter (the "Final Decision Letter"), concurrently to both the Respondent and the Complainant. The Final Decision Letter will set forth, as required by the Clery Act, the name of the Respondent; the violation(s) of the Student Code of Conduct for which the Respondent was found responsible, if any; any essential findings supporting the Panel's decision on the issue of responsibility; and the sanction imposed, if any. College policy neither encourages nor discourages the further disclosure of the Final Decision Letter by either the Complainant or the Respondent. The College acknowledges that sharing the Final Decision Letter with others, including family, friends, legal counsel, mental health professionals, and sexual assault advocates or victims, may be a critically important part of a student's healing process.

### ***NOTIFICATION OF VICTIMS OF CRIMES OF VIOLENCE***

In accordance with the Higher Education Opportunity Act (HEOA), the College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the College against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.



***Student and Employee Disciplinary Proceedings  
Utilized in Cases of Alleged Domestic Violence, Dating  
Violence, Sexual Assault, and Stalking***

**Organizational Behavior**

Student groups are subject to the conduct expectations detailed throughout this policy. Any behavior, patterns of behavior, or information suggesting patterns of behavior that creates or contributes to the creation of hostile environment, retaliation, discrimination, or harassment will be investigated and could result in organizational and/or individual charges. Any member of the College community may bring allegations against a student group/organization for violation of the Sexual Misconduct Policy. The College will conduct a preliminary investigation into an incident.

An investigation will be conducted to determine if the allegations have merit and have met the threshold (defined below) to move forward with charges. The Title IX Coordinator may confer with the student group/organization's advisor(s) and/or other faculty and staff with a relationship to the student group/organization to solicit advice and recommendations regarding the case. Ultimately, the College is responsible for determining if the organization and/or individuals will be charged and the process for adjudication. All sections of this policy apply to groups and organizations.

**Statement on Privacy**

The College will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking (to the fullest extent of the law). Additionally, the College will take all reasonable steps to investigate and respond to the complaint consistent with any request for privacy or request not to pursue an investigation. However, its ability to do so may be limited based on the nature of the request by the Complainant. If the Victim requests anonymity or that the College not pursue an investigation, the College must balance this request in the context of its responsibility to provide a safe environment for all College community members. In cases where the College cannot respect the wishes of the Victim, the College will consult with the Victim and keep them informed about the College's course of action.

If the report of misconduct discloses an immediate threat to the college community, where timely notice must be given to protect the health or safety of the community, the College will maintain the privacy of the Victim or Respondent's identities, understanding that in a small community a Campus Safety Alert may make members of the community feel known or singled out.

The College will assess any barriers to proceeding, including retaliation, and in cases where informal or formal resolution will take place, the College will inform the Respondent that Title IX prohibits retaliation, and the College will take strong responsive action to protect the Complainant.

The College has designated individuals to evaluate requests for privacy once the College is





aware of alleged sexual violence. That process is coordinated by the Title IX Coordinator.

***Investigation of Reports of Sexual Misconduct Not Covered Under Title IX Grievance Process (Student Sexual Misconduct Policy)***

The purpose of the Henry Ford College Student Code of Conduct Due Process Procedure is to provide due process and uphold the Student Code of Conduct policy. The HFC Student Code of Conducts' purpose is to protect the safety and well-being of the collage community and to assist the College in providing an environment that supports the educational process. The responsibility for maintaining such an environment is shared by all members of the College community.

**\*\*NOTE:** Complaints about academic matters such as grade disputes, academic dishonesty or levels of customer service are reviewed through the Student Complaint Policy and Procedure. Please review the Student Complaint Policy and Procedure for specific processes and time frames. The policy can be found at <https://policies.hfcc.edu/policy/student-0>. The procedure can be found at <https://policies.hfcc.edu/procedure/8300r>.

All faculty members, staff members, administrators, or those perceived by a Complainant as a person that would address complaints (e.g., teaching assistants, supervisors, coaches, counselors, rape crisis advocates, medical providers, and clergy) are expected to report any disclosures that involve allegations of Sexual Misconduct/Title IX/ Sexual Harassment directly to the College Title IX Coordinators. You may report such incidents at [www.hfcc.edu/incidentreport](http://www.hfcc.edu/incidentreport).**\*\***

Henry Ford College (HFC) is a comprehensive college that is dedicated to maintaining a teaching-learning environment that fosters critical thinking, creativity, personal integrity and self-esteem. We value the diversity of our educational community and of the communities we serve. When an incident is reported for alleged violations of the Student Code of Conduct, the Behavioral Intervention Team (BIT)/ Counseling Assessment Response Education (CARE) Team provide students the opportunity to state their version of events in addition to the due process options stipulated in the due process procedure.

**\*\*The HFC Behavioral Intervention (BIT) Team \*\*assesses, responds, and makes recommendations pertaining to the alleged behavior exhibited by students who may pose a threat to themselves or others in the College community.**

**\*\*The HFC Counseling Assessment Response Education (CARE) Team \*\*assesses, responds, and makes recommendations pertaining to any behavior or incident such as disturbed writings, disturbing statements, disturbing actions that may lead to harm to self or others.**

Students facing alleged violations of the Student Code of Conduct by the College have the right to due process. When a student is alleged to have violated the Code of Conduct, the student receives due process, which includes 1) Receiving a written description of their



possible Code violations, due process options and 2) Having the opportunity to state their version of events by one or more objective decision-makers.

The due process outcome leads to one of three possible outcomes. The student is found either “not responsible” “responsible” or “findings are inconclusive” per violation of the Code. Students found responsible may be sanctioned.

### **Expected Behavior Guidelines**

A college is a community and students have a significant impact on the quality of that community’s shared experience. The Student Code of Conduct is grounded in two core values:

**Respect:** Henry Ford College students show positive regard for the worth, dignity and property of others.

**Responsibility:** Henry Ford College students are given and accept a high level of responsibility to self, to others and to the community.

It is every student’s responsibility to avoid conduct that restricts other individuals from enjoying their rights, privileges and freedoms, or from accessing and benefitting from the college’s offerings.

Students are responsible for being familiar with, and complying with, the Student Code of Conduct, and for upholding its core values of respect and responsibility. <https://policies.hfcc.edu/policy/henry-ford-college-1>)

### **Due Process Procedure (Student Rights)**

The College will use the following procedures to respond to behavior which goes against the values of the College community. The College considers the procedures for resolving disputes a part of its education mission and is committed to a process which provides both peer review and mediation. Resolution and appeal processes are administrative functions and are not subject to the same rules of civil or criminal proceedings. Because some violations of these standards are also violations of law, students may be accountable to both the legal system and the College.

Communication regarding this process will be sent to the student’s HAWK e-mail address. Students have the responsibility to access their email and have the latest contact information on-file through their Web Advisor account.

Some of the procedures related to the Student Code of Conduct policy are subject to the regulations in the Family Educational Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act of 1996 (HIPPA), and Title IX which may limit the amount of information that maybe shared with parties involved in Student Code of Conduct and/or Title IX situations.

### **Definitions**



**“Advocate/Supporter”** is a person of the student’s is choosing who serves as a support person throughout the conflict resolution and/or disciplinary process. In the conflict resolution process; the advocate/supporter may participate in the conflict resolution procedure and speak for themselves not for the student. In the disciplinary or BIT process the advocate/supporter, is not allowed to actively participate in the disciplinary process. Their role is to observe the process and support the student without taking an active role in the process. See hearing procedures for advocate/supporter for further detail.

**“College”** means Henry Ford College.

**“Student”** \*\*means all persons who are currently admitted, enrolled (registered) and/or attending HFC (or upon the issuance of a student ID number). This includes part-time or full-time students despite geographical location i.e., including being enrolled in on-line courses, certificate courses, non-credit courses, and clinical sites.

\*\*\***“Faculty member”** means any person hired by HFC to conduct classroom or teaching activities.

**“College administrator or staff”** means any person who is employed by HFC and has the designation of part-time or full-time status and is hired as a temporary or full-time permanent employee.

**“Campus community and college community”** includes any person who is a student, faculty member, college administrator or staff member employed by HFC, and any authorized non-employed personnel (such as interns). A person’s status in a particular situation shall be determined by the Vice President of Student Affairs/designee.

**“Business days”** refers to days Henry Ford College’s administrative offices are open.

**“Vice President”** refers to the Vice President of Student Affairs (and his or her designee).

**“Vice President’s office”** means the Office of the Vice President of Student Affairs, located in the Administration Building, Room number 430.

**“Policy”** means the written regulations of the College documented but not limited to the HFC Catalog, Student Handbook, Student Code of Conduct, College web site and departmental/division publications.

**"Hearing Officer Cadre"** means the standing group of faculty and/or staff appointed by the Vice President of Students (or his or her designee) to specifically conduct hearings of alleged violations of the Student Code of Conduct.

**"witness/es"** refers to parties who may have information relative to the situation at hand. Witnesses are protected by the Henry Ford College anti-retaliation policies. Reference <https://policies.hfcc.edu/policy/non> for guidelines.

**"Student Code of Conduct"** means HFC's Student Code of Conduct, as enforced by the Office of the Vice President of Student Affairs/ Designee (Student Conduct and Compliance).

**"Conflict Resolution"** means a process of resolving a dispute or disagreement. It mainly aims at reconciling opposing arguments in a manner that promotes and protects the human rights of all parties concerned. Conflict Resolution will only be offered if both parties voluntarily agree to the alternate process as long as the parties are not a threat to themselves or others. Students who are determined by the Student Conduct Officer/Designee and/or the BIT team to have displayed behavior that would not be resolved through conflict resolution and/or whose situation rises to the level of an Interim Suspension is not eligible for this process.

**"Expungement"** means to eliminate or remove from a student's school record.

**"Expulsion"** refers to the removal/banning of a student from the College system for an extensive period of time due to a student persistently violating College's Policies & Procedures, or for a single offense of appropriate severity in extreme cases.

### ***I. Disciplinary Process***

The College has the right, at its discretion, to impose any penalty or combination of penalties in any order, depending on the severity of the conduct or violation which has occurred. It is recognized that "progressive discipline" is not required, and that immediate dismissal is an appropriate discipline for certain conduct, regardless of whether there has been previous discipline. Students who are removed from their course of study as a result of a disciplinary matter, will be financially responsible for the cost of the courses from which he or she is removed.

A. Disciplinary proceedings are subject to the following guidelines:

1. Violations of College rules/regulations may be reported by any College employee, faculty member or student;
2. Reports shall be in writing and shall be filed with the Vice President of Student Affairs or other administrative official designated by the Vice President (or his/her

designee) (hereinafter referred to as “Vice President/Designee”), to the Office of Campus Safety or using the on-line webform [www.hfcc.edu/incidentreport](http://www.hfcc.edu/incidentreport).

3. If the report and evidence are determined by the Vice President/Designee to warrant proceeding further:
  - a. The Vice President/Designee shall notify the student in writing through HAWK email that he/she is accused of a violation of one or more regulations, and shall specify each alleged violation;
  - b. This notification shall include a statement of possible consequences, including potential penalties, and a statement of the student’s right to hearing and other due process rights;
  - c. This notice shall be sent within seven (7) business days after the incident is first filed with the Vice President/Designee. The timeline may be modified by days the College is closed to the public. Such letter shall also specify the course of action available to the student, as indicated below.
  
4. Within seven (7) business days after the Vice President/Designee emails the letter set forth above, the student shall have the right to elect, in writing, one of the following courses of action. The timeline may be modified by days the College is closed to the public:
  - a. The student may voluntarily admit the alleged violation (with or without an explanation) and waive, in writing, their rights to a judicial hearing and other such due process protection and request that the Vice President/Designee take whatever action he/she deems appropriate. If the student elects this option, the decision of the Vice President/Designee is final. The Vice President/Designee has the option to recommend alternative process called “Conflict Resolution” which is described in more detail in the definition section of this Procedure.
  - b. The student also has the option to admit responsibility and elect to enter into an alternative process called “Conflict Resolution.” Conflict Resolution will only be offered if both parties voluntarily agree to the alternate process as long as the parties are not a threat to themselves or others. Students who are determined by the Student Conduct Officer/Designee and/or the BIT team to have displayed behavior that would not be resolved through conflict resolution and/or whose situation rises to the level of an Interim Suspension is not eligible for this process. is described in more detail in the definition section of this Procedure.
  - c. The student may voluntarily admit the alleged violation and request a hearing before the Vice President/Designee. The Vice President/Designee has the option to recommend alternative process called “Conflict Resolution” which is described in more detail in the definition section of this Procedure.
  - d. The student may deny the alleged violation, in which case the Vice President/Designee may conduct an initial investigation and do one of the following:

- i. Dismiss the matter;



- ii. Hear the case;
  - iii. Assign the case to another administrator for hearing; or
  - iv. Offer the parties to participate in Conflict Resolution. Conflict Resolution will only be offered if both parties voluntarily agree to the alternate process as long as the parties are not a threat to themselves or others. Students who are determined by the Student Conduct Officer/Designee and/or the BIT team to have displayed behavior that would not be resolved through conflict resolution and/or whose situation rises to the level of an Interim Suspension is not eligible for this process.
5. The student has the right not to respond. If no response is received from the student within seven (7) business days after the Vice President/Designee emails the letter set forth in IV above, the Vice President/Designee has the right to take whatever measures he/she, in his/her discretion, deems appropriate, including holding a hearing or issuing discipline without a hearing. The timeline may be modified by days the College is closed to the public and/or if there are any mitigating circumstances.
6. If the hearing is to be conducted by an administrator who initiated the disciplinary process or who determined that the allegations warranted further proceeding, the student must agree in writing by the deadline set forth in the notice of allegations to a hearing before such administrator.
7. The student shall be notified at least seven (7) business days prior to the hearing as to the time and place of such hearing, and the name of the individual who will be hearing the matter. The written notice shall contain a statement of the allegations with sufficient particularity so that the student may prepare their defense.
8. If the student objects to the administrator who will be hearing the matter, the student must notify the Vice President/Designee of the objection, in writing, not less than three (3) business days prior to the hearing. The timeline may be modified by days the College is closed to the public or if there are any mitigating circumstances. Upon receipt of a timely objection, the Vice President/Designee will consider the student objection and has the option to assign another administrator to the matter. The Vice President/Designee shall maintain a list of administrators for this purpose. When a timely objection is made, the Vice President/Designee shall assign a neutral individual who shall hear the matter.
9. If the student requests a hearing but fails to respond to the administrator overseeing the hearing within 3 business days from notice of the attempt to set up the hearing; a hearing will be conducted without the student. Failure of a student to appear shall not indicate guilt. The decision on the matter will be rendered with the information provided to the Administrator at the time of the hearing. Communication with the student regarding the decision will take place through HAWK email.

**II. Potential Sanctions (Consequences for breaking the rules)**



A. If a student is found to have committed any offense deemed to violate the Student Code of Conduct, the Vice President of Student Affairs/Designee will levy an appropriate penalty.

The College has the right, at its discretion, to impose any penalty or combination of penalties in any order, depending on the severity of the conduct or violation which has occurred. It is recognized that “progressive discipline” is not required, and that immediate dismissal is an appropriate discipline for certain conduct, regardless of whether there has been previous discipline. Students who are removed from their course of study as a result of a disciplinary matter, will be financially responsible for the cost of the courses from which he or she is removed.

The following are examples of penalties which can be imposed:

- A. **Interim Suspension:** Separation from the College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, although this deadline may be extended upon application to, and at the discretion of, the Vice President of Student Affairs/Designee. During the suspension period, the student is banned from College property, functions, events and activities without prior written approval from the Vice President of Student Affairs/Designee. This sanction may be enforced with a trespass action if necessary.

The Student Conduct and Compliance Officer may, at their discretion, remove a student from a class or suspend him or her from the College for an interim period pending an investigation or disciplinary proceedings. The Student Conduct and Compliance Officer may also, with the approval of the President or his/her designee, remove a student from a class or suspend him or her for an interim period, whenever the Vice President/Designee determines in consultation with the Behavioral Intervention Team that there is reasonable cause to believe that the continued presence of a student in class or on the College campus poses a direct threat to the health or safety of others.

“**Direct Threat**” is defined as a significant risk to the health and safety of others (or self) that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services.

The determination that a student poses a direct threat to others shall be made through an individualized assessment based on reasonable judgment relying on the most current medical knowledge of the individual or the best available objective evidence. This assessment shall determine the nature, duration, and severity of the risk, the probability that the potentially threatening injury will actually occur, and whether reasonable modifications of policies, practices, or procedures will significantly mitigate the risk. Following a proper determination that a student poses a direct threat the College may require as a precondition to student’s return that the student provide documentation or information demonstrating that the student no longer poses a direct threat. The documentation or information should allow the College to appropriately assess whether or not the student currently poses a direct threat. Documentation or information could include

a treatment plan that the student followed, a report from the student's treating professional, or consent for the College to talk with the student's treating professional; this list is non-exhaustive as these are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances. This is a non-exhaustive list and are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances.

1. **Warning Placed in Student Record:** A written notice that the student violated the Code of Conduct and that they will face more severe sanctions if they violate the Code of Conduct again.
2. **Restitution:** Compensation for damage caused to the College or any person's property.
3. **Community/College Service Requirements:** A student or a student organization can be required to complete a specific service project.
4. **Loss of Privileges:** The student is denied specified privileges for a designated period of time.
5. **Confiscation of Prohibited Property:** Items whose presence is in violation of the Code of Conduct are confiscated and become College property (i.e., weapons, drugs, etc.). Prohibited items may be returned to the owner at the discretion of the Vice President of Student Affairs/Designee and/or Campus Safety.
6. **Behavioral Agreement-** This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
7. **Educational Program or Assignment: Requirement** to attend, present and/or participate in an educational program relative to the violation. It may also be a requirement to sponsor or assist with an awareness program or event. Another possibility is an assignment to produce a written, spoken or videotaped piece on a topic related to the violation.
8. **College Probation:** The student is put on official notice that, should further violations occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
9. **Eligibility Restriction:** The student is deemed "not in good standing" with the College for a specified period of time. Specific limitations or exceptions may be granted by the Vice President of Student Affairs/Designee and terms of this conduct sanction may include, but is not limited to, the following:
  - a. Ineligibility to hold any office in any student organization recognized by the College or hold an elected or appointed office at the College; or
  - b. Ineligibility to represent the College to anyone outside the College community in any way including, participating in the student abroad program, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
10. **Expulsion:** Permanent separation from the College. The student is banned from College property and the student's presence at any College sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.





11. **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the office with the approval of the Vice President of Student Affairs/Designee.

Student groups or organizations can also be sanctioned.

The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:

- a. One or more of the sanctions listed above, specifically 1 through 7, 9 through 11, and/or
- b. Deactivation, de-recognition, loss of all privileges (including status as a College registered group/organization), for a specified period of time.

### **B. Interim and Permanent Suspension**

- I. In some cases the College will place a hold on the student's account to prevent the student from registering for additional classes or receiving transcripts. This step is usually taken when a student fails to respond to correspondence or is in the midst of upholding a suspension.
- II. In more severe cases, the Vice President/Designee may, at his/her discretion, remove a student from a class or suspend him or her from the College for an interim period pending an investigation or disciplinary proceedings. In the event a student is suspended based on conduct that posed a direct threat to the health and safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services, the College may require as a precondition to student's return that the student provide documentation or information demonstrating that the student no longer poses a direct threat. The documentation or information should allow the College to appropriately assess whether or not the student currently poses a direct threat. The documentation or information should allow the College to appropriately assess whether or not the student currently poses a direct threat. Documentation or information could include a treatment plan that the student followed, a report from the student's treating professional, or consent for the College to talk with the student's treating professional; this list is non-exhaustive as these are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances. This is a non-exhaustive list and are examples of what could be provided to verify there is no longer the existence of a direct threat, depending on the individual circumstances.

If circumstances are such that the Student's Conduct and Compliance Officer determines it is not practical to give the student an opportunity to appear personally before an interim suspension is imposed because the



safety of others is of immediate concern because of a direct threat of harm to others, then the Student Conduct and Compliance Officer may issue an interim suspension pending a final decision regarding an adverse action against the student and the opportunity for such an appearance shall be given as soon after the imposition of an interim suspension as is practical. In addition, the student will be afforded the earliest opportunity to speak with the Vice President of Student Affairs/Designee either by phone, through HAWK email or via a letter addressed to the Vice President of Student Affairs/Designee at 5101 Evergreen Road, L-430, Dearborn, MI 48128

- III. The College believes suspending or restricting the student will preserve the safety of the student/others, preserve the integrity of an investigation, protect College property and/or prevent disruption of College operations.
- IV. Voluntary and Involuntary Withdrawals. The Vice President/Designee may also, with the approval of the President or his/her designee, remove a student from a class or suspend him or her for an interim period, for purposes of obtaining a medical, psychiatric or psychological evaluation, whenever the Vice President/Designee determines that there is reasonable cause to believe that the continued presence of a student in class or on the College campus poses a threat to him/herself or to others or to the stability of normal College classes or functions. In such situation the voluntary or involuntary withdrawal process will begin.
- V. If practical, a student will be given an opportunity to appear personally before the Vice President/Designee before he or she is suspended on an interim basis. Such an appearance is solely for the purpose of considering:
  - a. The reliability of the information concerning the student's alleged conduct;
  - b. Whether the alleged conduct and surrounding circumstances reasonably indicate that the continued presence of the student in class or on the College campus poses a threat to him/herself or to others or to the stability of normal College classes or functions.

If circumstances are such that the Vice President/Designee does not believe it is advisable to give the student an opportunity to appear personally before an interim suspension is imposed because of a concern of a threat to themselves or others, the student will be afforded the earliest opportunity to speak with the Vice President of Student Affairs/Designee either by phone, through HAWK email or via a letter addressed to the Vice President of Student Affairs/Designee at 5101 Evergreen Road, L-430, Dearborn, MI 48128.

## HEARING PROCEDURE



## **I. Disciplinary Hearing**

- A. All HFC students have the right to the protection of due process in disciplinary proceedings. The student is entitled to a fair and prompt hearing before an impartial person.
- B. During a disciplinary hearing, both the student and the College have the right to be advised by a non-attorney advocate/supporter. If the student desires such a advocate/supporter, but is unable to arrange for the advocate/supporter, the Vice President/Designee, upon request of the student, shall provide the student with a list of five faculty members from whom the student may choose. The role of the representative is to observe the hearing preceding only. This means the advisor's role is non-participatory and cannot speak or cross-examine other parties involved in the hearing (unless documented accommodations through the Assisted Learning Services Office recommend modification of the advisor's role). To facilitate such protection, the following preliminary procedures shall be used in disciplinary proceedings:
  - i. No student may be compelled to testify against himself/herself in a disciplinary hearing;
  - ii. In a disciplinary hearing the student has the right to question those who testify against him/her (in cases where the safety of the parties involved is in question, the questions will be facilitated through the hearing officer); and,
  - iii. No student shall be subject to a disciplinary hearing twice for the same incident or event. However, the student may appeal the decision of the Vice President/Designee to the Judicial Board, as stipulate in the criteria documented in this Procedure.
- C. The Vice President/Designee may modify the time limits and procedures of the disciplinary process when, in his/her discretion, doing so is desirable or necessary to appropriately proceed, and the modification is not contrary to due process requirements.

## **II. Hearing Procedures:**

- A. The student shall be entitled to appear at the hearing in person before the Vice President of Student Affairs/Designee and to present their defense, which may include the presentation of witnesses.
- B. The student shall be entitled to inspect any evidence which the College or Complainant intends to submit at the hearing 48 business hours in advance of the hearing.
- C. The student has the right to elect not to appear at the hearing. Should they elect not to appear, the hearing shall be held in the student's absence. Failure of a student to appear shall not indicate guilt and may not be considered in any finding, decision or recommendation.



- D. If the student elects to have the assistance of an advocate, the advocate's role is non-participatory and the advocate may not examine or cross-examine witnesses unless, in the judgment of the administrator conducting the hearing, the student is unable to question witnesses through some impairment, language impediment or disability, or other reason.
- E. A student shall be permitted to hear evidence against themselves and shall be afforded an opportunity to question all witnesses who testify at the hearing. Each witness shall be asked to affirm that their testimony will be truthful. The witness will also be informed that knowingly furnishing false information may cause the witness to be subject to disciplinary procedures as stated in the Student Code of Conduct.
- F. In cases where the safety of the parties involved is in question, all questions may be facilitated through the hearing officer.

### **III. The Hearing**

- A. The hearing will be closed to the public.
- B. Formal rules of evidence shall not be applicable in student disciplinary hearings. The Vice President/Designee shall admit evidence in their discretion. Without reducing that discretion, the Vice President/Designee shall give appropriate consideration to concerns of confidentiality and privilege, and shall admit evidence which they believe would be considered by reasonable persons in the conduct of their everyday affairs. Unduly repetitious or irrelevant evidence may be excluded at the Vice President of Student Affairs/Designee's discretion.
- C. If the student chooses to testify, the student may refuse to answer questions. The facts of the case shall be determined solely on the basis of evidence presented at the hearing.
- D. The respondent, Complainant and hearing officer may question witnesses and the other parties involved, either directly or through the hearing officer at the hearing officer's discretion. Unduly repetitive witnesses can be limited at the discretion of the hearing officer.
- E. The administrator hearing the matter shall make findings of responsible, not responsible, or inconclusive per each allegation brought against the student. The administrator will make recommendations as to possible sanctions and/or other remedies.
- F. It is the responsibility of the Vice President/Designee or administrator hearing the matter to make an audio taped record of the hearing.
- G. The hearing officer has the right to limit personal belongings in the hearing room and any unauthorized recording of the hearing is prohibited.



- H. After the hearing, the Vice President of Student Affairs/Designee or administrator hearing the matter shall prepare a written statement of the decision and explanation of the reasons for such decision. This information will be provided to the student in the outcome letter.
- I. The decision of the Vice President/Designee is final, unless the penalty involves an expulsion, a suspension, or a permanent notation on the student's record, in which case the student may appeal to the Judicial Board or the Appeal Panel by providing supportive documentation to the Vice President of Student Affairs/Designee identifying the specific reason(s) for the appeal, by selecting one or more of the following:
  - substantial evidence not previously considered;
  - evidence of bias by the administrator who conducted the disciplinary hearing;
  - significant errors in procedures by the administrator who conducted the disciplinary hearing;
  - significant finding of inequity in disciplinary actions related to findings;
  - the cumulative conduct record of the respondent.

#### **IV. Appeals to the Appeal Panel or Judicial Board**

When the penalty imposed involves a suspension, an expulsion, or a permanent notation on the student's record, the student has the right to appeal. Appeal requests must be provided in writing from the students HAWK email account or via a letter addressed to the Vice President of Student Affairs/Designee at 5101 Evergreen Road, L-430, Dearborn, MI 48128

##### A. Appeal Panel

Students who admit responsibility (with or without explanation) may qualify for an appeal request to be reviewed by the Vice President of Student Affairs/Designee as set forth in Section 9, above, must follow the procedures for the Appeal Panel.

Students who deny responsibility and may qualify for an appeal request to be reviewed by the Vice President of Student Affairs/Designee as set forth in Section 9, above, follow the procedure for the Judicial Review Board Appeal.

A request for an appeal will be considered if in the case the sanctions imposed are substantially outside the parameters or guidelines set by the College. A request for an appeal will be considered and may be granted if the request meets the criteria as set forth in Section 9 above.

The President/Vice President will review the appeal request and determine in 5 business days if the request is denied or allowed to proceed to the appeal review board.

The President/Vice President will convene a review board to hear the appeal. The suspension sanction will remain in place while the appeal is being considered, unless it is determined by the VP of Student Affairs that lifting the sanction does not create a threat of harm to the College or to an individual. A decision regarding this issue will be made at



the time the request to appeal is granted or denied. If granted, the Appeal Board is composed of three (3) administrators randomly selected from a pool of administrators.

## B. Appeal Panel Hearing Procedures

1. Within fourteen (14) business days of the composition of the Appeal Panel being finalized, it will meet. The timeline may be modified by days the College is closed to the public or if there are any mitigating circumstances.
2. The review by the Appeal Panel will include examination of the appeal request, the transcript or record of the original hearing, the original allegation and/or physical evidence, and an appeal hearing.
3. The Chair of the Appeal Panel shall limit discussion to only those issues contained in the appeal request. The Appeal Panel shall hear any new evidence, new witness(es) and review the new physical evidence. The Appeal Panel may call other witnesses, seek other information, or hear any other evidence, and recess and reconvene as it deems necessary.
4. The student shall be entitled to appear at the Appeal Panel hearing in person to present their appeal.
5. If the student fails to appear at the hearing, the appeal will be dismissed and the decision at the disciplinary level affirmed.
6. In an appeal hearing before the Appeal Panel, both the student and the College have the right to be advised by a non-attorney representative. If the student desires such a representative, but is unable to arrange for the representative, the Appeal Panel or the Vice President/Designee, upon request of the student, shall provide the student with a list of five faculty members, from whom the student may choose. The role of the representative is to advise the student. If the student elects to have the assistance of a representative, the representative's role is non-participatory and may not examine or cross-examine witnesses. The Appeal Panel may, in its judgment, permit the representative to participate if it determines the student requires assistance (i.e. impairment, language impediment or disability, or other reason).
7. The student shall be permitted to call witnesses who have evidence deemed relevant by the Appeal Panel and shall be accorded an opportunity to question all witnesses who testify at the hearing. Each witness shall be asked to affirm that their testimony will be truthful. The witness will also be informed that knowingly furnishing false information can cause him/her to be subject to disciplinary procedures as stated in the Student Code of Conduct.
8. The hearing will be closed to the public.
9. Formal rules of evidence shall not be applicable in the appeal hearing. The Appeal Panel shall admit evidence in its discretion. Without reducing that discretion, the Appeal Panel shall give appropriate consideration to concerns of confidentiality and privilege and shall admit evidence which it believes would be considered by reasonable persons in the conduct of their everyday affairs. Unduly repetitious or irrelevant evidence may be excluded at the discretion of the Appeal Panel.

## C. Decision By Appeal Panel



The Appeal Panel will make its decision by a majority vote of those present and voting. The Appeal Panel has the authority to take any action it deems appropriate, including the authority to:

1. uphold the disciplinary decision,
2. modify the decision, or,
3. overturn the decision.

The decision of the Appeal Panel will be provided to the student, in writing, within seven (7) business days after it is reached. The Appeal Panel's decision in the matter is final and shall be implemented immediately. The timeline may be modified by days the College is closed to the public.

#### D. Appeal Procedure to Judicial Review Board

1. A student who wishes to appeal a disciplinary decision as set forth above, must request review by the Judicial Board in writing, within ten (10) business days after the decision of the Vice President/Designee is mailed. The timeline may be modified by days the College is closed to the public.
2. The letter of appeal must contain supportive documentation stating the reason(s) for the appeal, based on one or more of the following:
  - a. substantial evidence not previously considered;
  - b. evidence of bias by the administrator who conducted the disciplinary hearing;
  - c. significant errors in procedures by the administrator who conducted the disciplinary hearing;
  - d. significant finding of inequity in disciplinary actions related to findings.
3. In an appeal to the Judicial Board, the appeal shall be decided by majority vote of the members of the Board present and voting.
4. The Judicial Board has the authority to uphold the decision of the Vice President/Designee or other administrator who heard the matter, reverse the decision or modify the decision (which can include an increased penalty). If the Judicial Board elects to modify the decision, it may choose a penalty it deems appropriate, including any penalty set forth in section III (A) of the Student Conduct Policy, "Sanctions."
5. The decision rendered by the Judicial Board is final.



## E. Judicial Board Organization and Hearing Procedure

1. The Judicial Board shall be composed of two students, two faculty members and one administrator.
2. The Chair of the Judicial Board shall be designated by the Vice President/Designee at the beginning of each academic year.
3. A pool of eight students will be assigned by the Student Council to serve on the Judicial Board for one academic year. Two students shall be appointed by the Student Council from the group of eight (8) assigned students with consent of the Student Council to serve on the Board for each particular case.
4. A group of eight faculty members, three of whom shall be from the Academic Education area, three from the Career Education area, and two from the Student Affairs area, will be designated by the Senate for one academic year. Two faculty members shall be appointed by the Senate to hear each case.
5. The student will be informed within seven (7) business days of the composition of the Judicial Board, and of the date, time, and place of the Judicial Board appeal hearing. A student may challenge a Judicial Board member. Any objection to a Judicial Board member must be made in writing, within three (3) business days of the letter indicating the composition of the Board. A Judicial Board member shall be disqualified if a majority of the Judicial Board members agree that the student has made a reasonable showing for the objection. A replacement for a successfully challenged member will be selected from the same group as the challenged member and in the manner described in Section IIIB. The timeline may be modified by days the College is closed to the public.
6. Within fourteen (14) business days of the composition of the Judicial Board being finalized, it will meet. The timeline may be modified by days the College is closed to the public or if there are any mitigating circumstances.
7. The review by the Judicial Board will include examination of the appeal request, the transcript or record of the original hearing, the original allegation and/or physical evidence, and an appeal hearing.
8. The Chair of the Judicial Board shall limit discussion to only those issues contained in the appeal request. The Judicial Board shall hear any new evidence, new witness(es) and review the new physical evidence. The Judicial Board may call other witnesses, seek other information, or hear any other evidence, and recess and reconvene as it deems necessary.
9. The student shall be entitled to appear at the Judicial Board hearing in person to present their appeal.
10. If the student fails to appear at the hearing, the appeal will be dismissed and the decision at the disciplinary level affirmed.
11. In an appeal hearing before the Judicial Board, both the student and the College have the right to be advised by a non-attorney representative. If the student desires such a representative, but is unable to arrange for the representative, the Judicial Board or the Vice President/Designee, upon request of the student, shall provide the student with a list of five faculty members, from whom the student may choose. The role of the representative is to advise the student. If the student elects to have the assistance of a representative, the representative's role is non-participatory and may not examine or cross-examine witnesses. The Judicial Board may, in its judgment,





- permit the representative to participate if it determines the student requires assistance (i.e. impairment, language impediment or disability, or other reason).
12. The student shall be permitted to call witnesses who have evidence deemed relevant by the Judicial Board and shall be accorded an opportunity to question all witnesses who testify at the hearing. Each witness shall be asked to affirm that their testimony will be truthful. The witness will also be informed that knowingly furnishing false information can cause him/her to be subject to disciplinary procedures as stated in the Student Code of Conduct.
  13. The hearing will be closed to the public.
  14. Formal rules of evidence shall not be applicable in the appeal hearing. The Judicial Board shall admit evidence in its discretion. Without reducing that discretion, the Judicial Board shall give appropriate consideration to concerns of confidentiality and privilege and shall admit evidence which it believes would be considered by reasonable persons in the conduct of their everyday affairs. Unduly repetitious or irrelevant evidence may be excluded at the discretion of the Judicial Board.

#### F. Decision By Judicial Board

The Judicial Board will make its decision by a majority vote of those present and voting. The Judicial Board has the authority to take any action it deems appropriate, including the authority to:

- a. uphold the disciplinary decision, or
- b. modify/overturn the decision.

The decision of the Judicial Board will be provided to the student, in writing, within seven (7) business days after it is reached. The Judicial Board's decision in the matter is final and shall be implemented immediately. The timeline may be modified by days the College is closed to the public.

**END OF DOCUMENT**

### **MACOMB COMMUNITY COLLEGE<sup>4</sup>**

#### **Police Mission Statement and Purpose**

The College Police Department is charged with the responsibilities of providing police, fire, and security services within the confines of the Macomb Community College Campuses.  
Purpose:

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<sup>4</sup> The following represent the policies provided to Madonna University by Macomb Community College.



1. The College Police will provide police services that will include prevention, control, assistance, apprehension, and prosecution.
2. The College Police will provide fire security services that will include prevention, detection, record-keeping, and extinguishing within the capabilities of the Department.
3. The College Police will provide security services for all campus buildings, lands, and property therein.
4. The College Police will participate in activities designed to improve its overall effectiveness and compatibility with the campus community at large and with other criminal justice agencies.
5. The College Police will act in every instance in accordance with the policies and regulations of the College.

### **Macomb Community College Police Authority and Jurisdiction**

The Macomb Community College Police Department is a professional, full-service law enforcement agency with the responsibility to provide police services to all areas of our campus community. Its sworn officers include a captain, lieutenants, sergeants, uniformed police officers, and public service officers. Civilian support personnel consist of public service officers who provide security, fire protection and some dispatch support. Additional personnel are administrative assistants and communications/ dispatch operators.

Certified officers of the Macomb Community College Police Department have complete police authority to apprehend and arrest anyone involved in illegal acts on campus. All criminal offenses, as well as violations of College rules and regulations that are committed by College students, are reported to the Dean of Students for possible disciplinary action or sanctions.

All criminal offenses are investigated by the College Police Department assistance may be requested from outside police agencies, as needed. Officers within the police department have received additional training and have been certified as evidence technicians. Evidence collected is turned over to the Michigan State Police crime laboratory for analysis. Upon completion of a criminal investigation, warrant requests are submitted to the Macomb County Prosecutor's Office for review.

The Macomb Community College Police work closely with local, state, and federal police agencies and have direct radio communications with surrounding police departments. By mutual agreement with state and federal agencies, the Macomb Community College Police maintain LEIN (Law Enforcement Information Network) terminals at each College Police station. Through this system, police personnel can access the National Crime Information Computer and retrieve database information from the Michigan State Police and Michigan Secretary of State.



College Police officials maintain a close working relationship with all surrounding police agencies and will be advised of student criminal activity that may cause a safety concern on campus. This information will also be turned over to the Dean of Students for review and possible disciplinary action.

## **Reporting of Crimes and Emergency Situations**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to the Macomb Community College Police Department in a timely manner. Crimes should be reported to the Macomb Community College Police Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. All crime reports will be investigated.

Macomb Community College does not have procedures for voluntary, confidential reporting of crimes. Violations of the law will be referred to law enforcement agencies and, when appropriate, to the Dean of Students for review. When a potentially dangerous threat to the College community arises, timely reports or warnings will be issued through established methods of communication.

Members of the College Police command staff attend monthly county-wide investigator's meetings as well as a monthly police chiefs' meeting to exchange ideas and discuss issues which may be of concern to the Macomb Community College community.

To report a crime, emergency situation, or suspicious activity:

Contact the Macomb Community College Police at:

**Center Campus**, I Building, 103, 586 286 2123

**South Campus**, K Building, 340, 586 445 7135

### **911 from any College phone for emergencies**

Exterior phones that are designated by blue lights are located adjacent to parking areas at all campuses. Persons calling 911 from cell phones will be connected to a local off-campus police agency that will coordinate police response. Any suspicious activity or person seen in the parking lots, or loitering around vehicles or buildings, should be reported to the Macomb Community College Police Department. According to the Clery Act, the College has designated campus security authorities throughout the institution.

The following is an example where Campus Security Authorities may be found to facilitate reporting of crimes and can be contacted at the numbers and locations listed below:

Counseling and Academic Advising Manager Center Campus, H	586 226 4993
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Associate Dean of Health & Human Services Center Campus, E-219	586.286.2097
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Dean of Student Success Center Campus, H-114	586.445.7408
Director of the Public Service Institute East Campus, 163-5	586.498.4066
Dean of University Relations University Center, 1-201	586.263.6266
Manager, Sports & Expo Center South Campus, P-149	586.445.7538
Director of Enrollment Services South Campus, G-301	586.286.2187
Director, Workforce and Continuing Education M-TECSM, B-104	586.498.4108

## **Crime Prevention Information**

### General Crime Prevention:

The Macomb Community College Police Department is continually involved in researching methods to improve all aspects of police work. These include utilization of digital video cameras, electronic door alarms, emergency telephones, public awareness crime prevention seminars, and distribution of related brochures.

Dissemination of current crime trends, incidents, and statistics are brought to the campus communities' attention by printing them in student publications, including the Schedule of Classes. Composite drawings of suspects involved in campus crime incidents, with accompanying articles, are published in the local newspapers, posted on bulletin boards, and entered into the College electronic mail system if the seriousness of the incident warrants.

Each semester, the Macomb Community College Police Department makes available crime prevention literature and safety information in the form of pamphlets and video display. Seminars or presentations can be requested by student or staff groups and can be tailored to cover specific information related to crime prevention. This may include prevention of assault, robbery, sex crime, date rape, stalking, carjacking, vehicle theft, identity theft, active shooter, weather emergencies, and general crime prevention.

In addition to crime prevention, other services such as lost and found procedures, handicap parking information, after-hour building access, and procedures concerning emergency weather and fire are provided. Direction for help in obtaining alcohol- drug abuse assistance, spouse or child abuse, and emergency shelter information is available. Assistance will also be provided in locating towing companies for vehicle service.



The most common mistakes people make regarding personal safety and property loss are:

1. Walking alone to an unlocked vehicle, entering, and then looking for car keys, leaving oneself vulnerable to danger.
2. Leaving books and personal property in plain view inside vehicles which are many times unlocked.
3. Overindulging in alcoholic beverages and becoming vulnerable to date rape or other dangers.
4. Driving intoxicated, endangering your life and the lives of others.
5. Leaving purses, book bags, and laptop computers unattended in classrooms, restrooms, and library tables or study cubicles.
6. Leaving lockers and desks unlocked.
7. Leaving driver's license and credit cards in library, bookstore, or at ATMs.

Crime Tips:

- Do not walk alone at night, and do not work or study in deserted areas or empty classrooms or alone in your car.
- Use the "buddy" system or call Macomb Community College Police for escorts.
- Keep purses, wallets, and other property with you at all times.
- Mark your books with your name and a hidden code number on a specific page for identification in case of loss or theft.
- Look for College Police Officers on marked police bikes or marked patrol vehicles for help or to report any suspicious situations.

### **Issuing Timely Warnings**

In the event that a situation arises, whether on or off campus that, in the judgment of the Director of the College Police or his/her designee, constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. Depending on the particular circumstances of the incident, especially in all situations that could pose an immediate threat to the College community and individuals, the Director of College Police or his/her designee may also post an "emergency notification." The timely warning or emergency notification will be posted by one or all of the following methods:

- ✓ Posting on Public Bulletin Boards



- ✓ Website (www.macomb.edu)
- ✓ Informa cast Phone System
- ✓ Emergency Messenger System
- ✓ The College-Wide Email System
- ✓ Social Media
- ✓ Local News Media

## **Emergency Evacuation Procedure**

Announcements of the need to evacuate a building are made over the College Emergency Alert Phone System.

Unless instructions are given e elevators, persons with disabilities should use the elevators to reach the floor. Able-bodied persons capable of using stairs should avoid the elevators, making the elevators more available to persons with disabilities. In the event elevators cannot be used, persons with disabilities should go the stairway landings and wait for emergency and rescue personnel. If a student has a personal attendant, they should discuss emergency evacuation plans with their attendant in advance. Emergency personnel responding to the building will be checking the stairway landings upon their arrival for persons with disabilities.

Stay together as a group. Faculty should be prepared to account for their students and notify College Police (dial 911 from a College phone) of any persons with disabilities requiring assistance. If possible, have someone stay behind with persons with disabilities until emergency personnel arrive.

Remain calm and walk—do not run.

Once outside the building, keep at least 100 feet from the building and any emergency vehicles. Move toward the outer-edge of the campus (i.e., South Campus—move outward to 12 Mile, Hayes, Bunert or Martin; Center Campus—move toward Garfield, Hall Road, condos or hospital; East Campus—move toward Dunham; MTEC—move toward 11 Mile or Van Dyke).

Stay outside the building until police or fire personnel have given an “All-Clear” announcement.

## **Total Campus Evacuation**

Announcements of a total campus evacuation will be made over the College Emergency Alert Phone System.

Remain calm and walk—do not run.

Unless instructions are given not to use elevators, persons with disabilities should use the building elevators to reach the ground floor. Able-bodied persons capable of using stairs should avoid the elevators, making the elevators more available to persons with disabilities.



In the event elevators cannot be used, persons with disabilities should go to the stairway landings and wait for emergency rescue personnel. If a student has a personal attendant, they should discuss emergency evacuation plans with their attendant in advance. Emergency personnel responding to the building will be checking the stairway landings upon their arrival for persons with disabilities.

Faculty—be prepared to account for all students and notify College Police (dial 911 from a College phone) of any persons with disabilities requiring assistance. If possible, have someone stay behind with persons with disabilities until emergency personnel arrive.

Exit the building and go to your vehicle. Exercise patience when leaving parking areas. Follow evacuation route instructions given by police or fire personnel.

### **Michigan Sex Offender Registration Law and Information**

The “Campus Sex Crimes Prevention Act” is a federal law enacted on October 28, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

In the state of Michigan, convicted sex offenders are required to contact the police agency where they reside. The Macomb Community College Police do not provide registration or verification services to registered sex offenders.

Updated sex offender information can be found on the Michigan Public Sex Offender Registry at [http://www.michigan.gov/msp/0,4643,7-123-1878\\_24961---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1878_24961---,00.html)

### **Security and Access to the Campus Facilities**

The Macomb Community College Police are on duty 24 hours a day, 365 days a year. Ingress and egress of campus buildings and property are monitored by College Police through patrols, digital video cameras and electronic alarms. After-hours access requires authorization and sign-in with College Police. Macomb

Community College has no residential facilities.

Security considerations such as lighting and sidewalks on campus are monitored by the College Police and the Plant Operations department. Issues affecting security are reported to the proper department, and repairs are made by College staff.

### **College and Community Resources**

#### **Macomb Community College Counseling and Advising Office**

Center Campus	586 445 7999*	H-103
South Campus	586 445-7999*	J-160

\*Menu, Press 5

#### **Macomb County Health Department**



Mt Clemens	586 469 5235
St. Clair Shores	586 466 6800
Warren	586 465 8090
Macomb County Crisis Center	586 307 9100
	(M–F: 8:30am–9pm; S–S: 8:30am–9pm)
	800 273 8255 (24 HRS: 800.273.8255)

Macomb County Office of Substance Abuse	586 948 0222
Macomb County Youth Interim Care Facility—24 Hour	586 465 1212
Macomb County Prosecutor	586 469 5350

**Outside Agencies**

Child Protective services—24-Hour	855 444 3911
Vulnerable Adults’ Hotline	
Salvation Army MATTs—24 Hour	586 755 5191
Salvation Army Warren	586.754.7400
Salvation Army Mt. Clemens	586.469.6712
Poison Control Center	1 800 222 1222
Turning Point	586 463 6900
Michigan HIV/STD	1 800 872 2437

**Crime Victims’ Compensation**

If you have experienced financial loss due to personal injury as a result of being a victim of crime, you may apply for Crime Victims’ Compensation.

For further information on benefits that may be available to you contact:

**Crime Victim Services Commission**  
 320 South Walnut Lansing, MI 48913  
 517 373 7373

or contact the **Crime Victims’ Rights Unit** at 586.469.5675.

**Domestic Violence**

If you have been a victim of domestic violence and would like information about emergency shelter, counseling and support services, you may contact:

**Turning Point, Inc.—Domestic Violence Shelter**  
 586.463.6990 (24-hour crisis line)

**Sexual Assault**

If you have been a victim of sexual assault and would like information about medical assistance, counseling and support services, you may contact:





## **Turning Point's Sexual Assault Program**

586 463 6990

## **Sexual Assault Nurse Examiner**

586 463 6990

### **Personal Protection Orders**

Your legal rights include the right to go to court and file a petition requesting a Personal Protection Order to protect you and other members of your household from domestic abuse. The Order would restrain or enjoin an individual from one or more of the following:

1. Entering onto the premises.
2. Assaulting, attacking, beating, molesting or wounding you.
3. Threatening to kill or physically injure you.
4. Removing minor children from you, except as otherwise authorized by a custody or visitation order issued by a court of competent jurisdiction.
5. Purchasing or possessing a firearm.
6. Interfering with your efforts to remove your children or personal property from premises that are solely owned or leased by the individual to be restrained.
7. Interfering with you at your place of employment or engaging in conduct that impairs your employment relationship or environment.
8. Engaging in any other specific act or conduct that imposes upon or interferes with your personal liberty or that causes a reasonable apprehension of violence.

You do not need an attorney to obtain a Personal Protection Order. Forms are available at the Macomb County Clerk's Office. If you would like assistance, you may contact:

P.P.O. Office

586 469 7494

Macomb County Court Building 40 N. Main, 1st Floor

Mt Clemens, MI 48043

### **College Police Service—24 Hours a Day**

- Campus Patrol
- Emergency Assistance, Weather, Fire, Hazardous Materials
- Crime Reporting and Investigation
- Accident Reporting
- Emergency First Aid, CPR and Automated External Defibrillator
- Safety and Crime Prevention Presentations
- Distribution of Crime Prevention Materials
- Escort to Vehicle
- Lost and Found
- Assistance with Vehicle Lock Outs

### **Macomb Community College Police Department**



Center Campus	586 286 2123	I-103
South Campus	586 445 7135	K-340

### **College Policy on Weapons**

No person, other than law enforcement personnel or a person authorized by the Director of the Macomb Community College Police Department, or his or her designee, shall possess a weapon on property owned, leased, or otherwise in the possession of Macomb Community College.

As used in this policy, the term “weapon” shall mean:

- (1) firearms, including tasers and stun-guns;
- (2) explosives or explosive devices including, but not limited to, fireworks, firecrackers, or firearm ammunition;
- (3) knife, stabbing instrument, brass knuckles, blackjack, club;
- (4) other object specifically designed or customarily possessed for use as a weapon; or
- (5) an object or substance, not normally considered a weapon, that is used in a threatening or harmful manner likely to cause bodily injury or death.

### **Substance Abuse Policy**

#### **Campus Rules and Regulations**

Possession or use of alcohol or drugs on Macomb Community College’s campuses or at any College function is prohibited. The following excerpts from the Macomb Community College Handbook on Rights and Responsibilities explain the College’s regulations regarding alcohol and drugs:

#### **Article I—Alcoholic Beverages**

Section a: No person shall be under the influence of, or in possession of, alcoholic beverages while on College grounds, except as noted in section c.

Section b: Possession shall consist of having an open or unopened container of alcoholic beverage on the person, or in the vehicle of occupancy, immediately before challenge by an enforcing official.

Section c: Exception to the consumption of alcoholic beverages on campus is permitted only by special authorization granted through the Office of the Vice President for Community and Professional Education.

#### **Article V—Drugs**



No person shall use, possess, distribute or sell drugs except as expressly permitted by law.

Violations of any rule or regulation regarding drugs or alcohol may be reported to the College Department of Public Safety seven days a week, 24 hours a day. Call South Campus Public Safety at 586.445.7135 or Center Campus Public Safety at 586.286.2123.

### **Drugs and Alcohol: Know the Risks**

It's said, you are what you eat. Well, you are what you inhale, inject, and drink, too. Drug and alcohol abuse are hazards to your physical and emotional health. Specific effects differ from person to person depending on the drug used, the amount and the conditions under which the drug is used, but every time you inhale, inject, or raise a glass you put your body and mind at risk.

- Chronic use of drugs and alcohol can lead to physical and psychological dependency.
- Use of cocaine or crack can result in irregular heartbeat, radical and violent changes in behavior, and death
- If drugs are injected, the user risks AIDS, hepatitis, and other infections.
- Long-term abuse can lead to organic damage, such as cirrhosis of the liver seen in alcohol abuse, or lung and mouth cancer as a result of marijuana use.
- Hallucinogenic drugs, such as LSD, cause delusions, mental distortions, and can result in violent reactions and death.

Additionally, since illicit drugs vary in form, purity, and strength, the drug user constantly risks an overdose, which can cause psychosis, convulsions, coma or death. But abusers don't just endanger their own lives. They jeopardize the health and lives of everyone around them when their drug and alcohol use results in accidents in the workplace and on the road.

### **Disciplinary Sanctions**

Disciplinary action will be taken by the College for violations of these rules. Depending upon the nature of the violation, it may take the form of arrest and referral for prosecution, dismissal from the College, probation, temporary or permanent suspension from a class or program, denial of honors, certificate, or degree, restitution, or restrictions on activities or privileges.

### **Legal Sanctions**

In addition to these College regulations, all applicable township, city, county, state, and federal laws, statutes, and regulations regarding drug and alcohol use shall apply on all College property and at all College-sponsored events. According to the laws of the State of Michigan, distribution, sale, or use of an illicit drug is punishable by fines, probation, and/or imprisonment.



It is also unlawful for any person under 21 years of age to purchase, consume or possess alcoholic liquor. Violators of this law are subject to fines and/or participation in substance abuse prevention programs.

Any person operating a vehicle while impaired or intoxicated is subject to restriction or denial of driver's license, and/or fines, and/or imprisonment.

### **Where to Get Help**

Macomb Community College recognizes that alcoholism and drug abuse can directly affect student success inside and outside the classroom. If you, or someone you know, needs help or information regarding alcohol and drug abuse, here are some resources available to you on campus and throughout the county. Most information is free and many treatment and counseling centers operate on an ability-to-pay basis.

### **College Resources**

Counseling Office Center Campus H-103 586 286 2228  
South Campus H-316 586 445 7211  
Referral for drug and alcohol problems.

Special Populations  
(Single Parent Homemaker/Displaced Homemaker Program)  
South Campus H-311-6 586 445 7003  
General information and referral for drug and alcohol problems.

### **Selected County Substance Abuse Services**

MCOSA  
22550 Hall Rd., Clinton Twp. 586 469 5278

Macomb County clearinghouse for information, assessment and referrals for individuals and/or families with drug and alcohol problems.

Eastwood Clinic  
35455 Garfield, Clinton Twp. 586 792 5335

Eastwood Clinic  
20811 Kelly #103, Eastpointe 586 445 2210

Mental health and all substance abuse. Group and individual therapy. Wide range of insurances accepted. Covered by (MCOSA).

Evergreen Counseling Center  
33200 Dequindre #200, Sterling Heights 586 268 6550

Alcohol and drug abuse and mental health  
Alcoholics Anonymous Metropolitan Office  
380 Hilton, Ferndale 248 541 6565



Peer recovery program for alcoholics. [www.aa.org](http://www.aa.org)  
Henry Ford Behavioral Health  
42633 Garfield, Ste. 314, Clinton Twp. 1 800 436 7936

Outpatient alcohol and drug abuse treatment. Individual, family and group counseling.  
Clinton Counseling Center  
Two Crocker Boulevard, Mt. Clemens 586 468 2266

Outpatient alcohol and drug abuse treatment. Individual, family and group counseling.  
Macomb Family Services  
36975 Utica Rd., Ste. 104, Clinton Twp. 586 226 3440  
124 W Gates, Romeo 586 752 9696

43200 Dequindre, Ste. 105, Sterling Hts. 586 254 5660  
35000 Division, Richmond 586 727 5529

Providing services for mental health, substance abuse, gambling, domestic violence, senior services, and parent education.

Millennium Treatment Services  
1400 E. 12 Mile, Madison Hts. 248 547 2223

Drug free and Methadone Program (funded). Death therapists. Works with dual diagnosis clients and communicable diseases. HIV testing site.  
Narcotics Anonymous  
726 Livernois Rd., Ferndale 248 544 2010

Peer recovery program for drug addicts.

A complete directory to Macomb County substance abuse services is available by calling the Macomb County Office of Substance Abuse, 586.469.5278.

Publication and distribution of this information is in compliance with the requirements of the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1989.

## **Title IX—Sexual Harassment, Sexual Misconduct and Prevention Policies and Procedures for Responding to Reports of Sexual Harassment and Sexual Misconduct.**

### 1.0 Introduction.

Title IX of the Education Amendments of 1972 (“Title IX”) is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. All public and private colleges and universities receiving any federal financial assistance must comply with Title IX. Under Title IX, federally funded colleges and



universities must ensure that students of all ages are not denied or limited in their ability to participate in or benefit from the school's educational programs or activities on the basis of sex. Sexual misconduct as defined in Section 6.0 of this Policy is a form sex discrimination prohibited by Title IX and this Policy.

Macomb Community College ("College") is firmly committed to maintaining a campus environment free from sexual discrimination. As used in this Policy, the phrase "sexual discrimination" includes, but is not limited to, sexual misconduct which is defined as sexual assault (including rape and acquaintance rape), domestic/dating violence, stalking and sexual harassment. Sexual discrimination of any kind will not be tolerated by the College and is expressly prohibited. The College has jurisdiction to investigate and take certain actions with respect to reports of sexual discrimination and retaliation covered by this Policy. Persons covered by this Policy who engage in sexual discrimination and/or retaliation may be subject to discipline. In addition, the College may take steps to prevent the recurrence of any sexual discrimination and remedy the discriminatory effects on the Complainant and others, if appropriate.

This Policy also expresses the College's commitment to provide information and educational programs designed to raise awareness of sexual discrimination and prevent the college community from falling victim to sexual discrimination.

2.0 Policy Coverage. This policy covers sexual discrimination and retaliation in connection with reports of possible sexual discrimination made under this Policy. Sexual discrimination encompasses disparate treatment on the basis of sex or gender and a range of behaviors that can create a hostile educational environment, including sexual assault and sexual harassment.

This policy applies to sexual discrimination or retaliation committed by a College student, employee\*, or a third party if that sexual discrimination or retaliation occurs:

- A. On campus, or
- B. Off campus, if:
  - 1 In connection with a College or College-recognized program or activity; or
  - 2 In a manner that may pose an obvious and serious threat of harm to, or that may have the effect of creating a hostile educational environment for, any member(s) of the College community.

This policy and related processes may also, at the College's discretion, apply to a Respondent's reported violations of other College policies if, in the College's judgment, those other allegations are directly related to the reported sexual discrimination.

**\*Sexual misconduct reportedly committed by a College employee, including by student-employees in the context of their employment, will continue to be investigated by the Human Resources Department in accordance with the procedure outlined in the College's Unlawful Harassment Policy.**

3.0 Reporting Sexual Discrimination or Retaliation. The reporting of sexual discrimination or retaliation is voluntary. A person who believes they have experienced sexual discrimination



or retaliation has the right to refuse to report it. Nevertheless, the College strongly encourages the prompt reporting of sexual discrimination and retaliation.

3.1 Who May Report Sexual Discrimination or Retaliation. A report of sexual discrimination or retaliation may be made by:

- A person who believes they experienced sexual discrimination (a “Complainant”); or
- A person who has information that sexual discrimination may have been committed by a College student or employee, or by a third party (a “Reporter”).

3.2 Persons Receiving Reports of Sexual Discrimination or Retaliation. Reports of sexual discrimination or retaliation should be made to:

- Title IX Coordinator, Dr. Casandra Ulbrich, Vice President College Advancement and Community Relations, 14500 E. Twelve Mile Road, Warren, Michigan 48088, 586.445.7244, 586.445.7998 (fax), ulbrichc@macomb.edu Reports may also be submitted to the Title IX Coordinator from the College website using an electronic report form.
- College Police Department  
South Campus  
14500 E. 12 Mile Rd. – K340  
Warren, MI 48088  
Phone: 586 445 7135 Fax: 586 445 7128  
policesouth@macomb.edu  
Center Campus  
44575 Garfield Rd. - I103 Clinton Township, MI 48038  
Phone: 586 286 2123 Fax: 586 286 2298  
policecenter@macomb.edu
- “Responsible Employees” of the College, if the assault occurred on campus. For the purposes of this Policy, “Responsible Employees” means the President, Vice Presidents, Provost, Deans, Associate Deans, Administrators and teachers, and persons designated “Campus Security Authorities” by the College as required by the Jeanne Clery Act.

Reports made to the College Police Department or to a Responsible Employee shall be forwarded to the Title IX Coordinator for review and investigation, if appropriate. In addition, upon being notified of an alleged sexual assault or other form of sexual misconduct that may constitute a crime, the Title IX Coordinator will notify the College Police Department to ensure appropriate distribution of College-wide warnings, if needed, and maintenance of accurate crime statistics, and to assist in the investigation as may be required under the circumstances.

Sexual misconduct that occurs off campus should be reported to the law enforcement agency for the city, township or county in which the misconduct took place.

3.3 Importance of Timely Reporting. To promote timely and effective investigation and review, the College strongly encourages Reporters and Complainants to make reports of

possible sexual discrimination as soon as possible following the occurrence of the behavior giving rise to the concern. Although the Title IX Coordinator may pursue a report made later, the lapse of time may make it more difficult or impossible to gather relevant and reliable information.

3.4 Preservation of Evidence. If an incident of sexual assault, domestic assault, dating violence, or stalking occurs, it is important to preserve evidence so that successful criminal prosecution remains an option. The victim of a sexual assault should not wash, shower or bathe, douche, brush teeth, comb hair, or change clothes prior to a medical exam or treatment. If a victim has removed the clothing, he or she was wearing during the assault prior to seeking medical treatment, that clothing should be placed in a brown paper, not plastic, bag and brought to the hospital when treatment is sought. If the victim is still wearing the clothes that he or she was wearing during an assault, he or she should bring a change of clothes with him or her to the hospital so that the clothes containing possible evidence can be preserved and examined for evidence of the crime. Evidence of violence, such as bruising or other visible injuries, following an incident of sexual assault, or domestic or dating violence, should be documented by taking a photograph. Evidence of stalking, including any communications such as written notes, email, voice mail, or other electronic communications sent by the stalker, should be saved and not altered in any way.

#### 4.0 College Response Procedure.

4.1 Services. Victims of sexual misconduct or retaliation will be offered appropriate confidential support and other resources. The Dean of Student Success office will coordinate the provision of any services provided by various College offices.

4.2 Interim Interventions. The College will take appropriate steps to prevent and/or address any retaliatory conduct against the Complainant/victim that may be connected to a report. In addition, the College may take other action to protect the Complainant/ victim and College community as may be reasonable and appropriate under the circumstances. Such interim interventions may include separation of the Complainant/ victim and Respondent in the academic setting or other interventions outlined in Section 4.8, "Sanctions." Interim interventions may be kept in place until the end of any review or appeal process.

4.3 Decision to Proceed with Investigation. The Title IX Coordinator is not required to assign an Investigator or otherwise investigate any report alleging facts that, if true, would not constitute a violation of this Policy. In all cases, the final decision on whether, how, and to what extent the College will conduct an investigation, and whether other measures will be taken in connection with any allegation of sexual discrimination or retaliation, rests solely with the Title IX Coordinator.

4.4 Requests for Confidentiality. If the Complainant requests that his or her name not be disclosed to the alleged perpetrator, or asks that the report of sexual misconduct not be pursued, the Title IX Coordinator shall inform the student that honoring the request may limit the College's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. If the Complainant insists that his or her name not be disclosed to the alleged perpetrator or that the College not investigate or seek action against the alleged perpetrator, the Title IX Coordinator shall determine whether the





College can honor the Complainant's request while still providing a safe and nondiscriminatory environment for all students, including the Complainant. In considering a Complainant's request for confidentiality that could preclude a meaningful investigation or potential discipline of the alleged perpetrator, the Title IX Coordinator should consider all relevant factors. If consideration of such factors results in a determination that the report must be investigated in order to provide a safe and nondiscriminatory environment for all students, the College may conduct an investigation and pursue disciplinary action, if appropriate, in a manner that discloses the student's identity to the alleged perpetrator.

4.5 Investigation. If the Title IX Coordinator decides upon review to investigate a report of sexual discrimination or retaliation, she will generally forward a report to a Deputy Title IX Coordinator for assignment to an Investigator(s). Upon assignment of a complaint to an Investigator, the Title IX Coordinator, the Deputy Title IX Coordinator and the Investigator shall confer with respect to the investigation. The Investigator shall regularly report the progress of the investigation and review the information collected with the Title IX Coordinator and the Deputy Title IX Coordinator

For complaints against students, the Deputy Title IX Coordinator is Dr. Susan Boyd, Dean of Student Success, 14500 E. Twelve Mile Road, Warren, Michigan 48088, CH 114, 586.445.7408, 586.445.7160, (fax), boyds@macomb.edu

For complaints against employees or others, the Deputy Title IX Coordinator is Ms. Denise Williams, Vice President of Human Resources, 14500 E. Twelve Mile Road, Warren, Michigan 48088, CS 312, 586 445 7897, 586 445 7874 (fax), williamsdl@macomb.edu

The Investigator(s) will conduct an adequate, reliable, impartial and prompt investigation of those reports assigned by the Title IX Coordinator. In most cases, the Investigator(s) will meet separately with the Complainant (if participating), Respondent, Reporter (if applicable), and interview any witnesses identified by Complainant, Respondent or the College. A digital audio recording may be made of any interview if appropriate under the circumstances. The Investigator(s) will also review other relevant information gathered during the investigation, including any police investigatory documents and student or personnel records that may be available. Occasionally, a different or less formal response to the report may be warranted depending upon the nature of the report and the circumstances involved.

At any time during the course of an investigation, the Complainant, Respondent, or any witnesses may provide a written statement, other supporting materials, or identify other potential witnesses, regarding the matter under review. The Complainant and Respondent may have an advisor with them at any meeting related to the investigation of the reported discrimination.

Investigations shall be conducted by College employees that receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation in a manner that protects the safety of victims, promotes accountability, and assures adequate due process for victims and Respondents.



4.6 Standard of Proof. The Investigator's findings will be made using the preponderance of the evidence standard. This standard requires that the information supporting a finding of responsibility be more convincing than the information in opposition to it. Under this standard, individuals are presumed not to have engaged in sexual discrimination or retaliation unless a preponderance of the evidence supports a finding that sexual discrimination or retaliation occurred.

4.7 Investigation Findings and Outcome Notification. In most cases, the Investigator will report his/her findings in writing to the Deputy Title IX Coordinator at the conclusion of an investigation. The Investigator's written findings will generally include:

- 1 A summary of the investigation;
- 2 The Investigator's findings; and
- 3 A summary of the Investigator's rationale in support of the findings.

The Deputy Title IX Coordinator shall review the Investigator's findings and forward them to the Title IX Coordinator.

Upon receipt of the Investigator(s) written findings, the Title IX Coordinator shall, in writing, simultaneously notify Complainant and Respondent of: the Investigator(s)' findings; the sanctions imposed on Respondent, if any; the steps, if any, the College will take to remedy the effects and prevent recurrence of the discrimination, and notice of appeal rights.

If a Complainant has expressed a desire, in writing, not to be notified of the outcome, the College will honor that decision. In such cases, the College will not send the notification itself to the Complainant, but may proceed with any necessary follow-up, including as described below, and may need to provide notification of that follow-up if appropriate.

4.8 Sanctions. If the Respondent is found responsible for sexual discrimination or retaliation, the College may initiate a process designed to eliminate the discrimination, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and Title IX obligations. Sanctions or interventions may also serve to promote safety or deter students from similar future behavior. Some behavior is so harmful to the Respondent and/or the College community, or so deleterious to the educational process, that it may require more serious sanctions or interventions including, but not limited to, removal from specific courses or activities, suspension from the College, or expulsion. Sanctions other than interim measures previously imposed shall be effective after the expiration of the appeal period set forth in Section 4.9 or the decision of the College Disciplinary Panel, whichever is later.

4.9 Appeal. Complainant or Respondent may appeal the decision of the Title IX Coordinator to the College Disciplinary Panel. Written Notice of an Appeal shall be filed with the Title IX Coordinator within ten (10) days of the date of the Title IX Coordinator's decision. The Notice of Appeal shall state with specificity why the Title IX Coordinator's decision should not stand.

Complainant or Respondent may seek review only on the following grounds:



- A material deviation from the procedures affected the outcome of the case;
- There is new and relevant information that was unavailable, with reasonable diligence and effort, at the time of the investigation that could reasonably affect the investigation findings;
- The sanctions, interventions and/ or remedies are inappropriate or disproportionate to the determined violation(s); or
- A review of all available and relevant information indicates that the evidence clearly does not support the finding(s) and provides firm and definite support for modifying the original finding(s).

Upon receipt of a timely filed Notice of Appeal, the Title IX Coordinator shall inform the College Disciplinary Panel of the appeal and notify the Complainant (if participating) and Respondent of the date by which the appeal will be decided. The date by which the appeal will be decided may be adjourned for good cause.

The College Disciplinary Panel shall be composed of a Vice President designated by the President or the Vice President's designee, an academic dean or the Dean's designee, and a faculty member appointed by the Macomb Community College Faculty Senate.

The Disciplinary Panel's decision should be made within ten (10) days of the date Notice of Appeal is filed with the Title IX Coordinator. These timelines are intended as guidelines and may be extended by the Disciplinary Panel if the circumstances of the case justify an extension.

The College Disciplinary Panel will review the matter based on the issues identified in the request for appeal. The College Disciplinary Panel may affirm, modify or reverse the decision of the Title IX Coordinator, or remand the appeal to the Title IX Coordinator for additional investigation. The College Disciplinary Panel will issue its final and unreviewable decision and make it available to the Complainant (if participating), Respondent (if participating), Title IX Coordinator and Deputy Title IX Coordinator in writing, simultaneously.

4.10 Timelines. The College will strive to complete its investigation and the sanction/remedy process, if applicable, and simultaneously share the results of that review with Complainant and Respondent within sixty (60) calendar days after the Title IX Coordinator receives a report of sexual discrimination. There are, however, factors beyond the control of the College that may affect the time needed to conduct a fair, reliable, impartial and prompt investigation of a report of sexual discrimination or retaliation including, but not limited to:

- Availability and cooperation of Complainant (if participating), Respondent (if participating) and/ or witnesses
- Illness, injury or extended absence of College employees conducting or participating in the investigation of the report or appeal
- Weather or other Acts of God that result in the College being closed

The Title IX Coordinator may extend the time for completing the investigation for good cause. Any such extension shall not exceed thirty (30) calendar days.

If Complainant or Respondent appeals the Title IX Coordinator's decision to the College Disciplinary Panel, the timelines are extended to accommodate the time necessary for appeal provided in Section 4.9.

5.0 Student Expectations and Rights. Certain student protections and expectations pertain to the process for resolving student sexual discrimination and retaliation allegations. Complainants and Respondents participating in this process may expect the following:

5.1 Respect for Privacy. Information regarding sexual discrimination and retaliation reports, and any investigation or review of those reports, including any sanction determinations, may be shared with College employees with a legitimate educational interest or with external individuals or entities on a need-to-know basis and only as permitted under College policy and applicable law.

5.2 Notice of Rights. Any student or employee who reports an incident of sexual discrimination, whether the incident occurred on or off campus, shall receive a written explanation of their rights and options as provided for under this policy.

5.3 Participation in Process. Complainants, Respondents, Reporters or witnesses may choose to participate or decline to participate in the investigation. However, even if a Complainant or Respondent declines to participate the College may continue to investigate the matter and issue findings based on available information.

5.4 Protection from Retaliation and Assurance of Fair Treatment. The College will take appropriate steps to ensure that a person who in good faith reports, complains about, or participates in a sexual discrimination investigation will not be subjected to retaliation by the Respondent or by others with knowledge of the underlying report. Anyone who believes they are experiencing retaliation is strongly encouraged to report that concern using the same procedure for reporting possible sexual discrimination under this policy. A retaliation concern will be reviewed as a separate offense under this policy; that is, a person can be found responsible for retaliation even if not found to be responsible for the underlying reported sexual discrimination.

The College also will take appropriate steps to ensure that a Respondent accused of sexual discrimination or retaliation is treated fairly throughout the College's review.

5.5 Coordination with Legal Proceedings. Students may simultaneously engage criminal prosecution procedures and/or civil litigation in connection with the same behavior that forms the basis of a sexual misconduct report under this policy. In such cases, the College is committed to appropriate coordination with the College Police Department and local law enforcement and may, if requested and appropriate, share information with those agencies. The College will fulfill its obligation to take immediate and appropriate action to investigate possible sexual misconduct even if there are other external processes or procedures pending in connection with that same sexual misconduct report. Similarly, if the College finds sexual misconduct has occurred, the College will take effective steps to end it,

prevent its recurrence, and address its effects, and sanction the Respondent regardless of what external proceedings may also be pending.

Standards for criminal investigations are different than the standards for a violation of this Policy, and therefore the College will not base its decisions under this policy solely on law enforcement reports and/or actions. Accordingly, the College will not normally wait for the conclusion of a criminal investigation or other proceedings before implementing its review of reported sexual misconduct under this policy.

**5.6 Protection Orders.** The College is committed to ensuring that orders of protection issued by courts are fully enforced on College property. Therefore, if a student or employee obtains a Personal Protection Order or Restraining Order, he or she should promptly inform the College Police Department and provide the College Police Department with a copy of that order, so that the College can enforce it. The College is also committed to protecting victims from any further harm, and if the College Police Department determines that an individual's presence on campus poses a danger to one or more members of the College community, it can issue an institutional No Trespass letter barring that individual from College property.

**6.0 Definitions.** For purposes of this policy, the following terms have the definitions provided below.

**Complainant:** An individual who reportedly experienced sexual discrimination, regardless of whether that individual participates in the disclosure or review of that report by the College at any point.

**Investigator:** An appropriately trained individual, who may be a College employee, who reviews and investigates reports of sexual discrimination under this policy.

**Reporter:** An individual who reports to the College a concern regarding possible sexual discrimination. A Reporter need not be a Complainant

**Respondent:** A College student or participant in a College Program who is reported to have engaged in sexual discrimination. This term also includes individuals whose identities are unknown if (a) there is reason to believe that individual may be a College student or participant in a College Program or (b) the Complainant or Reporter is a student.

**Sexual Misconduct:** Sexual assault (including rape and acquaintance rape), domestic/dating violence, stalking and sexual harassment, if that conduct is sufficiently serious to limit or deny a student's ability to participate in or benefit from the College's educational program, i.e. creates a hostile environment. Sexual misconduct may occur between people of the same sex or between people of different sexes. Sexual misconduct can include both intentional conduct and conduct that results in negative effects, even if those negative effects were unintended. Sexual misconduct can also include retaliation in connection with a Complainant's or Reporter's allegations under this policy. Sexual misconduct includes the following:

**Sexual Assault: Criminal Sexual Conduct** as defined in the Michigan Penal Code. Criminal Sexual Conduct includes sexual penetration or sexual contact by the actor with another person by force or coercion or under circumstances where the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

**Sexual penetration:** Sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.

**Sexual contact:** The intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for revenge, to inflict humiliation, or out of anger.

**Mentally disabled:** A person that has a mental illness, is intellectually disabled, or has a developmental disability.

**Mentally incapable:** A person that suffers from a mental disease or defect that renders that person temporarily or permanently incapable of appraising the nature of his or her conduct

**Mentally incapacitated:** A person rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or due to any other act committed upon that person without his or her consent.

**Physically helpless:** A person that is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.

**Force or coercion:** Includes but is not limited to:

- When the actor overcomes the victim through the actual application of physical force or physical violence
- When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute these threats
- When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute this threat as used in this subdivision, "to retaliate" includes threats of physical punishment, kidnapping, or extortion.
- When the actor engages in the medical treatment or examination of the victim in a manner or for purposes that are medically recognized as unethical or unacceptable
- When the actor, through concealment or by the element of surprise, is able to overcome the victim.

**Consent:** A willing, non-coerced act of sexual contact or sexual penetration between persons of sufficient age who are not mentally incapable, mentally incapacitated, nor physically helpless



Acquaintance Rape: Sexual assault on a person by an actor known to the person assaulted

Domestic/Dating Violence: An assault or assault and battery upon a spouse or former spouse, an individual with whom a person has or has had a dating relationship, an individual with whom a person has had a child in common, or a resident or former resident of a person's household.

Assault: An attempted battery or an unlawful act which places another in reasonable apprehension of receiving an immediate battery.

Battery: An intentional, unconsented and harmful or offensive touching of the person of another

Dating relationship: Frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between two (2) individuals in a business or social context

Stalking: A willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

Victim: An individual who is the target of a willful course of conduct involving repeated or continuing harassment.

Course of conduct: A pattern of conduct composed of a series of 2 or more separate noncontinuous acts evidencing a continuity of purpose

Harassment: Conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress.

Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

Emotional distress: Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling

Un-consented contact: Any contact with another individual that is initiated or continued without that individual's consent or in disregard of that individual's expressed desire that the contact be avoided or discontinued.

Unconsented contact includes, but is not limited to, any of the following:

- Following or appearing within the sight of that individual.
- Approaching or confronting that individual in a public place or on private property
- Appearing at that individual's workplace or residence.
- Entering onto or remaining on property owned, leased, or occupied by that individual
- Contacting that individual by telephone
- Sending mail or electronic communications to that individual

- Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual

### **Sexual Harassment: Unlawful Harassment as defined in the College's Unlawful Harassment Policy**

Advisor: An individual chosen by a Complainant or Respondent to provide advice at in-person meetings with College employees reviewing a report of possible sexual discrimination under this policy. The person chosen as Advisor shall not be the Complainant, Respondent, a witness, or Reporter with respect to the report under review, and shall not speak on behalf of the person they are advising.

Title IX: Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106) (as amended) is a federal law that prohibits sex-based discrimination, including but not limited to sexual harassment, sexual assault, and retaliation in education programs that receive federal financial assistance.

Title IX Coordinator: The College official charged with ensuring the College's overall compliance with Title IX and related College policy.

College Program: A College-sponsored activity that primarily includes elementary, secondary, or postsecondary student participants.

7.0 Awareness and Prevention Programs. The College provides primary prevention and awareness programs for students registering for classes for the first time and for all new employees in order to promote the prevention and awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The College also offers ongoing prevention and awareness campaigns for students and College employees.

#### 8.0 Resources:

**Macomb County Turning Point, Inc.**

586 463 4430

586.463.1771 (fax)

**Macomb County Crisis Center**

586 307 9100

**Oakland County HAVEN**

248 334 1274

877.922.1274 (toll free)

**Common Ground Sanctuary**

24-hour crisis hotline 248 456 0909





800 231 1127

**YWCA Interim House**

313 861 5300

**National Domestic Violence Helpline**

800.799.SAFE (800.799.7233) (toll free)

800.787.3224 TTY (toll free)

**National Sexual Assault Hotline**

800.656.HOPE (4673)

**Child Abuse/Neglect (24-hours MI)**

Macomb: 855.444.3911 (toll free)

Oakland: 855.444.3911 (toll free)

Wayne: 855 444 3911

**Vulnerable Adult Abuse/Neglect**

Macomb: 877.412.6109 (toll free)

Oakland: 866.975.5010 (toll free)

Wayne: 800 716 2234

A person who believes a violation has occurred may also file a complaint with the Michigan Department of Civil Rights, 110 West Michigan Avenue, Suite 800, Lansing, Michigan 48913, or with the Office of Civil Rights, U.S. Department of Education, 600 Superior Avenue East, Cleveland, Ohio 44114.

Approved by President's Council August 20, 2014

Revised October 14, 2015

**Safety Tips**

- Preventing Acquaintance Rape
- It is never okay to force or coerce any individual to engage in sexual activity.
- Be aware that "force" can be emotional coercion, verbal pressure and intimidation as well as physical force.
- Trust your instincts, stand up for yourself, and be willing to "make a scene."
- Support your friends. Intervene if you see them making decisions that are harmful to others or to self.
- Consent requires sober, verbal permission for each and every sexual activity.
- Consent cannot be legally given if one or both parties are intoxicated by alcohol or other drugs.

Stalking is a crime. Stalking is defined as any unwanted contact between a stalker and their victim which directly or indirectly communicates a threat or places the victim in fear. Stalking behaviors may include following a person, repeated and unwanted phone calls or email contact, and leaving gifts for their victims. Stalking is not flattery; it is a stalker's attempt to control and exert power over their victims.



## MADONNA UNIVERSITY - LIVONIA CAMPUS CRIME STATISTICS

Offense	On Campus			Residential Facilities (a subcategory of On-Campus)			Non-Campus Property			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	1	1	1	0	0	1	0	0	0	0	0	0
Fondling	0	3	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	3	0	2	0	0	0	0	0	0	0	0	0
Burglary	1	1	1	0	1	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	2	2	0	2	1	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	6	12	1	6	6	1	0	0	0	0	0	0
<b>Arrests</b>												
Liquor law violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0	0	0	0
<b>Disciplinary referrals</b>												
Liquor law violations	4	1	6	4	1	6	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0	0	0	0

### Hate Crimes:

2022: One on-campus residential intimidation incident characterized by racial bias.

2021: One on-campus intimidation characterized by racial bias.

2020: No hate crimes reported.

### Unfounded Crimes:

2022: No unfounded crimes reported.

2021: No unfounded crimes reported.

2020: No unfounded crimes reported.



Southfield Center Crime Statistics									
Offense	On Campus			Non-Campus Property			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Liquor law violations	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary referrals</b>									
Liquor law violations	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0

Hate Crimes:

2022: No hate crimes reported.  
 2021: No hate crimes reported.  
 2020: No hate crimes reported.

Unfounded Crimes:

2022: No unfounded crimes reported.  
 2021: No unfounded crimes reported.  
 2020: No unfounded crimes reported.



Macomb College Campus Crime Statistics									
Offense	On Campus			Non-Campus Property			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	0	0
<b>Arrests</b>									
Liquor law violations	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary referrals</b>									
Liquor law violations	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0

Hate Crimes:

2022: No hate crimes reported.  
 2021: No hate crimes reported.  
 2020: No hate crimes reported.

Unfounded Crimes:

2022: No unfounded crimes reported.  
 2021: No unfounded crimes reported.  
 2020: No unfounded crimes reported.



Henry Ford College Campus Crime Statistics									
Offense	On Campus			Non-Campus Property			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Liquor law violations	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary referrals</b>									
Liquor law violations	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0

Hate Crimes:

2022: No hate crimes reported.

2021: No hate crimes reported.

2020: No hate crimes reported.

Unfounded Crimes:

2022: No unfounded crimes reported.

2021: No unfounded crimes reported.

2020: No unfounded crimes reported.



## FIRE SAFETY REPORT

The following definitions apply to Madonna University's Annual Safety Report, per the requirements of the Higher Education Opportunity Act.

- *Fire*: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
- *Cause of Fire*: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
- *Unintentional Fire*: A fire that does not involve an intentional human act to ignite or spread into an area where the fire should not be.
- *Intentional Fire*: A fire that is ignited, or that results from the deliberate action, in circumstances where the person knows there should not be a fire.
- *Undetermined Fire*: A fire in which the cause cannot be determined.
- *Fire-related Injury*: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals.
- *Fire-related Death*: Any instance in which a person:
  - (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
  - (2) Dies within one year of injuries sustained as a result of the fire.
- *Fire Safety System*: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
- *Value of Property Damage*: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business



interruption.

## **Fire Reporting**

The reporting of any fire in progress should be made to the Department of Campus Safety by dialing 911 or extension 5442 from a campus phone or (734) 432-5442 from a cell phone. Activation of any fire detection and/or notification systems in a building that is continuously monitored will be reported directly to Campus Safety. Campus Safety will advise the appropriate fire response.

Additional reporting as required by Michigan Public Act 207 of 1941 and Administrative rules for New and Existing School, College and University Fire Safety, Rule 9 which states, "After the occurrence of a fire that results in loss of life or property or in personal injury, the administrative authority of the facility shall immediately notify the local fire department of all details of the fire."

If assistance is required from the Livonia Police Department or the Livonia Fire Department, Campus Safety will contact the appropriate department(s).

1. *Safety Steps During Fire Emergencies* Call Campus Safety by dialing extension 5442 or 911 from a campus phone, or Dial (734)-432-5442 or 911 from a cell phone.
2. Sound any available fire alarm.
3. Calmly evacuate the building.

## **Residence Halls**

Madonna University has three residence halls on the Livonia Campus that have an automatic fire alarm system. Additionally, the Living Learning Community Center and the Apartment Living Center have fire sprinkler systems. A licensed contractor tests the system on a yearly basis.

## **Fire Drills**

The Residence Halls on the Livonia Campus held 10 fire drills during the 2022 calendar year.

- Three were held in the Living Learning Community Center (LLC).
- Three were held in the Apartment Living Center (ALC).
- Three were held in the University Center (UC).
- One was held in Clare Hall

## **Fire Safety Regulations**



The following are room regulations every resident must follow.

- Smoke detectors are located in all residence hall rooms as a source of early warning in case of fire. To ensure it is working properly, test your smoke detector monthly. Smoke detectors can be tested by pushing the test button on the bottom of the detector. If the detector fails to sound an alarm or if it emits a short beep intermittently, the battery needs to be replaced. Contact the Director of Residence Life if this should occur.
- Electrical Appliances must be U/L approved and good judgment should always accompany its use. Extension cords must be three pronged and well maintained, with no breaks in the insulation. No microwaves are allowed in residence hall rooms. The use of irons is not permitted in student rooms and may be used only in the laundry room.
- Room decorating should be limited to non-flammable materials. Candles and incense are prohibited.

### **General Fire Safety Guidelines for Madonna University**

1. Do not prop open or obstruct doors.
2. Do not lock or close a fire door to prevent exiting. Fire doors are equipped with door closing mechanisms.
3. Remove all obstructions from emergency exits.
4. Report blocked or locked fire exits to Campus Safety.
5. Do not obstruct fire alarm pull boxes, fire extinguishers, fire sprinkler heads, smoke detectors or any other fire protection device.

### **Electrical Appliances**

1. Do not allow electrical appliances to be near common combustible materials.
2. Observe good housekeeping practices.
3. Do not allow clutter and/or combustible materials to collect.
4. When a fire alarm sounds, exit the building immediately.

### **Open Flame Burning**

- Open flame burning of any kind (e.g., candles, burners, incense, etc.) is prohibited. Any exceptions must be approved by the Director of Campus Safety. Should the origin of any fire be traced to a resident ignoring this policy, the resident may be subject to disciplinary action. Residence Hall rooms may be inspected by University officials to ensure a safe, healthy living environment.



## Smoking

- Smoking is not permitted in any University building.

## Emergency Evacuation Instructions

- Emergency Evacuation Instructions are located in every room. Contact the Director of Campus Safety at 734-432-5441 for additional information.

## Procedures for Evacuation in the Case of Fire

- When an emergency fire alarm is sounded in any University building, including student Residence Halls, all persons will immediately leave the building in an orderly manner by means of the nearest exit.
- The use of elevators is prohibited during an emergency evacuation and all persons are to remain at least 100 feet away from an evacuated building to enable rescue/responding vehicles and personnel clear access.
- Under no circumstances are any employees or students to remain in, or return to, an evacuated building, unless they first secure the permission of Campus Safety personnel, local police or fire officials, and/or an “ALL CLEAR” is issued by Campus Safety.

## Fire Safety Training

- Fire extinguisher training is available to the University community. Contact the Director of Campus Safety for information.

## Fire Statistics

In 2008 the Higher Education Opportunity Act (HEOA) expanded and reauthorized the Higher Education Act (HEA) of 1965. The resulting amendments include mandatory annual reporting of fire statistics. Those statistics have been compiled and are included as part of a separate section in Annual Security Report. Data will continue to be collected and reported annually in this manner in accordance with the provisions of the HEOA.

Residence Hall Fire Statistics 2022									
Building name	Street address	Total fires in each building	Fire number	Date	Time	Cause of fire	Number of injuries that required treatment at a medical facility	Number of deaths related to a fire	Value of property damage caused by fire
University Center (Residence Hall)	14221 Levan Road	0					0	0	0
Living Learning Community Center (Residence Hall)	14221 Levan Road	0					0	0	0



The Apartment Living Center (Residence Hall)	14221 Levan Road	0					0	0	0
Clare Hall* (Residence Hall)	14221 Levan Road	0					0	0	0

\*Clare hall opened and was occupied on August 25, 2022

Residence Hall Fire Statistics 2021									
Building name	Street address	Total fires in each building	Fire number	Date	Time	Cause of fire	Number of injuries that required treatment at a medical facility	Number of deaths related to a fire	Value of property damage caused by fire
University Center (Residence Hall)	14221 Levan Road	0					0	0	0
Living Learning Community Center (Residence Hall)	14221 Levan Road	0					0	0	0
The Apartment Living Center (Residence Hall)	14221 Levan Road	0					0	0	0

Residence Hall Fire Statistics 2020									
Building name	Street address	Total fires in each building	Fire number	Date	Time	Cause of fire	Number of injuries that required treatment at a medical facility	Number of deaths related to a fire	Value of property damage caused by fire
University Center (Residence Hall)	14221 Levan Road	0					0	0	0
Living Learning Community Center (Residence Hall)	14221 Levan Road	0					0	0	0
The Apartment Living Center (Residence Hall)	14221 Levan Road	0					0	0	0

