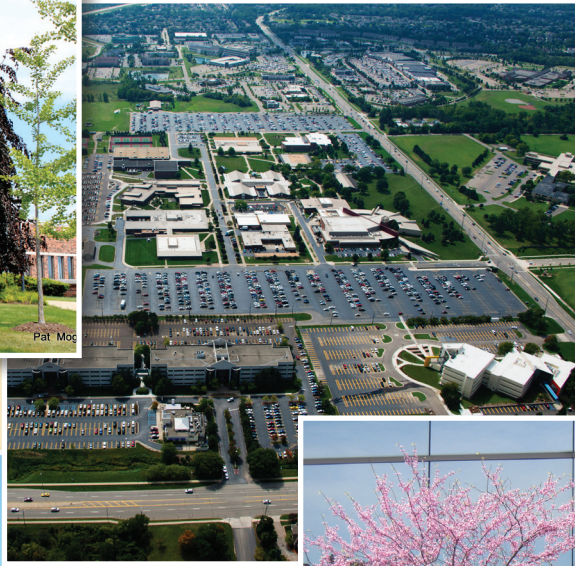




**Schoolcraft  
College**



# ANNUAL SECURITY REPORT 2020

***Schoolcraft College***  
***2020 Annual Security Report***  
***Reporting 2019, 2018 and 2017 Crime Statistics***

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**Introduction**

The Annual Security Report (ASR) is compiled and published by the Schoolcraft College Police Department (Campus Police) each year to meet the compliance requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Additionally, a compliant campus is a safer campus, something Schoolcraft College makes a priority.

The Clery Act requires the publishing of an ASR every year no later than October 1. This year's publishing date was extended by the Department of Education to December 31, 2020 due to COVID-19. The ASR reports crime statistics and safety policies for the prior calendar year; for example, this year's ASR is published by December 31, 2020 and is reporting on the three prior calendar years' Clery crime statistics (2019, 2018 and 2017) and the required policy statements.

The Clery Compliance Committee assisted in the development of this report and consists of representatives from several departments, including: the Chief Human Resource and Risk Management Officer (Title IX Compliance Officer), the Chief of Operations (Clery Compliance Officer), the Chief Academic Officer, the Dean of Students (Title IX Deputy Coordinator for Students) the Campus Police Chief, the Campus Police Lieutenant, the Director of Financial Aid, and the Registrar. The representatives from these departments collaborate in identifying and evaluating processes, procedures and practices to manage compliance with the Clery Act.

Additionally, they are responsible for assigning the development of each policy statement requirement to the appropriate department and for reviewing the policy statements for accuracy prior to publication of the Annual Security Report.

**Notice of Availability**

Schoolcraft College's 2020 Annual Security Report is available on the Campus Police webpage at: <http://www.schoolcraft.edu/asr2020> and also found on the bottom of the home page of the College website, <http://www.schoolcraft.edu> titled "[Security Report](#)" It is distributed annually to all students, faculty and staff. Hard copies are also available from the Campus Police office located in the lower level of the Jeffress Center on the main campus, 18600 Haggerty Road, Livonia, MI.

The 2020 ASR includes crime statistics for crimes that occurred on any of the College's three campuses, adjoining properties, and short stay-away trips in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. If you have any questions about this report, please contact us at 734-462-4424.

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**Federal Regulation of Campus Security**

Schoolcraft College is governed by a range of federal statutes, regulations, and agency enforcement guidance concerning crime reporting and the handling of serious incidents on campus. Failure to comply can have significant financial and legal consequences for an institution and more importantly, adversely affect the lives of students, employees, and campus visitors.

Several Federal compliance laws affect campus policies, procedures and safety/security practices such as the Clery Act, Title IX, and the Violence Against Women Reauthorization Act of 2013 (VAWA), Sec. 304. Each is discussed below.

**The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)**

The Clery Act requires institutions of higher education to comply with certain campus safety- and security-related requirements as a condition of their participation in the Title IV, Higher Education Act (HEA) programs (Financial Aid). In March of 2013, President Obama signed the reauthorization of the Violence Against Women Act (VAWA), which amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) was passed in 1990, named in honor of a Lehigh University freshman who was assaulted and murdered in 1986 in her dorm room. This act requires all postsecondary institutions participating in the Higher Education Act of 1965 (HEA) Title IV student financial assistance programs to disclose campus crime statistics and security information. The U.S. Department of Education enforces Clery Act requirements. Penalties for not complying with the Clery Act have more than doubled from their original amount, to \$58,328 per violation (as of January 2020). Penalties for non-compliance could also include the withholding of federal funds.

The law requires colleges and universities to collect and publish detailed statistics about certain crimes that occur on and near their campuses, and to annually provide information about safety measures so that students, employees, and visitors can make informed decisions related to safety. Clery statistics are meant to be comprehensive, encompassing all reported crimes, not just those that have been investigated by law enforcement. Reporting for Clery purposes does not turn on investigative findings or a law enforcement decision to charge or not to charge. As long as there is a reasonable basis for believing a reported crime is not rumor or hearsay, it must be included in an institution's Annual Security Report (ASR).

The ASR is a report required by the Clery Act that each institution submits annually to the U.S. Department of Education (and provides to the public) that includes institutional safety and



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security related policy statements and crime statistics. It must be distributed to all current students and employees, and schools must inform prospective students and employees about the availability of the report. Crimes that occurred on campus, in or on any campus-owned or campus-controlled buildings or property, or on property immediately adjacent to and accessible from campus fall within the scope of Clery reporting.

Each institution's ASR must list the type of crime and where it occurred. There are 15 Clery-Reportable crimes in four categories (Clery Act crimes): (1) Primary Crimes include Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson; (2) Hate Crimes; (3) Arrests and Referrals for Disciplinary Action for Drug, Liquor and Weapons Violations; (4) Violence Against Women Act (VAWA) crimes: Domestic Violence, Dating Violence and Stalking.

The Act requires institutions to maintain a publicly accessible Daily Crime Log (DCL) of all reported crimes. The log must contain information about: (1) the nature of the crime, (2) the date of the crime, (3) the time of the crime, (4) the general location of the crime, and (5) the disposition of the complaint.

The Clery Act also requires timely warning notification to the campus community of all Clery Act crimes that are reported to campus security authorities or local police and are considered by the college to represent threats to students and employees. Institutions are to issue warnings as soon as the pertinent information is available, to ensure that the campus community is alerted to a threat to safety and may aid in the prevention of similar crimes. In deciding whether to issue a warning, the institution should consider the nature of the crime, the threat of danger, and the possible risk of compromising law enforcement efforts. If the institution decides to issue a warning, the format selected should be one that is reasonably likely to reach the entire campus community (e.g., e-mail and text message).

Higher Ed institutions such as Schoolcraft College must develop policies, procedures, and programs relating to sex offenses. Schoolcraft College reporting procedures outline the steps that a student should follow if a sexual offense occurs, including who should be contacted, the importance of preserving evidence, and to whom the alleged offense should be reported. The Clery Act requires Schoolcraft College to publish and maintain procedures for disciplinary action. Disciplinary procedures must provide a complainant and respondent an equal right to have persons present during the proceeding, to be informed of the outcome and the sanctions imposed, and to speak about the offense. Additionally, procedures should list the potential sanctions for offenses. The victim should be informed of the right to call both local and on-campus police, the availability of on- and off-campus counseling and mental health services, and the options for reasonable accommodations in changing academic and living situations after an alleged sexual assault.

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**Violence Against Women Reauthorization Act of 2013 (VAWA)**

Congress adopted the Violence Against Women Reauthorization Act of 2013 (VAWA), which required colleges and universities to be in compliance with its requirements beginning October 1, 2014. VAWA section 304 amended the Clery Act, requiring colleges and universities to report incidents of domestic violence, dating violence, and stalking in their Annual Security Reports (ASRs).

VAWA details certain requirements for student disciplinary procedures related to these incidents, including prompt, fair and impartial investigations; annual training for student disciplinary hearing officials; the opportunity for both parties in student disciplinary proceedings to have an advisor of their choice present; and a requirement that both parties simultaneously receive written notice of any outcome of a disciplinary proceeding.

VAWA requires that parties who report incidents receive written notice of their rights, such as interim protective measures available to prevent a hostile environment and a description of the college's disciplinary process and potential sanctions. Institutions must also provide individuals with reporting options to notify proper law enforcement authorities, including on-campus and local police; assistance in notifying law enforcement authorities if the victim so chooses; and the option to decline to notify the authorities. The Act also requires colleges and universities to prepare policy statements for prevention and awareness programs on domestic violence, dating violence, sexual assault, and stalking, and to develop a bystander intervention program for all incoming students and new employees. The U.S. Department of Education finalized the new regulations in November of 2014.

**Title IX**

Title IX of the Education Amendments of 1972 (Title IX) prohibits sex discrimination in education programs and activities. The law applies to all colleges and universities that are recipients of federal financial aid, which includes Schoolcraft College.

Sex discrimination includes sexual harassment, according to long-standing Supreme Court authority and U.S. Department of Education regulatory guidance. Sexual harassment, in turn, encompasses sexual misconduct, such as sexual assault. Accordingly, Title IX protects both students and employees from sexual harassment, and requires institutions of higher education to respond in specific ways to reports of sexual harassment, including sexual violence.

In particular, Title IX requires all institutions to:

- Publish a statement of nondiscrimination based on sex;
- Designate a Title IX compliance coordinator;
- Publish and implement procedures for sex discrimination grievances;

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- Have prompt, thorough, and impartial investigation procedures for reports of sex discrimination;
- Have appropriate remedies for sex discrimination; and
- Provide education and training on the institution's related policies and procedures to students, employees, implementers, and adjudicators.

Institutions must respond adequately to a report of sex discrimination regardless of whether there are criminal charges pending against the responding party. Significantly, the existence of criminal charges does not excuse an institution's independent legal duty to respond to a report of sex discrimination under Title IX.

An institution must take several important steps when it is on notice of sex discrimination. These steps are an institution's responsibility whether or not the individual affected makes a complaint or otherwise asks the school to take action. For example, institutions must impose appropriate interim protective measures as necessary for the safety of the community and the individuals involved, such as academic support, monitoring or security at the location where the misconduct allegedly occurred, counseling services, no contact orders, and housing and class schedule adjustments. In certain circumstances, institutions may be required to place one or more students on interim suspension, pending the outcome of any investigation and grievance procedure. An institution must implement remedial measures even when a reporting party requests that the report remain confidential. Institutions must also have prompt, thorough, and impartial investigations and hearing processes, while guarding against retaliation. Guidance from the U.S. Department of Education requires that the institutions use a preponderance of the evidence standard in determining whether sexual harassment has occurred.

An institution's failure to appropriately respond to a report of sex discrimination may result in investigation and enforcement action by the U.S. Department of Education Office for Civil Rights (OCR). In its report to the president for the period 2009 through 2012, the Department of Education disclosed that OCR had received nearly 29,000 discrimination complaints, more than in any other four-year period in its history. Approximately 14 percent of those reports involved sexual harassment, sexual misconduct, or other discrimination on the basis of sex. The Office for Civil Rights has substantially increased its sexual harassment/ sexual misconduct investigations and enforcement actions in recent years.

Possible U.S. Department of Education sanctions for noncompliance include the suspension and termination of federal financial assistance. The U.S. Supreme Court has concluded that Title IX also permits individuals to file civil lawsuits against institutions for noncompliance with the law's requirements.

The U.S. Department of Education Office for Civil Rights (OCR) released Title IX-related guidance expounding on and clarifying earlier guidance issued in April of 2011. The Office for Civil Rights is

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also taking steps to make its enforcement process more transparent and accessible for institutions and those who wish to file a complaint. As part of that approach, the Department is now publicly listing each institution that is under investigation for alleged violations of Title IX. In September 2017, the OCR issued new interim guidance and announced its intention to engage in a rulemaking process to provide institutions with revised guidance. This announcement did not change the fact that it is critically important to the welfare of our campus communities that we, as a college, promptly, thoroughly and impartially tackle these issues.

**Schoolcraft College Safety and Security**

The Board of Trustees recognizes its responsibility to provide for the safety and welfare of the students and staff, to preserve the physical assets of the College, and to permit no disruptive action which would hinder students in the pursuit of their educational goals or would interfere in any way with the Board and its representatives in the orderly performance of their duties.

**Overview of the Schoolcraft College Police Department**

Members of the Police Department are responsible for protecting persons and property on-campus and ensuring that state laws, city ordinances and college policies are obeyed. Campus Police officers are sworn Michigan Commission on Law Enforcement Standards (MCOLES) officers. Officers are armed and authorized to make warrantless arrests, with jurisdiction on all property that is owned by Schoolcraft College. This includes the Main Campus and the Public Safety Training Center (both in Livonia), and the Radcliff Center (Garden City).

All officers receive annual training including First Aid, CPR/AED, Use of Force, Legal Updates, Firearms Training and Emergency Management. The majority of our officers are retired local law enforcement officers who collectively have over 500 years of law enforcement experience.

Officers have advanced medical training in that they are State licensed as Medical First Responders (MFR) after having completed 64 hours of medical training. Campus Police attend monthly Health Emergency Medical Services (HEMS) meetings to get the most up to date information on compliance issues and training. HEMS is the Wayne County Medical Control Authority for EMS agencies in the Western and Down River Wayne County area.

HEMS sets protocols, policies, quality improvement and training for all EMS agencies in their service area. The Schoolcraft College Medical First Responder license is renewed annually and reviewed by the Medical Control Authority Board of HEMS and then sent to the State of Michigan for final approval.

Campus Police officers patrol the Livonia campus by vehicle, bicycle, and on foot 24 hours a day, seven days a week. The Radcliff Center, Manufacturing & Engineering Center, and Public Safety Training Center campuses are patrolled during operating hours when classes are in session.



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Signs listing the emergency phone numbers of the Campus Police Department and the local police department are posted throughout all buildings. The signs have instructions on what to do in case of a tornado or fire. Emergency phones are in the lobbies of all buildings, in the main parking lots and outside some buildings. These phones are for on-campus calls to Campus Police and off-campus calls to the local 911 operator. Stickers affixed to all phones on campus list the emergency phone numbers of the local police and Campus Police. Key employees in all buildings have a copy of the College Critical Incident Manual. There are fire alarm systems in all buildings, and a tornado warning siren on the Livonia campus.

Emergency calls to the Campus Police Department are forwarded directly to an officer's assigned cell phone when the department office is closed.

Emergency Telephones - Currently Code Blue assistance/emergency telephones are located across the campuses. Calls made by touching the call button on the phones dial our Campus Police number. They are located in the following areas:

Main Campus, 18600 Haggerty Road, Livonia

1. East Parking Lot, sidewalk, rear of the Applied Science (AS) Building
2. East Parking Lot, sidewalk, rear of the Biomedical Technology Center (BTC) Building
3. North Parking Lot, sidewalk, corner of Fox Dr., North Side of the Applied Science (AS) Building
4. North Parking Lot, sidewalk, corner of Chippewa, North Side of the VisTaTech (VT) Building
5. Fox Drive at Chippewa, between the BTC & AS Buildings
6. Bookstore Parking Lot, South West corner and Chippewa
7. Fox Drive, South West Corner of the Physical Education (PE) Building
8. Forum Courtyard, west of the Forum, East of Grote
9. Physical Education (PE) Building, South East corner (rear)
10. South Lot, East End sidewalk near the Liberal Arts (LA) Building
11. South Lot, West End sidewalk near the McDowell (MC) Building
12. McDowell (MC) Building, sidewalk at Center Lot
13. Jeffress Center (JC) Parking Lot, sidewalk near S/E entrance.
14. Jeffress Center (JC) Patio
15. McDowell (MC) /Liberal Arts-(LA) Building, sidewalk between buildings.
16. Sports Dome Welcome Center Entrance
17. Sports Dome South East Lot

Radcliff Center 1751 Radcliff, Garden City

1. Radcliff Center Building West Entrance (wall)
2. Radcliff Center Building South Entrance (wall)

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Public Safety Training Center

1. Fire Tower entrance gate, 32303 Glendale, Livonia
2. Fire Tower, outside wall near restroom.
3. Academy Training Center (ATC) driving pad entrance gate, 31777 Industrial Dr., Livonia

Manufacturing and Engineering Center, 13001 Merriman, Livonia

1. West Entrance
2. East Entrance
3. West Parking Lot

**College Facilities**

Schoolcraft College has three campuses as defined by the Clery Act. The main or core campus is located in Livonia at 18600 Haggerty Road, and includes 14 buildings. The Radcliff Center (RC) is located in Garden City at 1751 Radcliff, the Manufacturing and Engineering Center (MEC) is located in Livonia at 13001 Merriman, and is contiguous with the Public Safety Training Center (PSTC). The PSTC is located in Livonia on Industrial Drive west of Merriman Road. The PSTC is comprised of the Fire Tower, 32303 Glendale, Livonia; Firearms Training Center (FTC), 31623 Industrial Dr., Livonia; and the Academy Training Center (ATC), 31777 Industrial Dr., Livonia. There are no residence halls or off-campus student organizations. Students, employees and visitors have access to most areas on campus during normal college hours. Labs, shops, and computer areas are locked when an instructor or attendant is not present. Buildings are locked when not in use.

A restricted key assignment system is in place, which prevents the key from being copied at a local store. Many areas on campus are alarmed and centrally monitored. Lockers are available in most buildings for students who wish to secure their books or personal belongings.

Buildings, grounds and parking lots are lighted. Trees and shrubs on the developed portions of the campuses do not cause a security problem. Buildings and grounds are inspected monthly for safety and security defects. A system for reporting defects allows patrol officers to bring security or safety problems to the immediate attention of their department head.

**Reporting a Crime or Emergency**

Schoolcraft College encourages the accurate and prompt reporting of all crimes to the campus police or to the appropriate police agencies when the victim of a crime elects to, or is unable to, make such a report. Students, faculty, staff, and visitors are encouraged to report all crime, emergencies and suspicious situations to the Campus Police in a timely manner. Reports may be made in person, by telephone, or by the emergency Code Blue call box system located in the parking lot areas. The Code Blue Assistance phones automatically call the Campus Police Office when the designated area on the front of the phone is pressed.

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If you wish to report a crime committed on campus you should report the incident to the Campus Police by dialing ext. 4424 using any campus phone, or by calling 734-462-4424. If you are a victim of a crime you may report it to the local law enforcement agency and campus officers will assist you in notifying the agency you request such assistance. You may also report a crime online at: <http://www.schoolcraft.edu/scaware/sc-aware>. This link can be located at the bottom of the Schoolcraft College homepage at [www.schoolcraft.edu](http://www.schoolcraft.edu).

If you wish to report an incident that occurred off campus, the Campus Police will assist you in contacting the appropriate law enforcement agency for reporting purposes.

Once a crime report is received the Campus Police Department will conduct an investigation if needed. We will notify the Title IX Compliance Officer for gender-based investigations and will assist the Title IX Compliance Officer when requested.

In order to comply with the Clery Act, Campus Police will assess each report to determine if a Timely Warning or Emergency Notification should be sent to the campus community. Basically this would be done when there is an ongoing or serious threat to the campus community. Students and employees can report crimes to any member of the Campus Police Department.

### **Safety Training**

Safety training for campus groups is provided as needed by the following departments: Risk Management, Campus Police, Human Resources and Facilities Management. Safety-related material is occasionally printed in the College newspaper (The Connection).

### **Emergency Notifications**

The Clery Act requires every Title IV institution, without exception, to have and disclose emergency response and evacuation procedures in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

In the event of a significant emergency or a dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, Schoolcraft College will issue an Emergency Notification. Examples of this type of event include severe weather, fire, explosion, etc. Below is the procedure for an emergency response and/or evacuation.

Should you become aware of an emergency or other dangerous situation, call 911 or 8-911 from any college phone, or 911 from your cell phone. You may also notify the Campus Police by calling ext. 4424 from any campus phone or 734-462-4424 from a cell or public phone. Campus Police will respond to the scene and determine if an emergency situation does exist and decide upon the appropriate response. If there is an immediate threat to the health or safety of the campus

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population, the Campus Police will initiate communication to the affected college community without delay.

The Chief of Police or his designee is responsible for initiating the Emergency Notification, and will work with the Chief Marketing and Communications Officer/or other college staff to accomplish this task. The notification will be instituted without delay but will take into account their professional judgment if the notification would compromise efforts to assist a victim or to contain or otherwise mitigate the emergency. Because each event is different, there may be differing methods of communication. These may include any or all of the following:

- Public address system
- SCAAlerts (email, text, phone)
- College television network

Annually, the college will test the emergency response and evacuation procedures, which may or may not be pre-announced.

In order to comply with the Clery Act Emergency Notification requirements regarding COVID-19, Schoolcraft College created a banner at the top of the homepage containing a link to the COVID-19 information site for the College. This site contains links to information from the CDC and other resources informing students, faculty, staff and visitors about COVID-19 and necessary health and safety precautions. In addition to this information, there is an FAQ link which covers questions pertaining to how the College is cleaning and disinfecting, face covering requirements, what our leadership team is doing to assess the situation (including quickly forming an Operations Continuity Team to address issues related to operating safely while in compliance with the Governor's Executive Orders and CDC guidelines), along with information on the required wellness screening for all staff, faculty, students and visitors to the College and other related issues.

### **Timely Warnings**

According to the Department of Education, in order to keep the campus community informed about safety and security issues on an on-going basis. An institution must alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Although the Clery Act doesn't define "timely," the intent of a warning is to enable people to protect themselves, which means that a warning should be issued as soon as the pertinent information is available.

All of us want to be alerted promptly to potentially dangerous criminal situations near our homes or workplaces so that we have both the time and the information necessary to take appropriate precautions. Applying this to Schoolcraft College provides the concept of the "timely warning." The Clery Act mandates Timely Warnings only for Clery crimes, but the College will provide a

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“Timely Warning” when a crime is committed on campus that may pose an ongoing threat to students and employees. A warning will be issued as soon as pertinent information is available.

Campus Police will evaluate reported incidents on a case-by-case basis. After the Campus Police evaluates to validate the crime and threat to the campus community, the Chief of Police will confer with the Chief Operations Officer who will make a recommendation to the President. If notification of the public is deemed necessary, a Timely Warning may be placed on the campus television network, the local media may be notified, the SC Alerts System may be activated, and the Chief Marketing and Communications Officer will arrange for the information to be placed on the College website.

In addition, Public Safety Advisories may be issued when there is an incident that may not be a Clery Act crime or not on our Clery geography, but may be issued out of an abundance of caution to keep the campus community safe.

### **Annual Security Report (ASR)**

The following information is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended. This Act is available on the Dept. of Ed’s website at <http://www.ed.gov/admins/lead/safety/campus.html>.

In complying with the Clery Act, the Schoolcraft College Police Department (Campus Police) publishes and distributes by October 1st of each year, (due to COVID-19, the 2020 publishing/distribution date was extended to December 31, 2020) an annual security report to all enrolled students and all employees as well as prospective students and employees. The Annual Security Report is on the Campus Police webpage at <http://www.schoolcraft.edu/asr2020> or it can be viewed in person at the Campus Police main office at the Livonia Campus. This report provides Clery reportable crime statistics for the years 2019, 2018, and 2017.

### **Campus Geography**

There are three basic geography classifications defined by the Clery Act: On-Campus, Public Property, and Non-campus.

#### **On-Campus**

The on-campus category includes the following:

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

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person,

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is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Below is a list of the building and properties that Schoolcraft College owns or controls for purposes of our educational mission and Clery Act On-Campus Geography. Schoolcraft College has no residence halls.

Main Campus

18600 Haggerty Road

Livonia, MI 48152

1. Jeffress Center
2. VisTaTech
3. Applied Science
4. Biomedical Technology Center
5. Bookstore/Service
6. Forum
7. Grote
8. Bradner Library
9. Physical Education Building
10. Liberal Arts
11. Children's Center
12. McDowell
13. St. Joe's Sports Dome
14. Elite Sports Center

Radcliff Center Campus

1751 Radcliff, Garden City, MI 48135

Public Safety Training Center Campus

1. Academy Training Center (ATC)  
31777 Industrial  
Livonia, MI 48150
2. Firearms Training Center (FTC)  
31623 Industrial  
Livonia, MI 48150
3. Fire Tower  
32303 Glendale  
Livonia, MI 48150

Manufacturing and Engineering Center

13001 Merriman, Livonia, MI 48150



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**Public Property**

Under the Clery Act, public property encompasses the following:

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. Public property refers to property owned by a public entity, such as a city or state government and can include public parking lots, streets, and parks. This is public property that immediately borders and is accessible from the campus. In many cases this property consists of a public sidewalk that borders the campus, the public street along the sidewalk and the public sidewalk on the other side of the street (i.e., sidewalk, street, and sidewalk). Public property does not include anything beyond the second sidewalk. (If there isn't a second sidewalk, it doesn't include anything beyond the street.)

We annually request crime statistics from Livonia Police Department, Garden City Police Department and Northville Township Police Department to determine which Clery Act crimes have occurred on public property adjacent to our campuses, which is then included in the Annual Security Report.

**Non-Campus Buildings or Property**

The Clery Act definition of non-campus buildings or property is:

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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 includes trips to off-campus locations; these include repeated use of a location for school-sponsored trips, i.e. same hotel every year or short-stay "away" trips where our students would stay for more than one night. The following is a sample of what is included:

- Hotels used by athletics teams and student organizations when they travel for more than one night or use the same location every year.
- Locations used by athletic teams for games or practices, as well as for academic courses taught in off-site locations, such as Ford Field in Livonia,

Crime statistics in the tables in this ASR refer to the Clery Act crimes that have occurred at one of the three geographic locations listed above.

**Preparing the annual disclosure of crime statistics**

The Schoolcraft College Campus Police Department collects statistics for crimes reported on the above listed campus geography. Crime statistics are disclosed in our Annual Security Report,

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which is available to see in-person in the Campus Police office at the Main Campus, as well as viewed on the Campus Police webpage at <http://www.schoolcraft.edu/asr2020>.

**Campus Security Authorities**

In addition to the officers of Schoolcraft College Campus Police Department, the College has over 90 employees that the Clery Act designates as *Campus Security Authorities (CSA)* mainly due to their job function. These are employees that have significant responsibility over student and campus activities and they are responsible for reporting to the College reporting structure crimes that students, staff or visitors have reported to them. The list of the College's CSAs is maintained in the Campus Police office.

**Statistics from Local Law Enforcement Agencies**

Each year, the Schoolcraft College Campus Police Department (Campus Police) works with the Livonia Police Department, the Garden City Police Department, Westland City Police and the Northville Township Police Department in making a good-faith effort to collect crime statistics for all Clery Act crimes committed within the Schoolcraft Clery Act geography. These local law enforcement agencies are asked to supply us with Clery Act crimes that have been reported to them that occurred in the public areas adjacent to our Clery defined geography.

**The Daily Crime Log (DCL)**

The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents that are reported to the campus police. Crime log entries include all crimes reported to the campus police department for the required geographic locations, not just Clery Act crimes. The log is designed to provide crime information on a timelier basis than the annual statistical disclosures. The crime log includes specific information about criminal incidents, not crime statistics. The crime log for the most recent 60-day period is open to public inspection, free of charge, upon request during normal business hours. Log entries older than 60 days are available within two business days of a request for public inspection. The log includes the nature of the crime, the date and time the crime occurred, the location of the crime and the disposition of the complaint. Archived logs are kept for seven years.

**Emergency Response and Evacuation Procedures**

Under the Clery Act, Emergency Notification is the process by which Schoolcraft College will immediately notify the campus community 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 any of the three campuses. Examples include: Outbreak of meningitis, norovirus or other serious illness, approaching tornado, hurricane or other extreme weather conditions, earthquake, gas leak, terrorist incident, armed intruder, bomb threat, civil unrest or rioting, explosion, or nearby chemical or hazardous waste spill.

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Procedure:

1. Should any person become aware of an emergency or other dangerous situation, they should call 911.
2. Schoolcraft College Campus Police will respond to the scene to determine the kind, severity, and appropriate response to the situation.
3. If the situation indicates an immediate threat to the health or safety of the College populations, the Campus Police will initiate communication notification steps that include:
  - a. Determining which community segment(s) will receive the notification;
  - b. Determining the content of the notification; and
  - c. Initiating the notification.
4. The Chief of Police or his designee is responsible for initiating the emergency notification.
5. The emergency notification shall be instituted without delay but will take into account the professional judgment of those initiating it in case the notification would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
6. Each event will be evaluated to determine the notification method utilized which may include: SC Alerts, (Email, phone and SMS text messages), ALERTUS (computer screen pop-ups), building intercom systems, patrol car public address system, voicemail messages sent from Information Services to campus phones, messages placed on the campus video network by Media, posting on the College website and/or social media posts. (Sign up for SC Alerts at <http://www.schoolcraft.edu/police/sc-alerts>).
7. Annually, the College will test the emergency response and evacuation procedures, which may be pre-announced or not. The test will be evaluated and will be publicized on the Campus Police web site.

## **Annual Security Report Policy Statements**

### ***Reporting of Emergencies and/or Criminal Offenses***

Any person who wishes to report a crime in progress or any other emergency at any of the Schoolcraft campuses should call the Campus Police at 734-462-4424 or 4424 from any College phone. Dialing 9-1-1 on the Main Campus or the Public Safety Training Center will go to the Livonia Police Department. Dialing 9-1-1 from the Radcliff Center in Garden City will contact the Garden City Police.

### ***Confidential Reporting***

The Schoolcraft College Police Department encourages anyone who is the victim or witness of any crime to promptly report the incident. Because these reports are public records under state law in most cases they are subject to release and Freedom of Information Act (FOIA) requests. Confidentiality of a complainant may not always be able to be maintained due to a duty to investigate and provide a safe College environment for others. In such cases, privacy will be maintained to the extent possible however, if a gender-based crime then we must disclose it to Title IX Coordinator.

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***Timely Warnings***

The Clery Act requires us to issue a timely warning for all Clery Act crimes that occur on our Clery Act geography that are reported to our campus security authorities or local police agencies, and considered by the Chief of Police or his designee represents a serious or continuing threat to students and employees. The intent of such a warning regarding criminal incident(s) is to enable people to protect themselves. This means that the warning will be issued as soon as pertinent information is available.

These notifications shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Campus Police will review the making of a timely warning to the College community for all crimes that are listed in the Clery Act, which include:

1. Criminal homicide
2. Sex offenses (forcible and non-forcible)
3. Robbery
4. Aggravated assault
5. Burglary
6. Motor vehicle theft
7. Arson
8. Arrest of persons referred for campus disciplinary action for liquor law violations, drug-related violation and weapons possession
9. Any of the above crimes (1-8), any of the crimes of larceny/theft, simple assault, intimidation, and destruction, damage or vandalism of property, and of other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or perceived bias of race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, which data shall be collected and reported according to category of prejudice.
10. Domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.

A Timely Warning is defined as generally within 48 hours of receiving the initial report, withholds the names of victims as confidential, and aids in the prevention of similar occurrences.

Should any person become aware of any criminal activity, particularly any of the Clery Act offenses listed above, they should call the Campus Police at 734-462-4424 or from any Campus phone by dialing extension 4424.

If a Timely Warning will be utilized, each event will be evaluated to determine the best notification methods to be used which may include: SC Alerts (Email, phone, and SMS text messages), ALERTUS (computer screen pop-ups), building intercom systems, patrol car public

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address system, voicemail messages sent from Information Services to campus phones, messages placed on the campus video network by Media, posting on the College website and/or social media posts.

***Security and Access to College Facilities***

Most of the parking lots and buildings are recorded by video camera 24 hours a day. However, these measures alone will not ensure a crime-free campus. Students, employees and visitors also share responsibility for their own safety and the safety of others. They are encouraged to take common sense safety precautions and to report all incidents, unsafe conditions and suspicious activities to the Campus Police Department.

During business hours, Schoolcraft College is open to students, employees, contractors, guests, and invitees. During non-business hours there is no access to College facilities. The college has no residential facilities.

Officers make regular checks of buildings during routine patrols. Camera systems are in place and they are viewed real-time via our Intelligence Operations Center in the Lower Level of the Jeffress Center. Utilizing our new access control system, some buildings can be locked down immediately, with future plans to include all buildings.

Officers of the Schoolcraft College Police Department are available twenty-four hours a day, seven days a week by utilizing one of the many Code Blue Assistance phones on any of the three campuses. Dialing 9-1-1 for emergencies on the main Livonia campus or the Public Safety Training Center will connect with the Livonia Police Department. On the Radcliff Center Campus, 9-1-1 will connect the caller to the Westland Police, who are contracted to dispatch for Garden City PD. To contact the Campus Police directly, dial 4424 from any College phone or 734-462-4424 from any other phone.

Weather emergencies may necessitate changes or alterations to any posted schedules. In case of schedule changes, the College may make notifications utilizing the SC Alerts Notification System, ALERTUS (computer screen pop-ups), Email, building intercom systems, patrol car public address system, voicemail messages sent from Information Services to campus phones, messages placed on the campus video network by Media, posting on the College website and/or social media posts.

Additionally, the College may communicate through media outlets, including: FOX 2 News, WDIV 4, WXYZ 7, WWJ 950, and WJR 760.

***Campus Police and Jurisdiction***

The Schoolcraft College Police Department (Campus Police) is certified and empowered with full police authority by the Michigan Commission on Law Enforcement Standards (MCOLES).

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Campus Police work closely with local, state, and federal police agencies and has direct radio communication with the Northville Township, Livonia and Garden City police departments. There is currently an Intra-Governmental Agreement (IGA) with the City of Livonia and a Memorandum of Understanding (MOU) with the Livonia Police Department regarding jurisdiction, prisoner housing, and other operational issues.

Campus Police encourage the accurate and prompt reporting of all crimes. Any person who wishes to report a crime in progress or any other emergency at any of the Schoolcraft campuses should call 9-1-1. Delayed crime reports or non-emergencies can be reported by dialing 4424 from any College phone or 734-462-4424 from any other phone.

If offenses involving College rules and regulations are committed, Campus Police may refer the individual(s) to the office of the Chief Student Services Officer.

***Counseling and Reporting Procedures***

It is the procedure of the Student Relations Department that when professional counselors deem it appropriate to inform the person they are counseling regarding the voluntary, confidential reporting of crime for inclusion in the annual disclosure of crime statistics, they do so. Reported violations of the law will be referred to law enforcement and when appropriate, the Office of the Chief Student Services Officer.

***Security considerations in the maintenance of campus facilities***

The Campus Police provide safety and security during renovations and maintenance of College buildings and grounds. Campus Police personnel regularly meet with Construction and Design, Facilities Management, and Information Services, among others in order to ensure a safe and secure environment, including during the planning stages of a new building or renovation.

The Facilities Management (FM) department maintains the College's buildings and grounds with a concern for safety and security. It inspects campus facilities regularly, makes repairs affecting safety and security, and responds to reports of potential safety and security hazards, such as broken windows and locks. Campus Police staff collects and reports maintenance needs concerning lighting and building security to Facilities Management.

***Security Awareness and Crime Prevention Programs***

The Campus Police periodically provide security awareness programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. Programs designed to inform students and employees about the prevention of crimes include orientation, where students and employees are informed of campus security programs offered



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by the Campus Police. The Campus Police website provides additional crime prevention suggestions.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Information is also presented to students and employees through crime prevention awareness packets, security alert posters, emergency response plans, and training sessions.

Contact Campus Police to report a crime in progress or any other emergency at any of the Schoolcraft campuses by dialing 9-1-1. Delayed crime reports or non-emergencies can be reported by dialing 4424 from any College phone or 734-462-4424 from any other phone.

***Criminal Activity Off-Campus***

Campus Police monitor all law enforcement agencies adjacent to our campuses/sites. Although the College does not currently have residential facilities or off-campus student organizations, students need to be aware that if the Campus Police learned of criminal activity committed by students at those locations, the incident may be investigated and/or referred to the office of the Chief Student Services Officer.

***Victims of Violent Crime***

Schoolcraft College will, upon written request, disclose to the alleged victim of a crime of violence (as defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim.

***Higher Education Opportunity Act (HEOA) Victim Notification***

Schoolcraft 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 who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a 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.

***Emergency Response and Evacuation Procedures***

Under the Clery Act, Emergency Notification is the process by which Schoolcraft College is required to confirm a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Schoolcraft campuses. Examples include: Outbreak of meningitis, norovirus or other serious illness, approaching tornado, hurricane or other extreme weather conditions, earthquake, gas leak, terrorist incident, armed intruder, bomb threat, civil unrest or rioting, explosion, or nearby chemical or hazardous waste spill.

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Should any person become aware of an emergency or other dangerous situation, they should call 911. Campus Police will be contacted and will respond to the scene to determine the kind, severity, and appropriate response to the situation. If the situation indicates an immediate threat to the health or safety of the College populations, Campus Police will initiate communication notification steps that include:

- a. Determining which community segment(s) will receive the notification;
- b. Determining the content of the notification; and
- c. Initiating the notification.

Each event will be evaluated to determine the notification method utilized which may include: SC Alerts Notification System, ALERTUS (computer screen pop-ups), Email, building intercom systems, patrol car public address system, voicemail messages sent from Information Services to campus phones, messages placed on the campus video network by Media, posting to the College website and/or social media posts.

Annually, the College will test the emergency response and evacuation procedures, which may or may not be pre-announced.

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

Sexual harassment or sex offenses of any type will not be tolerated on campus. A victim's first priority should be to get to a place of safety. Contact with Campus Police at 734-462-4424 or the local law enforcement authorities should be made in a timely manner.

Sexual assault is a very traumatic and invasive crime and many victims may be too embarrassed or ashamed to report the offense to police. Fear of investigative, medical, and prosecutorial procedures add to a victim's reluctance to make a report. A victim's distress may also create an unwillingness or inability to assist in the investigation. It is important that victims understand that federal law mandates that Schoolcraft College Title IX coordinators be notified of any incidents of sexual violence or harassment.

The College and Campus Police will treat victims of sexual assault, domestic violence, dating violence and stalking with compassion and consideration, and will provide the necessary information and assistance to make their interaction with the criminal justice system as easy as possible.

Sexual assaults, domestic violence, dating violence and stalking of any type will not be tolerated on any of the Schoolcraft campuses. A victim's first priority should be to get to a place of safety. Crimes in progress, or any emergency, should be reported to the Schoolcraft College Campus Police and local law enforcement by dialing 9-1-1. Delayed crime reports or non-emergencies can be reported by dialing 4424 from any College phone or 734-462-4424 from any other phone.

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Student-related assaultive conduct (including sexual assaults, domestic/dating violence and stalking) may also be reported to the Chief Student Services Officer (Laurie Kattuah-Snyder) at 734-462-4468 and employee-related assaultive conduct (including sexual assaults, domestic/dating violence and stalking) may be reported to the Chief Human Resource and Risk Management Officer (Brenda Leavens) at 734-462-4563.

Regarding sexual assaults, time is a critical factor for evidence collection and preservation. Filing a report with the Campus Police will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from the officers. Filing a report will ensure that the victim receives the necessary medical treatment and tests. It will also provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

Every person reporting a sexual assault, domestic violence, dating violence or stalking incident shall receive a Crime Victim's Rights Card. The card contains important information for victims of these assaults, including: an explanation of their legal rights, available emergency medical services, victim's compensation, prosecutor's office contact information, information regarding an explanation of Title IX, information regarding domestic violence shelters, counseling, and obtaining personal protection orders, as well as contact information for the Schoolcraft Police, the Livonia Police Department (for reporting crimes that occurred on the main campus or the PSTC) and the Garden City Police Department (for reporting crimes that occurred at the Radcliff Center).

Sexual assault, domestic violence, dating violence or stalking offenders will be subjected to College disciplinary action and/or criminal prosecution. Disciplinary proceedings for employees or students may result in sanctions including termination and expulsion. In any on-campus disciplinary proceeding, both the accused and the accuser may have others present during the hearing. Both parties will be informed of the outcome of the proceedings.

Though staffed with licensed professional counselors, the Schoolcraft College Student Relations Department does not have its own pastoral or specialized counselors that are specifically qualified in the area of sexual assaults, domestic or dating violence or stalking. Both the Student Relations Department and Campus Police are able to refer victims to counseling services that do have specially qualified personnel.

When requested, a counselor will assist student victims of sexual assault, domestic violence, dating violence or stalking in changing their academic situation. College personnel will assist victims in notifying local law enforcement authorities if the victim requests such assistance. Employee victims shall be assisted by Human Resources regarding their working situations.

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The Student Support Services Office and the Hinkle Center, located in the McDowell Building on the main campus, provides literature that promotes awareness of rape, acquaintance rape, and other sex offenses. This department can refer victims to proper counseling. The College does not have its own pastoral or professional counselors that are qualified to handle these matters.

During orientation, students and employees are informed of crime prevention tips offered by the Schoolcraft College Campus Police. The Campus Police website, <http://www.schoolcraft.edu/police/sc-police-department>, provides additional crime prevention suggestions. Information is also made available to students and employees through the Student Relations Department, Schoolcraft's "Guide to Gender-Based and Sexual Misconduct," annual and recurring Title IX and Clery presentations, emergency response plans, newsletter articles, as well as the Safety Escort Program. The Student Success Seminar "College and Beyond," required for new students, includes an online training module that teaches students how to recognize, prevent and respond to sexual assault and other forms of interpersonal violence.

Any reported incident of sexual assault, domestic violence, dating violence or stalking shall be held in the highest level of confidentiality allowed under law, including the identity of the victim(s).

***Sex Offender Information***

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, Schoolcraft College is providing a link to the Michigan State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the state of Michigan, convicted sex offenders must register with the Sex Offender and Crimes Against Minors Registry maintained by the State Police.

The Sex Offenders Registration Act, MCL 28.721, directs the Michigan State Police to develop and maintain a public registry and provides guidelines on the type of offender information available to the public. The registration requirements of the Sex Offenders Registration Act are intended to provide the people of this state with an appropriate, comprehensive, and effective means to monitor those persons who pose a potential danger.

In accordance with the Wetterling Act, Megan's Law, and the Campus Sex Crimes Prevention Act of 2000, it is now mandatory that all registered sex offenders report to the law enforcement agency having jurisdiction in which the institution of higher learning is located. Sex Offender information provided under section 121 of the Adam Walsh Child Protection and Safety Act of

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2006 (42 U.S.C. 16921), concerning registered sex offenders may be obtained via the Michigan State Police website at the Michigan Public Sex Offenders Registry: <http://www.mipsor.state.mi.us>.

Registered sex offenders who are members of the College community, upon enrollment at the College and/or anytime thereafter while they remain a student at the College, are obligated to notify the Campus Police that they have registered, and are required to register with the Michigan Public Sex Offenders Registry. Failure to notify the College is deemed to be a violation of the Student Code of Conduct, and subjects those students to all available College Judicial Processes and the Sanctions set forth. Tier 1, Tier 2, Tier 3, and multiple offense individuals may be requested to meet with the Dean of Students or Associate Dean of Student Relations.

***Reporting the Annual Disclosure of Crime Statistics***

The Schoolcraft College Campus Police shall prepare an Annual Security Report (ASR) to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our campuses and other non-campus sites.

Campus crime, arrest and referral statistics include those reported to the Schoolcraft College Campus Police and local law enforcement agencies per Clery Act procedures.

Each year, notification shall be made to all enrolled or prospective students, faculty, and staff that provide access to the report at: <http://www.schoolcraft.edu/asr2020> or it can be viewed in person at the Campus Police office.

The Campus Police shall submit the crime statistics from the Annual Security Report to the Department of Education via an annual web-based data collection, usually required by mid-October.

***Alcohol and Drug Policies***

Students, employees, and visitors are expected to observe all federal, state, and local laws and college regulations governing the use and possession of alcoholic beverages, narcotics, or dangerous drugs. All students, employees, and visitors are specifically forbidden to use or possess alcoholic beverages, narcotics, or dangerous drugs or to be under the influence while on College property. The possession, sale or furnishing of alcohol is governed by state and local laws. It is unlawful to sell, furnish, or provide alcohol to anyone less than 21 years of age.

Excessive use of alcohol by students under any circumstances is not condoned by the College and undesirable conduct resulting from alcohol use will be subject to disciplinary action.

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Schoolcraft College property has been designated “Drug free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Schoolcraft College Campus Police. Violators are subject to college disciplinary action and criminal prosecution.

Alcoholic beverages may be served in the VisTaTech Center as an integral part of culinary arts and community service programs. They also may be served to organizations affiliated with the College upon proper authorization (See College Policy 2007).

It is College policy that the unauthorized manufacture, distribution, dispensation, possession or use, or being under the influence of a controlled substance, by any employee while on duty, reporting to duty, or while participating in any College activity, is strictly prohibited. The term controlled substance refers to drugs and chemical substances such as, but not limited to: marijuana, cocaine, crack cocaine, heroin, peyote, mescaline, or LSD.

Drug or alcohol-abuse education programs, as required under section 120(a) through (d) of the Higher Education Act (HEA) includes materials and brochures on Alcohol and Other Drug Abuse Prevention education available in the Student Support Services Office, Hinkle Center, and the Student Activities Office. In addition, Alcohol and Other Drug Abuse Prevention information is emailed directly to all students.

Schoolcraft College Policy on Alcohol and Other Drug Abuse Prevention Programs, along with resources can be viewed online at <http://www.schoolcraft.edu/college-policies/alcohol-and-other-drug-abuse-prevention-program-and-policy>.

The college offers assistance and/or referrals to any student or employee for drug or alcohol abuse. Human Resources annually sends out annual notification of our Alcohol and Other Drug Abuse Prevention policy annually to current employees and provides it to new employees upon hire. New students are provided this information as well and current students receive it quarterly from Student Relations. Students should contact the Student Relations Office and employees should see the Human Resources Department for details.

In November 2018, Michigan voters approved the legalization of recreational marijuana. In January 2019, then Executive Director of Human Resources (Laura Sensing) issued this email to the Staff and Faculty of Schoolcraft College:

*To the campus community,*

*Last November, voters in Michigan approved Proposal 1 to allow possession, use and distribution of marijuana in Michigan; on behalf of the college, I am writing to clarify*



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*that this does not change federal law nor does it change Schoolcraft College's obligation to abide by federal law.*

*As a recipient of federal financial aid and grant funding, the College is required to adhere to regulations outlined in the Controlled Substances Act, the Drug Free Schools and Campuses Act and the federal Drug Free Workplace Act. All of these prohibit the possession, use and distribution of marijuana in all forms, as provided in existing Board policy and procedures. Enforcement of federal law applies to violations for any reason, including use for medicinal purposes.*

*We will also be communicating with our students to clarify that the change in the marijuana laws will not alter the Student Code of Conduct, which also prohibits the possession, use, and distribution of marijuana in all forms while on college premises or participating in campus activities.*

Any employee convicted of violating any criminal drug statute related to conduct occurring in the workplace must report the situation to the Human Resource Office within five days after conviction. Any employee or student who violates this policy may be subject to sanctions, including without limitation, termination (See College Policy 4200).

An Employee Assistance Plan is available for confidential referrals to aid those employees seeking rehabilitation.

Further information can be found by consulting with College Policies and Procedures, including Policies 1092, 2006, 2007 and 2011, and the Alcohol and Other Drug Abuse Prevention brochure for additional information.

### **Crime Definitions**

The Campus Police Department collects and compiles crime and disciplinary statistics in compliance with the Clery Act as reported to them and to local law enforcement agencies, and prepares this Annual Security Report based on that information. The College has a procedure that allows for voluntary, confidential reporting of crimes for inclusion in the Annual Security Report. The web address is: <http://www.schoolcraft.edu/scaware/sc-aware>. The link is in the same location at the bottom of the Schoolcraft College website [www.schoolcraft.edu](http://www.schoolcraft.edu) homepage.

Crime statistics required to be reported by the Clery Act are defined as:

***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.

***Manslaughter by Negligence:*** the killing of another person through gross negligence.

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**Robbery:** the taking or attempting to take anything of value from 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. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

**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.

For the categories of Domestic Violence, Dating Violence and Stalking, the Clery Act specifies that the College must use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Department of Ed's Clery Act regulations. For Clery Act purposes, it is essential that institutions classify and count reported incidents based on the definitions specified by the Clery Act.

**Domestic Violence:** The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse 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, 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.

**Dating Violence:** The term "dating violence" means 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: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.

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***Stalking:*** The term “stalking” means 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.

***Weapon Law Violations:*** The violation 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: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

***Liquor Law Violations:*** The violation 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 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.)

NOTE: The above listed crime definitions from the Uniform Crime Reporting Handbook 2004 (Summary Reporting Statistics)

**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.

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

***Hate Crimes***

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

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**Crime Statistics**

Crime statistics for the years 2019, 2018 and 2017 that have occurred on Clery geography defined as on campus, public property or non-campus, are in the following pages.

**ON-CAMPUS**

Offense	Year	Main Campus	Radcliff Center	Public Safety Training Center	Total	Unfounded Crimes
Murder/Non Negligent Manslaughter	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Manslaughter by Negligence	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Rape	2017	1	0	0	1	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Fondling	2017	0	0	0	0	0
	2018	1*	0	0	1*	0
	2019	0	0	0	0	0
Incest	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Robbery	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Aggravated Assault	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	1	0	0	1	0
Burglary	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	2	0	0	2	0
Arson	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

\*Occurred in 2017, but reported in 2018, therefore, was not in last year's Annual Security Report stats for 2017.

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**ON-CAMPUS ARRESTS**

Offense	Year	Main Campus	Radcliff Center	Public Safety Training Center	Total	Unfounded Crimes
Liquor Law Arrests	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Arrests	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Arrests	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

**ON-CAMPUS REFERRALS FOR DISCIPLINARY ACTION**

Liquor Law Violations	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Violations	2017	0	0	0	0	0
	2018	3	0	0	3	0
	2019	0	0	0	0	0
Weapons Law Violations	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	1	0	0	1	0

**ON-CAMPUS VIOLENCE AGAINST WOMEN (VAWA)**

Domestic Violence	2017	1	0	0	1	0
	2018	1	0	0	1	0
	2019	0	0	0	0	0
Dating Violence	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Stalking	2017	3	0	0	3	0
	2018	1	0	0	1	0
	2019	0	0	0	0	0



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**PUBLIC PROPERTY CRIMES**

<b>Offense</b>	<b>Year</b>	<b>Main Campus</b>	<b>Radcliff Center</b>	<b>Public Safety Training Center</b>	<b>Total</b>	<b>Unfounded Crimes</b>
Murder/Non Negligent Manslaughter	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Manslaughter by Negligence	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Rape	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Fondling	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Incest	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Robbery	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Aggravated Assault	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Burglary	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Arson	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

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**PUBLIC PROPERTY ARRESTS**

Offense	Year	Main Campus	Radcliff Center	Public Safety Training Center	Total	Unfounded Crimes
Liquor Law Arrests	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	3*	0	0	3*	0
Drug Law Arrests	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Arrests	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

**PUBLIC PROPERTY REFERRALS FOR DISCIPLINARY ACTION**

Liquor Law Violations	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Drug Law Violations	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Weapons Law Violations	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

**PUBLIC PROPERTY VIOLENCE AGAINST WOMEN (VAWA)**

Domestic Violence	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Dating Violence	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Stalking	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

\*These arrests were by Northville Township Police Department that occurred at 7 Mile & Haggerty roads

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**NON-CAMPUS CRIMES**

Offense	Year	Number of Crimes	Total	Unfounded Crimes
Murder/Non Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Manslaughter by Negligence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

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**NON-CAMPUS ARRESTS**

Offense	Year	Total	Unfounded Crimes
Liquor Law Arrests	2017	0	0
	2018	0	0
	2019	0	0
Drug Law Arrests	2017	0	0
	2018	0	0
	2019	0	0
Weapons Law Arrests	2017	0	0
	2018	0	0
	2019	0	0

**NON-CAMPUS REFERRALS FOR DISCIPLINARY ACTION**

Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0
Drug Law Violations	2017	0	0
	2018	0	0
	2019	0	0
Weapons Law Violations	2017	0	0
	2018	0	0
	2019	0	0

**NON-CAMPUS VIOLENCE AGAINST WOMEN (VAWA)**

Domestic Violence	2017	0	0
	2018	0	0
	2019	0	0
Dating Violence	2017	0	0
	2018	0	0
	2019	0	0
Stalking	2017	0	0
	2018	0	0
	2019	0	0

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**HATE CRIME REPORTING:** Categories of Bias: race; religion, ethnicity, national origin, gender; sexual orientation, disability, gender identity.

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2019: No hate crimes reported.

2018: No hate crimes reported.

2017: No hate crimes reported.

Note: Schoolcraft College has no residential facilities.

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**The Clery Act as Amended by the Violence Against Women Act**

Schoolcraft College prohibits the offenses 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, Schoolcraft College issues this statement of policy to inform the campus 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 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—
    - A) By a current or former spouse or intimate partner 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 or intimate partner;
    - 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 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.
  - ii. 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.
  - iii. 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.

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- **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 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:**
  - i. Engaging in a course of 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.

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## **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. The following is a description of safe and positive options for bystander intervention.

## **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.”<sup>1</sup> 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<sup>2</sup> of some ways to be an active bystander. To learn more about bystander intervention contact the Student Relations Office at 734-462-4486 or [studentrelations@schoolcraft.edu](mailto:studentrelations@schoolcraft.edu). 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 interrupt.

1. 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.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. 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.

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<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse



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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))

1. **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.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be. 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.).
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **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
10. **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.
11. **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.
12. **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 him or her to a safe place immediately.
13. **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 (you will need a urine test and possibly others).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **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.
  - b. **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.

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- c. **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.
  - d. **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.
15. **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?
16. **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.

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

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:

- A. 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
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

**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 include:**

- A. A statement that Schoolcraft College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Michigan (which does not define consent). Schoolcraft College defines consent as permission to act. It may be given by words or actions, so long as those words or actions create clear, mutually understood permission to engage in (and the conditions of) sexual activity.
- D. 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,

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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;

- E. 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.
- F. Information regarding:
  - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
  - b. 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 document);
  - c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
  - d. 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 document);
  - e. 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 document);

**Primary Prevention and Awareness Programs**

These programs include:

Guide to Gender-based and Sexual Misconduct – a printed brochure which describes and defines several types of gender-based or sexual misconduct, identifies resources and reporting options for students and employees. This material is provided and discussed during all new employee orientations in Human Resources, is provided and presented in faculty group orientation sessions, and is included in the Student Success Seminar required for new students.

Guide to Recognizing and Understanding Sexual Harassment – printed material which describes and defines sexual harassment and forms of sexual misconduct; provided and discussed during all new employee orientations.

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Campus Sexual Violence: SaVE Act Overview, Title IX and Sexual Misconduct and Sexual Harassment: Staff to Staff - online training modules assigned to all new employees for completion within six months of hire.

‘Not Anymore’ online training for students: This web-based educational program is incorporated into the course assignments for College and Beyond, the Student Success Seminar required for new students. The training teaches students how to recognize, prevent and respond to interpersonal violence, including sexual harassment, sexual assault, stalking, and domestic and dating violence. The program includes modules on the role of alcohol consumption in increasing risk for sexual assault and on effective bystander intervention. The program includes a pre- and post-test to measure course completion and learning comprehension. The program includes links to college policies on student conduct, including sexual harassment, sexual assault, stalking, and domestic and dating violence, as well as alcohol and other drug abuse prevention.

Specifically, the College offered the following **primary prevention and awareness programs** for all **incoming students** in 2019:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
‘Not Anymore’ online training module is part of curriculum for College and Beyond student success course, required of new students	Ongoing	Online	DoV, DaV, SA, S. Also covered bystander intervention techniques, and alcohol’s role in increasing risk of being a perpetrator or victim of sexual misconduct.
Brochure ‘Gender-based and Sexual Misconduct: Definitions, resources and reporting options’ given to new students in College and Beyond course.	Ongoing	In the classroom	DoV, DaV, SA, S. Also has information on bystander intervention.
Brochure ‘Respect and Responsibility: Student Code of Conduct’ distributed to new students in College and Beyond course; includes definitions of sexual misconduct.	Ongoing	In the classroom	DoV, DaV, SA, S

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Brochures ‘Gender-based and Sexual Misconduct’ and ‘Respect and Responsibility’ (see above) presented in online format on College’s website.	Ongoing	<a href="http://www.schoolcraft.edu">www.schoolcraft.edu</a>	DoV, DaV, SA, S, bystander intervention
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\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following **primary prevention and awareness programs** for all **new employees** in 2019:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
Guide to Gender-Based and Sexual Misconduct (printed materials and discussion)	During new EE orientations	Human Resources	DoV, DaV, SA, S
Guide to Recognizing and Understanding Sexual Harassment	During new EE orientations	Human Resources	SA
Campus Sexual Violence: SaVE Act Overview	0-6 months after hire	Online training module	DoV, DaV, SA, S
Title IX and Sexual Misconduct	0-6 months after hire	Online training module	SA
Sexual Harassment: Staff to Staff	0-6 months after hire	Online training module	SA
Dating Violence	0-6 months after hire	Online training module	DaV
Clery Act Overview	0-6 months after hire	Online training module	SA
Respect & Responsibility	1/17/19 2/7/19 3/7/19 3/8/19	Main campus/Jeffress Center	SA

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

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**Ongoing Prevention and Awareness Campaigns**

The College has developed an annual educational campaign for employees consisting of:

Guide to Gender-based and Sexual Misconduct – printed brochure which describes and defines several types of gender-based or sexual misconduct, identifies resources and reporting options for students and employees. The content in this brochure is also accessible on the college's website.

Guide to Recognizing and Understanding Sexual Harassment – printed material which describes and defines sexual harassment and forms of sexual misconduct; available on College's forms drive and accessible on the College's website.

Campus Sexual Violence: SaVE Act Overview, Title IX and Sexual Misconduct and Sexual Harassment: Staff to Staff - online training modules that all employees are required to complete.

Respect & Responsibility - mandatory staff development course for college employees; face to face presentation/class which covers a range of inappropriate behaviors and damaging situations in the workplace, including content related to domestic violence, dating violence, harassment, sexual misconduct, stalking.

The College offered the following **ongoing awareness and prevention programs** for **students** in 2019:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
School Daze campus information festival; Student Relations Office had table promoting SC aware online reporting tool and bystander intervention	January 23, 24 and September 18, 19	Waterman Lower Level (Jan). and Campus Green (Sept.)	Bystander Intervention
Student Code of Conduct distributed in person at School Daze events			DoV, DaV, SA, S
Presentation to nursing students on bullying in the workplace and in nursing school and	June 11, 18 and July 15	Applied Sciences Bld. VisTaTech	Bystander intervention

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need to intervene and report when it occurs	
Student Code of Conduct distributed at presentations	DoV, DaV, SA, S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following **ongoing awareness and prevention programs** for employees in 2019:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
Guide to Gender-Based and Sexual Misconduct (printed materials)		Available in HR, Student Relations, shared drives	DoV, DaV, SA, S
Guide to Recognizing and Understanding Sexual Harassment		Available in HR, Student Relations, shared drives	SA
Campus SaVE Act for Employees – Sexual Violence Awareness		Online training module	DoV, DaV, SA, S
Title IX and Sexual Misconduct		Online training module	SA
Sexual Harassment: Staff to Staff		Online training module	SA
Dating Violence		Online training module	DaV
Clery Act Overview		Online training module	SA

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

***Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and 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 an area hospital. In Michigan, evidence may be collected even if you chose not to make a report to law enforcement<sup>3</sup> It is important that

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<sup>3</sup> Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

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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 police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

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

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), 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, College Counselors will assist any victim with notifying local police if they so desire. They can be contacted at (734) 462-4486. On the main campus or the Public Safety Training Center (both in Livonia) to contact Campus Police, call 734-462-4424, or local the police department. The local police department is the Livonia Police Department, who can be reached directly by calling (734) 466-2470 or in person at 15050 Farmington Rd., Livonia, MI 48154. Additional information about the Livonia Police Department may be found online at: [www.livoniapd.com](http://www.livoniapd.com). At the Radcliff Campus, located at 1751 Radcliff, Garden City, contact Campus Police at 734-462-4424. The local police department is the Garden City Police Department. They can be reached directly by calling (734) 793-1700, or in person at 6000 Middlebelt, Garden City, MI 48135. Additional information about the Garden City Police department may be found online at: <http://www.gardencitymi.org/206/Police-Department>.

***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 Chief Student Services Officer, Laurie Kattuah-Snyder, or the Campus Police (if the victim so desires). The Deputy Title IX Coordinator for students is Marty Heator, Dean of Students. He can be reached at 734-462-4486, or in the McDowell Center, Room 175, 18600 Haggerty Road, Livonia, MI 48152, or by email at [mheator@schoolcraft.edu](mailto:mheator@schoolcraft.edu).



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Employees should contact the Title IX Compliance Officer, Brenda Leavens, Chief Human Resource and Risk Management Officer at (734) 462-4563 or via email at [bleavens@schoolcraft.edu](mailto:bleavens@schoolcraft.edu). To contact the Campus Police, call 734-462-4424 or by writing, or coming into the office to report in the lower level of the Jeffress Center at 18600 Haggerty Road, Livonia, MI. Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Police will automatically be referred to the Deputy Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

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

Schoolcraft College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Campus Police or local law enforcement. Students should contact Chief Student Services Officer, Laurie Kattuah-Snyder, at (734) 462-4468 or by email at [lsnyder@schoolcraft.edu](mailto:lsnyder@schoolcraft.edu). Employees can contact Chief Human Resource and Risk Management Officer, Brenda Leavens, at 734-462-4563 or by email at [bleavens@schoolcraft.edu](mailto:bleavens@schoolcraft.edu).

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"><li>1. Depending on when reported (immediate vs delayed report), Schoolcraft College will provide complainant with access to medical care <b>and</b> will...</li><li>2. Assess immediate safety needs of complainant</li><li>3. Assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li><li>4. Provide complainant with referrals to on and off campus mental health providers</li><li>5. Assess the need to implement interim or long-term protective measures, if appropriate.</li><li>6. Provide the victim with a written explanation of the victim's rights and options</li></ol>

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	<ol style="list-style-type: none"> <li>7. Provide a “No trespass” (PNG: persona non grata) directive to accused party if deemed appropriate</li> <li>8. Provide written instructions on how to apply for Protective Order</li> <li>9. Provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. Inform the complainant 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>11. Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Schoolcraft College will assess immediate safety needs of complainant <b><u>and</u></b> will...</li> <li>2. Assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Provide written instructions on how to apply for Protective Order</li> <li>4. Schoolcraft College will provide written information to complainant on how to preserve evidence</li> <li>5. Assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Provide a “No trespass” (PNG: persona non grata) directive to accused party if deemed appropriate</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Schoolcraft College will assess immediate safety needs of complainant <b><u>and</u></b> will...</li> <li>2. Assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Provide written instructions on how to apply for Protective Order</li> <li>4. Provide written information to complainant on how to preserve evidence</li> <li>5. Assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Provide the victim with a written explanation of the victim’s rights and options</li> </ol>

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	7. Provide a “No trespass” (PNG: persona non grata) directive to accused party if deemed appropriate
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Schoolcraft College will assess immediate safety needs of complainant <b>and</b> will...</li> <li>2. Assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Provide written instructions on how to apply for Protective Order</li> <li>4. Provide written information to the complainant on how to preserve evidence</li> <li>5. Assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Provide a “No trespass” (PNG: persona non grata) directive to accused party if deemed appropriate</li> </ol>

***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 includes:

- 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 within 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

***Rights of Victims and the Institution's Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution***

Schoolcraft College complies with Michigan law in recognizing orders of protection (Personal Protection Orders). Any person who obtains an order of protection from Michigan or any reciprocal state should provide a copy to the Campus Police and the Office of the Title IX Coordinator. A complainant may then meet with Campus Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking

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arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

The victim is required to apply directly for these services. Protection from abuse orders are available at the Coleman A. Young Municipal Center (CAYMC), 2 Woodward Avenue, Detroit, MI 48226, Room 928 on the 9th floor. Further questions should be directed to the Wayne County Clerk's Office at 313-224-6292.

The College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such an institutional no contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

***Accommodations and Protective Measures Available for Victims***

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Schoolcraft College will provide written notification to students and employees about accommodations available to them, including academic, transportation 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 (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

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, living (Schoolcraft College does not have residence halls), working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local 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. Potential changes to living situations may include moving to a different room or residence hall. 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, assisting the student or employee with a safety escort, etc.

To request changes to academic, transportation and/or working situations or protective measures, or if the victim wishes to receive assistance in requesting these accommodations, students should contact Marty Heator, Dean of Student Services. He can be contacted by calling 734-462-4486 or in person by visiting his campus office in the McDowell Building, Room 175, 18600 Haggerty Road, Livonia, MI 48152, or by email at [mheator@schoolcraft.edu](mailto:mheator@schoolcraft.edu). Employees

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can contact the Chief Human Resource and Risk Management Officer, Brenda Leavens, at 734-462-4563 or by email at [bleavens@schoolcraft.edu](mailto:bleavens@schoolcraft.edu).

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

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Schoolcraft 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.

These resources include the following:

<b>ON CAMPUS</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
Student Relations Office	Needs assessment, assistance with college procedures, referrals to college and community resources, mental health support, Title IX process, brochures.	Student Relations staff, including specialists, counselors, associate dean, and dean/Title IX coordinator. Clinical therapist on campus (pre-Covid) and tele-counseling (during Covid) provided to students free of charge through CNS Healthcare.	734-462-4486 studentrelations@schoolcraft.edu
Health	Referrals to hospital.	Campus Police or Student Relations	Campus Police: 734-462-4424 Student Relations: 734-462-4486
Mental Health	Crisis intervention and support, consultations, referrals to CNS (see off-campus) and other mental	Student support specialist/counselors in Student Relations Office.	734-462-4486 <a href="https://www.schoolcraft.edu/crisis-intervention/crisis-intervention">https://www.schoolcraft.edu/crisis-intervention/crisis-intervention</a>

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	health care providers.		
Victim Advocacy	Brochures, referral to local agencies and 24-hour hot lines	Hinkle Center and Student Relations Office	Hinkle: 734-462-4443 Student Relations: 734-462-4486
Legal Assistance	Ask an Attorney, Legal Matters group support	Campus Police or Hinkle Center	Campus Police: 734-462-4424 Hinkle: 734-462-4429
Visa and Immigration Assistance	Enrollment assistance	International Coordinator	734-462-4429 scisq@schoolcraft.edu
Hinkle Center	Referrals to local service providers for survivors of sexual assault and domestic/dating violence	Hinkle Center specialist	734-462-4443 <a href="https://www.schoolcraft.edu/hinklecenter/hinkle-center">https://www.schoolcraft.edu/hinklecenter/hinkle-center</a>
Guide to Gender-Based and Sexual Misconduct	Brochure providing definitions and information on how to report and where to get resources and support	Student Relations, Hinkle Center, other offices on campus	<a href="https://www.schoolcraft.edu/student-relations/gender-based-and-sexual-misconduct-information-and-reporting-(title-ix)">https://www.schoolcraft.edu/student-relations/gender-based-and-sexual-misconduct-information-and-reporting-(title-ix)</a>
Sexual misconduct information from SCPD	Web content	Schoolcraft College Police Department	<a href="https://www.schoolcraft.edu/police/sexual-misconduct-info">https://www.schoolcraft.edu/police/sexual-misconduct-info</a>

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<b>OFF CAMPUS</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
Mental Health Counseling	Full range of mental health services available to students free of charge	CNS Healthcare	<a href="https://www.cnshealthcare.org/">https://www.cnshealthcare.org/</a> Referrals to CNS provided by Student Relations Office: 734-462-4486
Victim Advocacy	Shelter, counseling, advocacy, SANE Exams, assault response, 24-hour help line services, legal information, children's services, training and education to survivors and to the community.	First Step, Wayne Metro Action Agency, Lake Shore Legal Aid.	First Step: 734-416-1111 24 Hour Help Line: 734-722-6800 OR call Toll Free 1-888-453-5900  Metro Action Agency: 313-388-9799  Lake Shore: 888-783-8190

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

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

***Confidentiality***

Victims may request that directory information on file with the College be withheld by request through the Registrar's office at Records Office, McDowell Center, (734) 462-4677, [screcord@schoolcraft.edu](mailto:screcord@schoolcraft.edu).

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

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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 Timely Warning Notice 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.

***Adjudication of Violations***

Whether or not criminal charges are filed, the College or a person may file a complaint under the Student Code of Conduct (Policy 2011: Regulations Governing Students), alleging that an individual student or a student group has violated the Code of Conduct.

The College's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College



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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 role of the advisor is limited. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing.

5. The accuser and the accused will be notified simultaneously, in writing, of any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the College<sup>5</sup> or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

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

Policy Applicable To Students Accused Of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Policy 2011: Regulations Governing Students

1. How to File a Disciplinary Complaint Under this Policy

A victim can initiate disciplinary action by filing a report using the College's online reporting tool, SC aware. If a victim chooses to notify a College employee, the employee initiates action by filing a report on the student's behalf.

Link to file a report:

<http://www.schoolcraft.edu/scaware/sc-aware>. This link is can be found at the bottom of the Schoolcraft College website [www.schoolcraft.edu](http://www.schoolcraft.edu) homepage.

Link to Policy:

<http://www.schoolcraft.edu/college-policies/student-code-of-conduct/prohibited-conduct>.

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<sup>5</sup> Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the "College" may assume the role of the complainant.

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A hard copy is available in the Student Support Services Office, McDowell Center Room 175.

2. How the College Determines Whether This Policy will be Used

The Dean of Students (Marty Heator) is the Deputy Title IX Coordinator and has been designated by Chief Student Services Officer (Laurie Kattuah-Snyder) to provide the initial review of such cases. The Coordinator and Chief Student Services Officer then confer, with the Chief Student Services Officer making the decision if the misconduct warrants investigation under this policy.

3. Steps in the Disciplinary Process

1. The Deputy Title IX Coordinator of Students designates an administrator to conduct the investigation.
2. Charges are presented to accused student in writing.
3. Decision is made concerning the disposition of charges administratively by mutual consent or through a formal hearing before a panel. If the decision is mutual consent, the proceedings end; if a panel, the process moves to step 4.
4. A hearing panel hears the case and renders a finding of “responsible” or “not responsible” for a code of conduct violation. If “responsible,” the panel determines the sanction(s) to be imposed.
5. The student found “responsible” may appeal the finding and/or the sanction on these grounds: There has been a due process error; new evidence has come to light; or the sanction is not consistent with institutional precedent.
6. The Chief Student Services Officer convenes an appeals panel to consider the appeal.

4. Anticipated Timelines

The date for a panel hearing will be set for no less than five nor more than 15 calendar days after the student has been notified of the charges, barring exigent circumstance. Maximum time limits for scheduling of hearings may be extended for cause. Students who wish to appeal a panel’s finding and/or sanction(s) must do so within 10 calendar days from the date that the accused is notified of the decision. The appeal decision is rendered within 10 calendar days. For Title IX investigations, the College follows the federal guideline of 60 days as the maximum time allowed for completion of the investigation and the finding, allowing more time for complex cases if needed.

5. Decision-Making Process

The investigating administrator interviews all parties involved, including the reporting victim, the accused respondent, and witnesses who have relevant information to offer. Photographs, video (e.g. security camera video), physical evidence, related documents, web/social media content, and student record information are all examples of information sources used by investigators.

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During a panel hearing, panelists are given access to the information collected by the investigator, and the investigator walks the panel through a summary of this information. The reporting victim and accused respondent are also given access to the information and are given the opportunity to speak to the panel. In cases involving sexual misconduct, provisions are made so that the victim and the respondent are not in the same room together. After a period of deliberation, the panel renders its finding and decisions on the sanction(s) through a majority vote.

6. Standard of Evidence

For both administrative resolution for mutual consent and the panel hearing, the standard is the preponderance of the evidence. This standard is used for all student conduct cases, including those that fall under Title IX.

7. Possible Sanctions

Written warning, probation, loss of privileges/restriction, restitution, discretionary sanctions, suspension, removal from program of study, and expulsion.

8. Range of Protective Measures Available to a Victim Alleging Misconduct

“No contact” letters are issued to the accused during the investigation. The letter also warns against interfering with the investigation and retaliating against the reporting victim. In addition, Campus Police may issue a “no trespass” letter to individuals who are deemed an immediate threat to campus safety. Reporting victims receive an outreach letter from the Student Relations Office. This letter makes them aware of the “no contact” order to the accused; provides information for counseling support and other resources available through the college; and provides instructions on what to do if the accused violates the “no contact” order or the prohibition against interference in retaliation. The letter also reminds the victim that campus police are available for escorting them to and from their car. The number for campus police is provided.

Other protective measures are available through the Student Relations Office. These include restricting the movements of the accused on campus, and making adjustments to class schedules and other instructional arrangements in order to keep the parties out of contact with each other.

***Policy Applicable to Employees Accused of Domestic Violence, Dating Violence, Sexual Assault and Stalking***

1. How to File a Disciplinary Complaint Under this Policy

Board Procedure 4060.1 (Workplace Conduct) identifies prohibited conduct and the disciplinary process and sanctions. Procedure 4060.1 is available on the college’s M: drive under Policies and Procedures. This content is also available in the Employee Handbook,

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which is available on the college's forms drive under the Human Resources folder, and available on the college's website at: [www.schoolcraft.edu/hr/employee-information](http://www.schoolcraft.edu/hr/employee-information) under the Employment section.

All employees should file a report by using the college's electronic incident reporting system (SCAware) or by directly contacting the Chief Human Resource and Risk Management Officer by email, phone or in person. Upon receipt of a report, an investigation will commence. Reporting procedures are available in our Guide to Gender-Based and Sexual Misconduct and on the college's website here: [http://www.schoolcraft.edu/student-relations/gender-based-and-sexual-misconduct-information-and-reporting-\(title-ix\)](http://www.schoolcraft.edu/student-relations/gender-based-and-sexual-misconduct-information-and-reporting-(title-ix)). During business hours (8am-5pm) Monday through Friday, you are also strongly urged to contact the Chief Student Services Officer at (734) 462-4468. Also, reporting the incident via the College's online incident reporting system (<http://www.schoolcraft.edu/scaware/sc-aware>) automatically notifies both the Campus Police and the Chief Student Services Officer.

2. How the College Determines Whether This Policy will be Used

The Chief Human Resource and Risk Management Officer will determine whether Procedure 4060.1 (Workplace Conduct) is applicable to the alleged misconduct and will investigate the report with other appropriate college administrators as warranted.

3. Steps in the Disciplinary Process

The major steps in the disciplinary process which apply to all employees (with exceptions noted) include:

- Interview with victim
- Interview with witnesses or other parties
- Gathering of evidence/review of video, if available
- Investigatory Meeting with employee (and union representation, if a union employee)
- Administrative finding/decision with the Chief Human Resource and Risk Management Officer, College President, other administrators as appropriate
- If accused is a full-time faculty member and potential discipline involves suspension or termination, a disciplinary hearing is held prior to and separately from discipline meeting; attendees at this hearing include the faculty member, union representation, Chief Human Resource and Risk Management Officer, the faculty member's administrator
- Discipline meeting held with employee (and union representation, if applicable) and discipline administered

4. Anticipated Timelines

Anticipated timelines for each step of the investigation and discipline process:

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- Interview with victim (within one week of receiving report)
- Interview with witnesses or other parties (within one week of receiving report)
- Gathering of evidence/review of video, if available (within one week of receiving report)
- Investigatory Meeting with accused employee (and union representation, if a union employee) (within 1-2 weeks of receiving report)
- Administrative finding/decision with Chief Human Resource and Risk Management Officer, College President, other administrators as appropriate (within one week of completed investigation)
- If accused is a full-time faculty member and potential discipline involves suspension or termination, a disciplinary hearing is held prior to and separately from discipline meeting; attendees at this hearing include the faculty member, union representation, Chief Human Resource and Risk Management Officer, the faculty member's administrator (within one week of administrative finding)
- Discipline meeting held with employee (and union representation, if applicable) and discipline administered (within 5 days of administrative finding or discipline hearing if full-time faculty)

5. Decision-Making Process

All sources of information will be considered in reaching a finding (initial report information, interviews of victim, witnesses/other parties, information obtained from accused employee during investigatory meeting; video or other available evidence).

6. Standard of Evidence

Preponderance of the Evidence

7. Possible Sanctions

Possible disciplinary sanctions for all employee groups:

- Verbal reprimand
- Written reprimand
- Written reprimand with 3-day suspension
- Written reprimand with 5-day suspension
- Termination

8. Range of Protective Measures Available to a Victim Alleging Misconduct

Protective measures include no-contact orders, separate interview from accused during investigatory process, safety escorts.

9. College-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measures

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should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a College order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.<sup>6</sup> Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Schoolcraft College.

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

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 such institution against a student 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 Registration***

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It 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, volunteers services or is a student.

In Michigan, convicted sex offenders must register with the local law enforcement agency, sheriff's department, or the Michigan State Police immediately after becoming domiciled or temporarily residing, working, or being a student in this state. In accordance with the Wetterling Act, Megan's Law, and the Campus Sex Crimes Prevention Act of 2000, it is mandatory that all registered sex offenders report to the law enforcement agency having jurisdiction in which the institution of higher learning is located. The Michigan Public Sex Offenders Registry can be accessed at [www.mipsor.state.mi.us/](http://www.mipsor.state.mi.us/)

Convicted sex offenders that are students of the College can register with the Livonia Police Department. Their website is: [www.livoniapd.com](http://www.livoniapd.com). Schoolcraft College's Student Code of Conduct Sex Offender Notification and Registration requirement can be found here: <http://www.schoolcraft.edu/college-policies/student-code-of-conduct/sex-offender-registration>.

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<sup>6</sup> Applicable law requires that, when taking such steps to separate the complainant and the accused, the College must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

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**Jurisdictional (Michigan) Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

**What Constitutes Domestic Violence According To Michigan State Statute**

Michigan Compiled laws section 600.1200: Domestic violence offense.

(1) 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 section 400.1501 definitions.

(1) Domestic Violence means the occurrence of any of the following acts by a person that is not an act of self-defense:

- (i) Causing or attempting to cause physical or mental harm to a family or household member.
- (ii) Placing a family or household member in fear of physical or mental harm.
- (iii) Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress.
- (iv) Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

(2) Dating Violence is not defined under Michigan law, however, dating relationship is.

(a) Dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

400.1501. amended Definitions.

Sec. 1.

As used in this act:

(a) "Board" means the Michigan Domestic and Sexual Violence Prevention and Treatment Board created under Executive Order No. 2012-17.

(b) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

(c) "Department" means the Department of Health and Human Services.

(d) "Domestic violence" means the occurrence of any of the following acts by a person that is not an act of self-defense:

- (i) Causing or attempting to cause physical or mental harm to a family or household member.
- (ii) Placing a family or household member in fear of physical or mental harm.

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(iii) Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress.

(iv) Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

<http://legislature.mi.gov/doc.aspx?mcl-400-1501-amended>

- **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 follows: Michigan Law defines Criminal Sexual Conduct as:
  - (b) "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).

**Section 750.520b Criminal sexual conduct in the first degree; circumstances; felony.**

750.520b Criminal sexual conduct in the first degree; circumstances; felony; consecutive terms.

Sec. 520b.

(1) A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with another person and if any of the following circumstances exists:

- (a) That other person is under 13 years of age.
- (b) That other person is at least 13 but less than 16 years of age and any of the following:
  - (i) The actor is a member of the same household as the victim.
  - (ii) The actor is related to the victim by blood or affinity to the fourth degree.
  - (iii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
  - (iv) The actor is a teacher, substitute teacher, or administrator of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled.
  - (v) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the



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actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

(vi) The actor is an employee, contractual service provider, or volunteer of a child care organization, or a person licensed to operate a foster family home or a foster family group home in which that other person is a resident, and the sexual penetration occurs during the period of that other person's residency. As used in this subparagraph, "child care organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.

(c) Sexual penetration occurs under circumstances involving the commission of any other felony.

(d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:

(i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(ii) The actor uses force or coercion to accomplish the sexual penetration. Force or coercion includes, but is not limited to, any of the circumstances listed in subdivision (f).

(e) The actor is armed with a weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.

(f) The actor causes personal injury to the victim and force or coercion is used to accomplish sexual penetration. Force or coercion includes, but is not limited to, any of the following circumstances:

(i) When the actor overcomes the victim through the actual application of physical force or physical violence.

(ii) 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.

(iii) 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.

(iv) 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.

(v) When the actor, through concealment or by the element of surprise, is able to overcome the victim.

(g) The actor causes personal injury to the victim, and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(h) That other person is mentally incapable, mentally disabled, mentally incapacitated, or physically helpless, and any of the following:

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- (i) The actor is related to the victim by blood or affinity to the fourth degree.
  - (ii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
- (2) Criminal sexual conduct in the first degree is a felony punishable as follows:
  - (a) Except as provided in subdivisions (b) and (c), by imprisonment for life or for any term of years.
  - (b) For a violation that is committed by an individual 17 years of age or older against an individual less than 13 years of age by imprisonment for life or any term of years, but not less than 25 years.
  - (c) For a violation that is committed by an individual 18 years of age or older against an individual less than 13 years of age, by imprisonment for life without the possibility of parole if the person was previously convicted of a violation of this section or section 520c, 520d, 520e, or 520g committed against an individual less than 13 years of age or a violation of law of the United States, another state or political subdivision substantially corresponding to a violation of this section or section 520c, 520d, 520e, or 520g committed against an individual less than 13 years of age.
  - (d) In addition to any other penalty imposed under subdivision (a) or (b), the court shall sentence the defendant to lifetime electronic monitoring under section 520n.
- (3) The court may order a term of imprisonment imposed under this section to be served consecutively to any term of imprisonment imposed for any other criminal offense arising from the same transaction.

**Section 750.520c Criminal sexual conduct in the second degree; felony.**

- (1) A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if any of the following circumstances exists:
  - (a) That other person is under 13 years of age.
  - (b) That other person is at least 13 but less than 16 years of age and any of the following:
    - (i) The actor is a member of the same household as the victim.
    - (ii) The actor is related by blood or affinity to the fourth degree to the victim.
    - (iii) The actor is in a position of authority over the victim and the actor used this authority to coerce the victim to submit.
    - (iv) The actor is a teacher, substitute teacher, or administrator of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled.
    - (v) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee,

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contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

(vi) The actor is an employee, contractual service provider, or volunteer of a child care organization, or a person licensed to operate a foster family home or a foster family group home in which that other person is a resident and the sexual contact occurs during the period of that other person's residency. As used in this subdivision, "child care organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.

(c) Sexual contact occurs under circumstances involving the commission of any other felony.

(d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:

(i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(ii) The actor uses force or coercion to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).

(e) The actor is armed with a weapon, or any article used or fashioned in a manner to lead a person to reasonably believe it to be a weapon.

(f) The actor causes personal injury to the victim and force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).

(g) The actor causes personal injury to the victim and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(h) That other person is mentally incapable, mentally disabled, mentally incapacitated, or physically helpless, and any of the following:

(i) The actor is related to the victim by blood or affinity to the fourth degree.

(ii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.

(i) That other person is under the jurisdiction of the department of corrections and the actor is an employee or a contractual employee of, or a volunteer with, the department of corrections who knows that the other person is under the jurisdiction of the department of corrections.

(j) That other person is under the jurisdiction of the department of corrections and the actor is an employee or a contractual employee of, or a volunteer with, a private vendor that operates a youth correctional facility under section 20g of the corrections code of 1953, 1953 PA 232, MCL 791.220g, who knows that the other person is under the jurisdiction of the department of corrections.

(k) That other person is a prisoner or probationer under the jurisdiction of a county for purposes of imprisonment or a work program or other probationary program and the actor is an employee or a contractual employee of or a volunteer with the county or the department of corrections who knows that the other person is under the county's jurisdiction.

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(l) The actor knows or has reason to know that a court has detained the victim in a facility while the victim is awaiting a trial or hearing, or committed the victim to a facility as a result of the victim having been found responsible for committing an act that would be a crime if committed by an adult, and the actor is an employee or contractual employee of, or a volunteer with, the facility in which the victim is detained or to which the victim was committed.

(2) Criminal sexual conduct in the second degree is a felony punishable as follows:

(a) By imprisonment for not more than 15 years.

(b) In addition to the penalty specified in subdivision (a), the court shall sentence the defendant to lifetime electronic monitoring under section 520n if the violation involved sexual contact committed by an individual 17 years of age or older against an individual less than 13 years of age.

**Section 750.520d Criminal sexual conduct in the third degree; felony.**

(1) A person is guilty of criminal sexual conduct in the third degree if the person engages in sexual penetration with another person and if any of the following circumstances exist:

(a) That other person is at least 13 years of age and under 16 years of age.

(b) Force or coercion is used to accomplish the sexual penetration. Force or coercion includes but is not limited to any of the circumstances listed in section 520b(1)(f)(i) to (v).

(c) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(d) That other person is related to the actor by blood or affinity to the third degree and the sexual penetration occurs under circumstances not otherwise prohibited by this chapter. It is an affirmative defense to a prosecution under this subdivision that the other person was in a position of authority over the defendant and used this authority to coerce the defendant to violate this subdivision. The defendant has the burden of proving this defense by a preponderance of the evidence. This subdivision does not apply if both persons are lawfully married to each other at the time of the alleged violation.

(e) That other person is at least 16 years of age but less than 18 years of age and a student at a public school or nonpublic school, and either of the following applies:

(i) The actor is a teacher, substitute teacher, or administrator of that public school, nonpublic school, school district, or intermediate school district. This subparagraph does not apply if the other person is emancipated or if both persons are lawfully married to each other at the time of the alleged violation.

(ii) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee,

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contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

(f) That other person is at least 16 years old but less than 26 years of age and is receiving special education services, and either of the following applies:

(i) The actor is a teacher, substitute teacher, administrator, employee, or contractual service provider of the public school, nonpublic school, school district, or intermediate school district from which that other person receives the special education services. This subparagraph does not apply if both persons are lawfully married to each other at the time of the alleged violation.

(ii) The actor is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

(g) The actor is an employee, contractual service provider, or volunteer of a child care organization, or a person licensed to operate a foster family home or a foster family group home, in which that other person is a resident, that other person is at least 16 years of age, and the sexual penetration occurs during that other person's residency. As used in this subdivision, "child care organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.

(2) Criminal sexual conduct in the third degree is a felony punishable by imprisonment for not more than 15 years.

**Section 750.520e Criminal sexual conduct in the fourth degree; misdemeanor.**

THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

750.520e Criminal sexual conduct in the fourth degree; misdemeanor.

Sec. 520e.

(1) A person is guilty of criminal sexual conduct in the fourth degree if he or she engages in sexual contact with another person and if any of the following circumstances exist:

(a) That other person is at least 13 years of age but less than 16 years of age, and the actor is 5 or more years older than that other person.

(b) Force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the following circumstances:

(i) When the actor overcomes the victim through the actual application of physical force or physical violence.

(ii) 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 that threat.

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(iii) 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 that threat. As used in this subparagraph, "to retaliate" includes threats of physical punishment, kidnapping, or extortion.

(iv) When the actor engages in the medical treatment or examination of the victim in a manner or for purposes which are medically recognized as unethical or unacceptable.

(v) When the actor achieves the sexual contact through concealment or by the element of surprise.

(c) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(d) That other person is related to the actor by blood or affinity to the third degree and the sexual contact occurs under circumstances not otherwise prohibited by this chapter. It is an affirmative defense to a prosecution under this subdivision that the other person was in a position of authority over the defendant and used this authority to coerce the defendant to violate this subdivision. The defendant has the burden of proving this defense by a preponderance of the evidence. This subdivision does not apply if both persons are lawfully married to each other at the time of the alleged violation.

(e) The actor is a mental health professional and the sexual contact occurs during or within 2 years after the period in which the victim is his or her client or patient and not his or her spouse. The consent of the victim is not a defense to a prosecution under this subdivision. A prosecution under this subsection shall not be used as evidence that the victim is mentally incompetent.

(f) That other person is at least 16 years of age but less than 18 years of age and a student at a public school or nonpublic school, and either of the following applies:

(i) The actor is a teacher, substitute teacher, or administrator of that public school, nonpublic school, school district, or intermediate school district. This subparagraph does not apply if the other person is emancipated or if both persons are lawfully married to each other at the time of the alleged violation.

(ii) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

(g) That other person is at least 16 years old but less than 26 years of age and is receiving special education services, and either of the following applies:

(i) The actor is a teacher, substitute teacher, administrator, employee, or contractual service provider of the public school, nonpublic school, school district, or intermediate school district from which that other person receives the special education services. This

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subparagraph does not apply if both persons are lawfully married to each other at the time of the alleged violation.

(ii) The actor is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

(h) The actor is an employee, contractual service provider, or volunteer of a child care organization, or a person licensed to operate a foster family home or a foster family group home, in which that other person is a resident, that other person is at least 16 years of age, and the sexual contact occurs during that other person's residency. As used in this subdivision, "child care organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.

(2) Criminal sexual conduct in the fourth degree is a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$500.00, or both.

**Stalking:** The state of Michigan defines stalking as follows: 750.411h - "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. The law can be found here: <http://legislature.mi.gov/doc.aspx?mcl-750-411h>

- **Consent:** The state of Michigan does not have a definition of consent, in relation to sexual activity. Schoolcraft College defines it here: [http://www.schoolcraft.edu/student-relations/gender-based-and-sexual-misconduct-information-and-reporting-\(title-ix\)](http://www.schoolcraft.edu/student-relations/gender-based-and-sexual-misconduct-information-and-reporting-(title-ix)) and below:

Consent is defined as permission to act. It may be given by words or actions, so long as those words or actions create clear, mutually understood permission to engage in (and the conditions of) sexual activity. Consent must meet all of the following standards:

- Active, not passive. Silence, in and of itself, cannot be interpreted as consent. There is no requirement that an individual resist a sexual act or advance, but resistance is a clear demonstration of not consenting.
- Given freely. A person cannot give consent under force, threats, or unreasonable pressure (coercion). Coercion includes continued pressure after an individual has made it clear that s/he does not want to engage in the behavior.
- Provided knowingly. Legally valid consent to sexual activity cannot be given by:
  - A person under the legal age to consent (16 years old in Michigan), or

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- An individual who is known to be (or based on the circumstances should reasonably be known to be) mentally or physically incapacitated. An incapacitated person is someone who cannot make rational, reasonable decisions because s/he lacks the capacity to understand the “who, what, when, where, why and how” of a sexual interaction. This includes a person whose incapacity results from mental disability, sleep, involuntary physical restraint, unconsciousness, use of alcohol or other drugs.
- Specific. Permission to engage in one form of sexual activity does not imply permission for another activity. In addition, previous relationships or prior consent do not imply consent to future sexual acts. It is the responsibility of the initiator of the act to receive permission for the specific act. As a result, consent may be requested and given several times by multiple parties during a sexual encounter involving multiple acts.