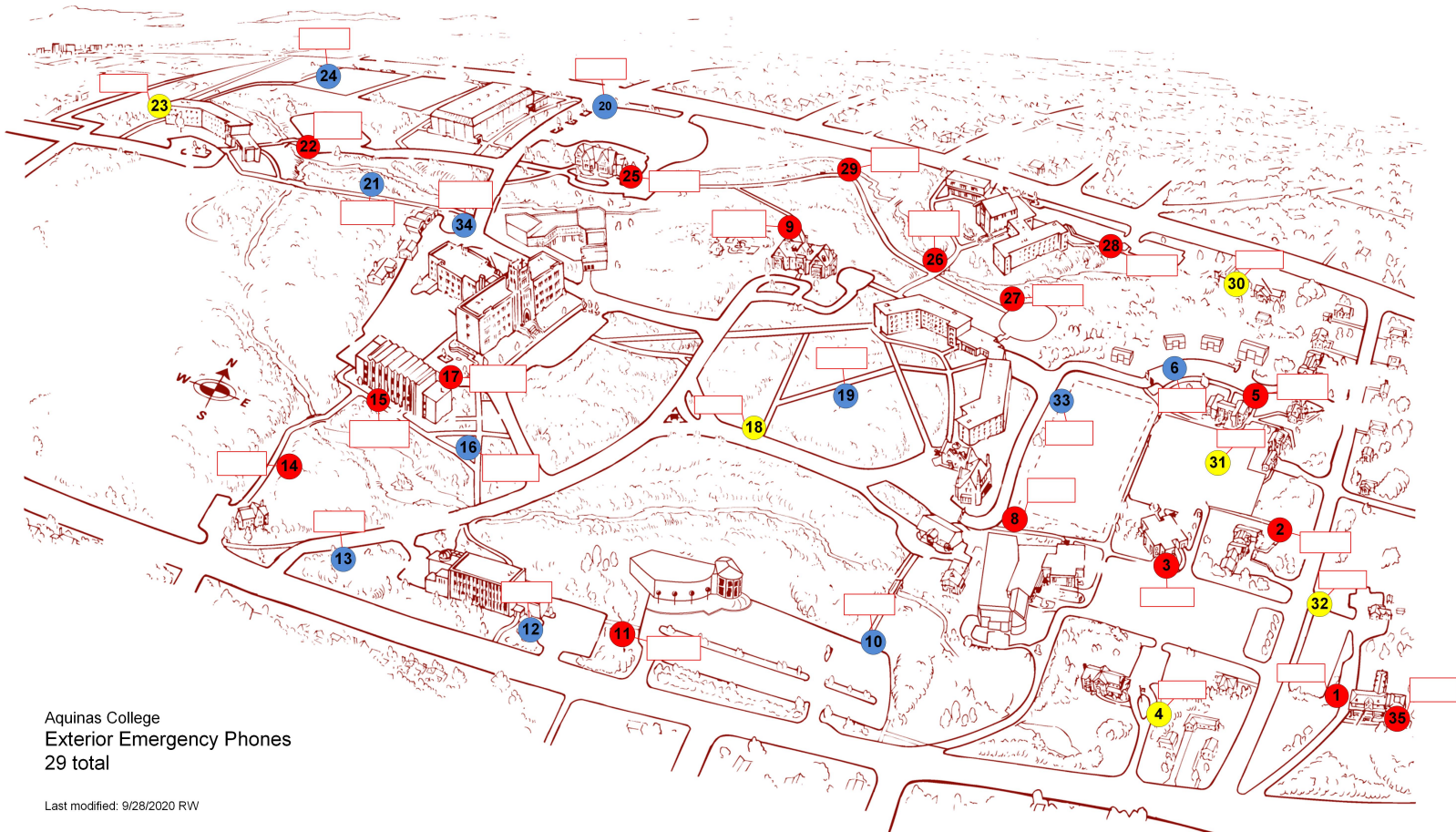


# *Aquinas College*



## *2022 Annual Security and Fire Safety Report Statistical Information 2019, 2020, 2021*

## SAFETY PHONE LOCATIONS ON CAMPUS



## Table of Contents

Introduction- About Aquinas College .....	7
Introduction – Director Aquinas College Campus Safety .....	7
Aquinas College - Campus Safety Department.....	8
Training .....	8
Working Relationships with Law Enforcement Agencies.....	8
Services to provide a safe and secure campus; .....	8
Lighting.....	8
Locking Buildings .....	9
Locking Residence Halls .....	9
Key and Lock Requests .....	9
Maintenance .....	10
Housing & Residence Life Experience Staff.....	10
Crime Prevention .....	10
Bicycle Registration.....	10
Blue Safety Phones.....	11
Escort Service.....	11
Clery Public Log .....	11
Reporting a Crime or Suspicious Behavior on Campus .....	11
On Campus Phones .....	11
Confidential Reporting.....	12
Reporting Crime off Campus .....	12
Help for Crime Victims.....	13
Sex Offender Registration.....	13
Criminal Definitions .....	14
Sex Offenses—Forcible .....	14
Sexual Assault .....	14
Rape.....	14
Fondling.....	14

Incest.....	14
Statutory Rape .....	14
Forcible Sodomy .....	14
Sexual Assault with an Object .....	14
Sex Offenses—Non Forcible.....	14
Incest: .....	14
Statutory Rape: .....	14
Aggravated Assault: .....	14
Arson: .....	15
Bias Crime:.....	15
Burglary:.....	15
Dating Violence: .....	15
Domestic Violence:.....	15
Drug Law Violations:.....	15
Hate Crime:.....	15
Intimidation: .....	15
Larceny: .....	15
Liquor Law Violations: .....	15
Manslaughter by Negligence .....	15
Motor Vehicle Theft:.....	15
Murder and Non-negligent Manslaughter:.....	15
Robbery: .....	15
Simple Assault: .....	15
Stalking .....	15
Vandalism: .....	16
Weapon Law Violations:.....	16
Geography Definitions.....	16
On—Campus .....	16
Non-Campus Building or Property .....	16
Public Property.....	16
Consent: .....	16

Sexual Assault .....	17
Forcible Rape.....	17
Rape: .....	17
Fondling:.....	17
Incest.....	17
Statutory Rape: .....	17
Michigan Criminal Law section 750.520a provides the following definitions for incidents of sexual assault. ....	17
Education and Prevention Programs.....	28
Procedures for Reporting a Complaint.....	30
Assistance for Victims: Rights and Options .....	52
Personal Protection Orders (Kent County 17 <sup>th</sup> Circuit Court).....	53
Resources for Victims of Domestic Violence, dating violence, sexual assault and stalking..	55
Active Bystander Information .....	56
Amnesty for Reporting Prohibited Misconduct .....	58
<b>EMERGENCY NOTIFICATIONS AND RESPONSE .....</b>	<b>58</b>
Timely Warnings .....	60
Factors for Determining Method of Communication.....	60
Emergency Response Plan .....	61
Missing Student Policy .....	61
Illegal Use of Alcohol and Other Drugs .....	63
Health Risk .....	63
Treatment Programs.....	63
Student Code of Conduct .....	63
Penalties .....	64
Use of Weapons.....	65
Annual Disclosure of Crime Statistics.....	65
Policy Applicability.....	66
Annual Fire Safety Report.....	68
Fire Policies for On Campus Residence Halls .....	68
Fire Definitions .....	70

Fire Protection Equipment Systems.....	71
Fire Logs .....	73
2021 Fire Log .....	73
2020 Fire Log .....	75
2019 Fire Log .....	77
Reporting Process .....	80
General Procedures for Reporting a Crime or Emergency .....	80
Notification to the AQ Community about Reported Crimes.....	80
Statistical Disclosure of Reported Incidents.....	80
Reporting Methods Available on Campus.....	81
Reporting a Crime to the Grand Rapids Police Department.....	81
Off-Campus Crime .....	81

## **Introduction- About Aquinas College**

Aquinas College was established by the Dominican Sisters of Marywood in 1886 and is an inclusive educational community rooted in the Catholic Dominican tradition. Aquinas College is a distinguished institution providing a liberal arts education with a global perspective, emphasizing leadership and service to others, while fostering a commitment to lifelong learning dedicated to the pursuit of truth and the common good. Although quiet residential neighborhoods border the campus, Aquinas College is located on the southeast side of Grand Rapids, Michigan's second largest city, in the vibrant, eclectic Eastown community and bordering the city of East Grand Rapids.

While Aquinas College is located in one of the safest areas of the city, no campus is free from crime, whether it is urban, suburban, or rural. All members of the Aquinas College community, therefore, should take reasonable precautions to protect themselves and others from crime. Aquinas College is committed to working with all community stakeholders to make our campus a safe and secure environment. The College has developed a series of policies and procedures to assist in these efforts. The following information has been prepared to increase your awareness of current programs that exist to assist you in protecting your safety and well-being as well as the entire Aquinas community. Portions are also provided in compliance with federal law, specifically the Clery Act and the Higher Education Opportunity Act (HEOA). Aquinas College has been fortunate in experiencing few serious crimes, but such incidents could occur, and all crime is serious to the victim. Students, faculty, staff, and guests are responsible for adopting measures to protect themselves and their possessions.

## **Introduction – Director Aquinas College Campus Safety**

Dear Students, faculty, staff, family and friends of Aquinas College. I and the Campus Safety Department welcome you to our Campus Community.

The Campus Safety Department takes all matters pertaining to safety, security and emergency response very serious and as such encourages all members of the Aquinas Community to assist us by taking personal responsibility in your own safety awareness. This can be accomplished by actively participating in scheduled exercises, attending educational programs, familiarizing yourself with emergency response actions and getting to know the outstanding staff and administration of Aquinas College Campus Safety.

This report is provided to you so that you may familiarize yourself with the services that are offered to prevent unexpected or illegal activities. Additionally, this report provides Annual Crime statistical information about Aquinas College as required by the Clery act.

If you have any questions or simply wish to discuss the information in this report, please contact my office at any time.

Thank you for choosing Aquinas College and I look forward to meeting you on campus.

Sincerely,

Director Kevin Kwiatkowski  
Aquinas College  
Department of Campus Safety



**Aquinas College - Campus Safety Department**

Campus Safety is responsible for providing security services, policy enforcement as well as first response to all incidents on campus. The Campus Safety Office is nestled between the Wege Lot (West side of the parking lot) and Wilcox Park. The Department is headed by a Director, who currently reports to the Dean of Student Development. Aquinas College Campus Safety officers are not state commissioned police officers and only have arrest authority for felonies and certain misdemeanors committed in their presence. The Department enforces College policies as well as federal, state, and local laws in collaboration with law enforcement agencies. The Department operates 24 hours a day, 365 days a year. In addition to the Director, the Department is staffed with two full-time supervisors, two full-time shift supervisors, one Locksmith, one Emergency Management Coordinator and one Assistant Office Manager. Supporting this core staff are three to eight part-time officers and dispatchers, 10 to 20 student officers, and dispatchers.

**Training**

Supervisors and shift supervisors are responsible for on-going training of part-time and student employees. Training includes College and Department policies and procedures as well as basic protection of persons and property. The Director provides training for all or part of the Department in public relations, interpersonal communication, crisis intervention, critical incident response, de-escalation, self-defense, hand-cuffing, CPR, AED, first aid, and other timely topics. Much of the training is presented at conferences, seminars, or in hands-on training sessions provided by Aquinas faculty, local law enforcement agencies, Federal Law Enforcement Training Center, security contractors, and other field experts.

**Working Relationships with Law Enforcement Agencies**

The Aquinas College Department of Campus Safety maintains a close working relationship with the Grand Rapids Police Department (GRPD). The Department maintains regular communication with GRPD's Eastown Community Police Officer, including exchange of case information. GRPD provides Campus Safety with relevant crime information about crimes occurring near campus and crimes involving known Aquinas community members. GRPD investigates most crimes occurring on campus. Campus Safety occasionally works with other law enforcement agencies, including East Grand Rapids Public Safety Department, Kent County Sheriff's Department, the Michigan State Police, the FBI, and Homeland Security. There is no written memorandum of understanding between Aquinas Campus Safety and any public law enforcement agency, however the department is moving forward to formalize our working relationships with our local Law Enforcement partners.

As a practice, local and state police agencies do not inform the college of criminal activity in the vicinity of the college campus. A reasonable attempt is made to be aware of any crimes occurring in the area of the campus that would pose a threat to the college community this is accomplished by the utilization of GRPD Crime Mapping software and monitoring of GRPD police frequencies in the dispatch center.

**Services to provide a safe and secure campus;**

The college diligently works to maintain the campus in a manner that reduces the likelihood of crime. In that spirit the department either manages, and maintains the following or coordinates with fellow departments for the efficient operations of;

**Lighting**

Aquinas College has extensive exterior lighting for the hours of darkness. Problems with exterior lights should be reported immediately to the Physical Plant department (extension 2102 or 632-2102) during normal business hours or Campus Safety Dispatch (extension 2462 or 632-2462) after normal business hours. Or filling out the form located [here](#) online.



### **Locking Buildings**

Administrative and academic buildings and offices are locked and unlocked in a variety of ways;

- A Door Access System managed by the Campus Safety Department.
- Officers for doors with no remote access and finally,
- The Physical Plant staff.

The Aquinas College campus is open to the public. The academic and administrative buildings are open to the public, at a minimum, during normal business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Access to some of these buildings is also controlled by card access after normal business hours, and all of these buildings have varied levels of access control.

Campus Safety officers patrol the academic and administrative buildings on a regular basis. For information about the access protocol for a specific building, see the building manager, a department head, or contact Campus Safety at (616) 632-2462. All groups and individuals whether internal or external must reserve a building, room, or space through Aquinas College Conferencing Department. Please contact Conferencing at (616) 632-2801. Campus Safety will not open a space nor admit anyone without reservation or Long Term Authorization (LTA).

Times for locking and unlocking the buildings are established by building needs coordinated by the EMS (Event Management System managed by the Conferencing department) and coordinated with Campus Safety, and individual departments.

### **Locking Residence Halls**

Aquinas College residence halls are locked after business hours. Students are issued ID cards that also act as their building access cards which must be used to access residence halls after normal business hours. In addition, hall floors are locked at all times and must be accessed by utilization of an issued residence hall room key. Students are encouraged to keep their dorm room doors locked at all times and keep their residence hall room key on their person at all times. By keeping their doors locked the students will help deter crime.

Access to residence halls is restricted to residents and other approved members of the College community. Residents gain entry by scanning their cards at the card access readers. In addition, hall floors and student rooms are locked at all times and must be accessed by utilization of a residence hall room key. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their own access cards and keys. Campus Safety officers patrol the residence halls on a regular basis.

Resident Experience Coordinator (REC), Resident Assistants (RA), and front-desk staff enforce security measures in the residence halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. Housing and Residence Life Experience, Student Affairs, and Campus Safety also conduct periodic educational sessions on prevention of various crimes, including sexual assault and non-stranger rape.

## **Key and Lock Requests**

The Campus Safety Office issues workplace keys to faculty and staff. In addition Campus Safety will, with authorization, provide keys to contactors as needed. Requests for additional keys or lock changes must be sent to the Campus Safety Office. Lost or stolen student room keys shall be reported to the Locksmith. For your convenience the following links are provided;

- [Resident Key Request](#)
- [Faculty Staff Key Request](#)
- [Door Lock Issue Request](#)

## **Maintenance**

Reported maintenance problems that pose a threat to safety and security (such as broken locks or windows) should be reported to the Physical Plant extension 2102 during normal business hours and Campus Safety Dispatch extension 2462 after hours.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Campus Safety regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Maintenance, Grounds, and Housekeeping for correction. Other members of the College community are helpful when they report equipment problems to the Physical Plant department. These requests may be submitted on the Aquinas College intranet at [the physical plant maintenance website](#)

## **Housing & Residence Life Experience Staff**

Housing & Residence Life Experience staff members walk each floor of the residence halls two times between 7:00p.m. and 1:00 a.m. on weekdays, and will walk each floor of the residence halls two times between 7:00 p.m. and 2:00 a.m. on weekends. Staff also participates in fire extinguisher training, mental health training, and yearly training on school policy and procedures.

## **Crime Prevention**

Aquinas College Campus Safety Officers patrol the campus buildings and grounds to help ensure a safe environment for students, faculty, staff, and visitors. Additionally Grand Rapids Police Department will periodically patrol the campus providing another layer of security. Additional crime prevention measures include such things as bicycle registration, safety phones, crime prevention programs, escort services, and posting to the Clery Public Log. Aquinas College is also equipped with a camera system that allows for monitoring of the buildings and grounds of the campus.

## **Bicycle Registration**

To deter bicycle theft and recover stolen bicycles, mandatory bicycle registration is required through the Campus Safety Office. Registration is free and can be done online at our Campus safety website. Campus Safety Officers confiscate unsecured bicycles and return them to the Campus Safety Office and the owner can register their bicycle when they recover it.

- [Aquinas Bicycle Registration.](#)

## Blue Safety Phones

Aquinas College has installed safety phones around campus. These exterior phones are marked with a blue light and may be used to report an emergency, crime in progress, or to request assistance.

## Escort Service

To aid in the prevention of criminal behavior, Campus Safety offers an Escort Service for students, faculty, and staff that do not feel comfortable walking alone during the evening hours. The Escort Service runs from dusk until dawn and can be reached by calling the Dispatch line at (616) 632-2462.

Additionally students, faculty, or staff may use the A.Q. C.A.R.E.S. application to initiate a “SAFE Saints” walk which will notify the Campus Safety Dispatcher that there is a walk request. Once the request is accepted by the dispatcher the dispatcher will monitor the progress of the person on a map using the location setting on their phone. If at any time the person needs assistance they can tap emergency on the app.

A person may also use the A.Q. C.A.R.E.S. app to initiate a Friend Walk which has the same function as the SAFE Saints but can be sent to a person through a text message and the other individual will be able to observe the original persons progress. If assistance is needed the person walking can alert the friend and initiate an emergency call at the same time.

## Clery Public Log

The Clery Public Log which lists incident reports is updated within two business days of an incident being reported to Campus Safety. This log is updated daily at the Campus Safety website at [Aquinas College Campus Safety](#) and select Current Year Public Crime Log to view or select Archived Public Crime Logs to view older logs.

### Reporting a Crime or Suspicious Behavior on Campus

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to Campus Safety in a timely manner. To report a crime that is in progress or an emergency from the College phone system, call Campus Safety at extension 3333. To report a crime that is in progress or an emergency from outside the College phone system, call (616) 632-2462. To report a non-emergency security or public safety related matter, call Campus Safety at extension 2462 or from outside the College phone system, (616) 632-2462.

### On Campus Phones

Campus Safety can be contacted from on-campus telephones by dialing 2462 for non-emergency calls or 3333 for an emergency. Black courtesy phones are located in the lobbies and corridors of many campus buildings. Red emergency phones are located in stairwells, entrances, and lobbies of many buildings. There are thirty-four (34) red, blue, or yellow boxed emergency phones located along many paths, sidewalks, and parking lots. Additionally, many “Area of Refuge” phones are located throughout campus; crimes or emergencies may also be reported from any of these phones.

Dispatchers are available at these respective telephone numbers 24 hours a day 365 days a year to answer your calls. In response to a call, Campus Safety will take action by either dispatching an officer or having the dispatcher take the necessary information to file an incident report. Incident Reports involving College employees are forwarded to the Director of Human Resources for review and possible referral for

potential action, as appropriate. Incident reports involving students and non-College affiliated individuals are forwarded to the Dean of Student Development Office for review and possible referral to a judicial affairs officer for potential action, as appropriate. The Director of Campus Safety will assign a supervisor to further investigate a report when it is deemed appropriate.

Additional information obtained via the investigation will also be forwarded to the Director of Human Resources or Dean of Student Development. If assistance is required from the Grand Rapids Police Department, East Grand Rapids Public Safety, Kent County Sheriff's Department or Michigan State Police, Campus Safety will contact the appropriate agency. If a sexual assault should occur, staff on the scene, including Campus Safety, will offer the victim a wide variety of services, including the Nurse Examiner Program at the YWCA.

All Campus crimes should be reported to the Department of Campus Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

## **Confidential Reporting**

Persons who decide not to pursue action with the criminal justice system or with Aquinas College's judicial system may want to consider making a confidential report. The Director of Campus Safety can file a report on the details of the incident without revealing a victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of others. With such information, the College can keep accurate records of the number of incidents involving students, determine whether there is a pattern of crime, and alert the campus community to potential danger. The confidential reports can be given to any Campus Security Authority. The definition of a Campus Security Authority, according to the Clery Act is as follows: "An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings." Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution; however identifying information remains anonymous.

The college will take reasonable steps to investigate and to respond to the complaint. With confidential reports, the college will make attempts to address the concerns of the complainant, including concerns of retaliation. However, the request for a confidential report may limit the college's ability to fully address a situation.

Campus professional counselors and ministry staff, when acting as such, are not considered to be campus security authorities and are not required to report crimes for inclusion into the Annual Security Report. However, as a matter of policy, they are encouraged to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

## **Reporting Crime off Campus**

Criminal activity off campus should be reported to the local police department. The close working relationship between Campus Safety and local Law Enforcement allows Campus Safety to record and publish criminal activity near the campus and at locations owned by the college. Aquinas College Department of Campus Safety does not provide Campus Safety services to off campus residences or off campus properties owned by the college. The college does not have any off campus student organizations.

If local Law Enforcement is contacted about criminal activity occurring off-campus involving Aquinas students, local Law Enforcement may notify Campus Safety. However, there is no official policy requiring such notification. Students in these cases may be subject to arrest by local Law Enforcement and college judicial proceedings through the Division of Student Affairs.

## Help for Crime Victims

Aquinas College assists victims by arranging transportation for medical attention, helping victims file police reports, and working with the county prosecutor and the Kent County Courts. Campus Safety forwards reports on behalf of the victims to the appropriate officials and agencies. Aquinas College offers free counseling through the Aquinas College Counseling Center to students who are victims of violent crimes. Information provided by the victim will be held confidential unless the victim authorizes otherwise. Campus Safety also has contact information for a number of additional resources both on and off campus. This information is available at the Campus Safety Office or on the [Campus Safety website](#).

In order to receive help from the Campus Safety Department or other services that are provided to victims

### **JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013**

Aquinas College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Aquinas College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a College official. In this context, Aquinas College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the college community.

For a complete copy of Aquinas College's policy governing sexual misconduct, visit;

[Aquinas College Office of Student Affairs webpage](#).

The Violence Against Women Act Reauthorization Act of 2022 was passed by both the United States Senate and United States House of Representatives and signed by President Joseph Biden on March 16<sup>th</sup>, 2022.

## 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 the State of Michigan, convicted sex offenders must register with the police department that has jurisdiction over the location of their residence. You can link to this information by accessing Offender Watch on the Michigan Public Sex Offender website at:

[http://www.communitynotification.com/cap\\_main.php?office=55242/](http://www.communitynotification.com/cap_main.php?office=55242/)

## Criminal Definitions

### Sex Offenses—Forcible

**Sexual Assault:** Any sexual act directed against another person, 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, including:

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

"Consent" is the freely, affirmatively communicated willingness to participate in sexual activity, expressed by words or unambiguous actions. It is the responsibility of the initiator of the sexual activity to ensure that he or she has the other person's consent to engage in sexual activity. Silence cannot, in and of itself, be interpreted as consent. Consent must be present throughout the sexual activity by all parties involved. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Consent may never be obtained through the use of force, coercion, or intimidation, or if the victim is mentally or physically disabled or incapacitated, including through the use of drugs or alcohol. Consent cannot be assumed because of the existence of a dating relationship between the persons involved or due to the existence of a previous sexual relationship between the persons. The perpetrator's or the victim's use of alcohol does not diminish the perpetrator's responsibility.

**Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/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.

**Sexual Assault with an Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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 or physical incapacity.

### Sex Offenses—Non Forcible

Unlawful, non-forcible sexual intercourse.

**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.

**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.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.

**Bias Crime:** A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.

**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.

**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/survivor. The existence of such a relationship shall be determined based on a consideration of: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of a victim; (b) a person with whom the victim/survivor shares a child in common; (c) a person who is cohabitating with or who has cohabitated with the victim/survivor as a spouse or intimate partner; (d) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or (E) any other person against an adult or youth victim/survivor who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

**Drug Law 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, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

**Hate Crime:** see Bias Crime.

**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.

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**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).

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

**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).

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human by another.

**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, violence, and/or by putting the victim in fear.

**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, sever laceration or loss of consciousness.

**Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress.

**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.

**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.

Criminal Definitions are from the: Uniform Crime Reporting Program definitions citation 34 CFR 668.46(c)(7), Criminal definitions are from the National Incident-Based Reporting System (NIBRS) Data Collection Guidelines, and the Violence Against Women Act of 1994 definitions citation 34 CFR 668.46(c)(6)(A)(i)

## **Geography Definitions** (Definitions of geographical areas as per the Clery Act)

### **On—Campus**

Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and Property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as food or other retail vendor)

### **Non-Campus Building or Property**

Any building or property owned or controlled by a student organization that is officially recognized by the institution; and Any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

### **Public Property**

Any public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

**Consent:** The State of Michigan does not have a specific definition for consent, however, Aquinas College policy defines consent for sexual contact or sexual intimacy as a clear, freely given, verbalized "yes" or clearly communicated actions to every step of any sexual intimacy or sexual contact. The absence of "no" is not consent. Furthermore, a verbalized "yes" which has been coerced, does not constitute a freely given "yes". Use of force does not constitute consent. In such cases, consent has not been given, and one who continues to have sexual contact without full clear consent potentially could be charged with a serious violation of college policy and/or face criminal prosecution.

- The burden of obtaining consent will be on the party seeking to initiate sexual activity
- Silence, in and of itself, is a "no", not a "yes".
- Consent cannot be assumed from the lack of resistance or as a result of ambiguous communication.

- Consent to one form of sexual activity cannot be construed as consent to any other form of sexual activity.
- To be valid, consent must be given prior to or contemporaneously with the sexual activity.
- Consent can be withdrawn at any time as long as that withdrawal is clearly communicated by the person withdrawing it.

**Sexual Assault:** “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Until 2012 the Department of Education used the National Incident Based Reporting System (NIBRS) definition of rape, which is as follows:**

**Forcible Rape:** is the carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against that person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes forcible rape of both males and females.

**In 2013 the Department of Education changed the definition for rape to the following:**

**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 nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** is defined a nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Michigan Criminal Law section 750.520a provides the following definitions for incidents of sexual assault.**

- (a) **"Actor"** means a person accused of criminal sexual conduct.
- (b) **"Developmental disability"** means an impairment of general intellectual functioning or adaptive behavior that meets all of the following criteria:
  - i. It originated before the person became 18 years of age.
  - ii. It has continued since its origination or can be expected to continue indefinitely.
  - iii. It constitutes a substantial burden to the impaired person's ability to perform in society.
  - iv. It is attributable to 1 or more of the following:

Intellectual disability, cerebral palsy, epilepsy, or autism.

Any other condition of a person that produces a similar impairment or requires treatment and services similar to those required for a person described in this subdivision.

- (c) "**Electronic monitoring**" means that term as defined in section 85 of the corrections code of 1953, 1953 PA 232, MCL 791.285.
- (d) "**Intellectual disability**" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
- (e) "**Intermediate school district**" means a corporate body established under part 7 of the revised school code, 1976 PA 451, MCL 380.601 to 380.705.
- (f) "**Intimate parts**" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.
- (g) "**Mental health professional**" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b
- (h) "**Mental illness**" means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.
- (i) "**Mentally disabled**" means that a person has a mental illness, is intellectually disabled, or has a developmental disability.
- (j) "**Mentally incapable**" means that a person suffers from a mental disease or defect that renders that person temporarily or permanently incapable of appraising the nature of his or her conduct.
- (k) "**Mentally incapacitated**" means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or due to any other act committed upon that person without his or her consent.
- (l) "**Nonpublic school**" means a private, denominational, or parochial elementary or secondary school.
- (m) "**Physically helpless**" means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
- (n) "**Personal injury**" means bodily injury, disfigurement, mental anguish, chronic pain, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.
- (o) "**Public school**" means a public elementary or secondary educational entity or agency that is established under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.
- (p) "**School district**" means a general powers school district organized under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.
- (q) "**Sexual contact**" includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for:
  - i. Revenge
  - ii. To inflict humiliation
  - iii. Out of Anger
- (r) "**Sexual penetration**" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.
- (s) "**Victim**" means the person alleging to have been subjected to criminal sexual conduct.

**Michigan Criminal Law section 750.520b: Criminal sexual conduct in the first degree; circumstances; felony;**

- (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 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:
    - 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.

**Michigan Criminal Law 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, 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.
- (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.

**Michigan Criminal Law 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, 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.

**Michigan Criminal Law section 750.520e: Criminal sexual conduct in the fourth degree; misdemeanor.**

- (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.
    - 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 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.

**Domestic Violence:** The term "domestic violence" means:

- 1) Felony or misdemeanor crimes 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.
- 2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Michigan Criminal Law section 750.81: Assault or assault and battery.**

- (1) Except as otherwise provided in this section, a person who assaults or assaults and batters an individual, if no other punishment is prescribed by law, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.
- (2) Except as provided in subsection (3) or (4), an individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.
- (3) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has previously been convicted of assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, may be punished by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both:
  - (a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
  - (b) Section 81a, 82, 83, 84, or 86.
  - (c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
- (4) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has 2 or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both:
  - (a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
  - (b) Section 81a, 82, 83, 84, or 86.
  - (c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
- (5) This section does not apply to an individual using necessary reasonable physical force in compliance with section 1312 of the revised school code, 1976 PA 451, MCL 380.1312.
- (6) As used in this section, “dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

**Dating Violence:** The term “dating violence” means violence committed by a person

- 1) who is or has been in a social relationship of a romantic or intimate nature with the victim and
- 2) 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.

For the purposes of this definition-

- (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (ii) Dating violence does not include acts covered under the definition of domestic violence.

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

**Michigan Criminal Law section 750.81: Assault or assault and battery.**

- (1) Except as otherwise provided in this section, a person who assaults or assaults and batters an individual, if no other punishment is prescribed by law, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.
- (2) Except as provided in subsection (3) or (4), an individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.
- (3) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has previously been convicted of assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, may be punished by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both:
  - (a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
  - (b) Section 81a, 82, 83, 84, or 86.
  - (c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
- (4) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has 2 or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both:
  - (a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
  - (b) Section 81a, 82, 83, 84, or 86.
  - (c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
- (5) This section does not apply to an individual using necessary reasonable physical force in compliance with section 1312 of the revised school code, 1976 PA 451, MCL 380.1312.



- (6) As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

**Stalking:** The term "stalking" means:

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
- 2) **Course of conduct** means two or more acts including, but not limited to:
  - (i) 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.
  - (ii) **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - (iii) **Reasonable persons** means a reasonable person under similar circumstances and with similar identities to the victim.
- 3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Michigan Criminal Law section 750.411h: Stalking.**

- (1) As used in this section:
  - (a) **"Course of conduct"** means a pattern of conduct composed of a series of 2 or more separate non-continuous acts evidencing a continuity of purpose.
  - (b) **"Emotional distress"** means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
  - (c) **"Harassment"** means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unwanted contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.
  - (d) **"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.
  - (e) **"Unconsented contact"** means any contact with another individual that is initiated or continued without that individual's consent or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:
    - i. Following or appearing within the sight of that individual.
    - ii. Approaching or confronting that individual in a public place or on private property.
    - iii. Appearing at that individual's workplace or residence.
    - iv. Entering onto or remaining on property owned, leased, or occupied by that individual.
    - v. Contacting that individual by telephone.
    - vi. Sending mail or electronic communications to that individual.
    - vii. Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual.

- (f) "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.
- (2) An individual who engages in stalking is guilty of a crime as follows:
  - (a) Except as provided in subdivision (b), a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.
  - (b) If the victim was less than 18 years of age at any time during the individual's course of conduct and the individual is 5 or more years older than the victim, a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both.
- (3) The court may place an individual convicted of violating this section on probation for a term of not more than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order the defendant to do any of the following:
  - (a) Refrain from stalking any individual during the term of probation.
  - (b) Refrain from having any contact with the victim of the offense.
  - (c) Be evaluated to determine the need for psychiatric, psychological, or social counseling and if, determined appropriate by the court, to receive psychiatric, psychological, or social counseling at his or her own expense.
- (4) In a prosecution for a violation of this section, evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact with the victim after having been requested by the victim to discontinue the same or a different form of unconsented contact, and to refrain from any further unconsented contact with the victim, gives rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
- (5) A criminal penalty provided for under this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct.

## Education and Prevention Programs

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

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

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

- c. Defines what behavior and actions constitute consent to sexual activity in the State of Michigan and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- 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 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.
- g. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Aquinas College collaborates with departments throughout the campus community to offer programs concerning crime prevention, drug and alcohol awareness, stress awareness and personal safety. The primary theme for these programs is to encourage the community to be responsible for their own safety as well as others.

Aquinas College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation;

Under the 2013 Reauthorization of the Violence against Women Act, institutions must implement "primary prevention and awareness programs for **all incoming students and new employees**" AND "ongoing prevention and awareness campaigns **for students and employees**" that include a-f above. While "campaign" is yet to be defined, examples of "primary prevention programs" as they relate to incoming students may be found here:

<https://www.justice.gov/sites/default/files/ovw/legacy/2008/01/11/campus-minimum-standards-orientation.pdf>

The following events will be conducted for students and employees during the 2021 calendar year.

Program		Location	Students or Employees	Behavior
Community Standards/ Title IX	August, 22, 2021	Sturuss Sport and Fitness Center	Students	SA, DoV, DaV
Academic Success/ Campus Safety/ Self Defense Course	August, 24, 2021	Academic Building	Students	SA, DoV, DaV
Title IX and Mental Health	Virtual	Virtual	Employees	SA, DoV, DaV
Title IX	Virtual	Virtual	Employees	SA, DoV, DaV

Campus Security Authority	Virtual	Virtual	Employees	SA, DoV, DaV

## Procedures for Reporting a Complaint

Aquinas College has procedures in place that are sensitive to those 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. Aquinas College will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the Campus Safety Department or local law enforcement. Students and employees should contact one of the following Safer Spaces Coordinators:

This document will use "victim" and "complainant" and "perpetrator" and "accused party" interchangeably.

Situations involving Students:

Mallory Miller  
Assistant Dean of Student Life/Title IX Coordinator  
Phone: (616) 632-2439  
Email: titleix@aquinas.edu

Alicia A. Lloyd, M.Ed  
Dean of Students  
Phone: (616) 632-2455  
Email: aal006@aquinas.edu

Situations involving staff:

Lynda Group  
Director of Human Resources  
Email: lkg001@aquinas.edu  
Phone: (616) 632-2498

Situations involving faculty:

Stephen Germic, PhD  
Provost and Dean of Faculty  
Email: sag004@aquinas.edu  
Phone: (616) 632-2151

Situations involving athletes:

Claudette Charney  
Email: Cgc002@aquinas.edu  
Phone: (616)-632-2474

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at the YWCA of Grand Rapids, Nurse Examiner Program (25 Sheldon Ave. SE, Grand Rapids, Mi. 49503 (616-776-7273)). In Michigan, evidence may be collected even if you chose not to make a report to law enforcement. In the State of Michigan a victim of a sexual assault is not required to provide their name in order for evidence to be collected. For a victim of sexual assault who is unsure about participating in criminal prosecution, having the sexual assault evidence collection kit completed will help keep their options open. At the Nurse Examiner Program, evidence may be kept for 15 days as the victim considers their options of reporting the assault to police. The sexual assault evidence collection kit cannot be released to the police without the victim's signature on an authorization form.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. 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 investigators or police. Although Aquinas College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. Aquinas College will assist any victim with notifying local police if they so desire. The Grand Rapids Police Department may also be reached directly by calling 616-456-3400, or in person at 1 Monroe Center NW. Additional information about the *Grand Rapids Police Department* may be found online at: <https://www.grandrapidsmi.gov/Government/Departments/Police-Department> 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." This information can be found online at [https://www.justice.gov/sites/default/files/ovw/legacy/2013/04/24/safe\\_fact\\_sheet\\_long\\_final.pdf](https://www.justice.gov/sites/default/files/ovw/legacy/2013/04/24/safe_fact_sheet_long_final.pdf).

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to any of the following individuals/departments

- Campus Safety
- Counseling Center
- Campus Ministry
- Campus Security Authority
- Title IX Coordinator
- Local Law Enforcement

Aquinas College Title IX;  
Email: [titleix@aquinas.edu](mailto:titleix@aquinas.edu)  
Phone: 616-632-2171

The U.S. Department of Education released new Title IX regulations in May of 2020. These new regulations went into effect on August 14<sup>th</sup>, 2020. Aquinas College updated the Title IX policy and procedure to be in compliance with these new regulations.

Reports of behavior an individual believes may constitute Sexual Harassment and/or Retaliation may be made using any of the following options:

1. File a complaint with, or give verbal notice to, the Title IX Coordinator. Such a report may be made at any time (including during non-business hours) by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed.
2. Report online, using the reporting form posted at: [https://cm.maxient.com/reportingform.php?AquinasCollege&layout\\_id=2](https://cm.maxient.com/reportingform.php?AquinasCollege&layout_id=2)
3. Anonymous reports can be made through any of the means listed above. Individuals who are considering making an anonymous report should be aware of the following:
  - Information contained in anonymous reports may give rise to a need to investigate. Without a known Complainant, the College may be limited in its ability to obtain follow-up information and appropriately respond to the Complainant.
  - a. The College tries to provide supportive measures to all Complainants, which is impossible with an anonymous report.
  - b. The act of reporting carries no obligation to initiate a formal response. The College seeks to respect Complainants' requests regarding complaints.

Discussing a concern of a potential violation with a person who is a Mandated Reporter will also result in the concern being reported to the Title IX Coordinator.

Following the report of a concern, the College will contact the Complainant to discuss the availability of Supportive Measures and explain the process for filing a Formal Complaint. Supportive Measures are available whether or not the Complainant chooses to file a Formal Complaint.

Aquinas College will provide resources, on campus, off campus, or both, to include medical and mental health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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 Safety or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to Aquinas College, the below are the procedures that Aquinas College will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information less the victims identifying information



will be provided to campus public safety or whomever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally.

The following Procedure section has been copied from the updated Aquinas College Title IX policy.

## **Procedure:**

### **Pursuing a Formal Grievance Process**

#### **1. Filing a Formal Complaint**

When a Complainant desires to pursue, or the College otherwise determines a concern of Sexual Harassment or Retaliation should be processed through, the Formal Grievance Process, a reported concern will be documented in a Formal Complaint. A Formal Complaint is a document filed and/or signed by the Complainant or, in the case of a Formal Complaint initiated by the College, signed by the Title IX Coordinator, alleging a policy violation by a Respondent and requesting that Aquinas College investigate the allegation(s). A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided in this document.

A Formal Complaint will contain a Complainant's or the Title IX Coordinator's digital or physical signature, or otherwise indicate who is filing the Formal Complaint. If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to verify his/her intent to file a Formal Complaint and ensure that it is filed correctly. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or party.

#### **2. Time Limits on Reporting**

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Action on reports /complaints that are significantly impacted by the passage of time (including, but not limited to, situations in which the applicable policy has been revised or rescinded) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or other non-punitive Remedies, and/or engage in informal or formal action, as appropriate.

#### **3. When a Complainant Does Not Wish to Proceed**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a Formal Complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether the College proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a Formal Complaint to initiate a grievance process upon completion of an appropriate violence risk assessment. The Title IX Coordinator's decision shall be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires the College to pursue formal action to protect the community. A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The College may also be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the College's ability to pursue a Formal Grievance Process fairly and effectively.

When the College proceeds with the Formal Grievance Process, the Complainant (or his/her Advisor) may have as much or as little involvement in the process as he/she wishes. The Complainant retains all rights of a Complainant under this Policy irrespective of his/her level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that the College's ability to remedy and respond to notice may be limited if the Complainant does not want the College to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the College's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the College to honor that request, the College will offer Supportive Measures, but will not otherwise pursue formal action.

If the Complainant initially elects to take no action, he/she can change that decision if he/she decides to pursue a Formal Complaint at a later date. Upon making a Formal Complaint, a Complainant has the right, and can expect, to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

In certain cases, Informal Resolution options may exist, as discussed further in Section P., below.

#### **4. Interim/Emergency Actions**

When a Formal Complaint has been initiated or is under active consideration, the College may take temporary, non-punitive interim actions as determined necessary to protect the safety of the parties and the College Community.

The College can further act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the Behavioral Intervention Team, using its standard objective violence risk assessment procedures. The Respondent will have notice and an opportunity to challenge the decision immediately following removal. The College has the authority and discretion to place an employee on administrative leave during the pendency of an investigation, even where the requirements for an emergency removal are not met. Where the Respondent is an employee, existing provisions for interim action are applicable.

#### **5. Right to an Advisor**

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict of interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

The College may permit parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

*a. Who Can Serve as an Advisor?*

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to: advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the Aquinas community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from the College, the Advisor will be trained by the College and be familiar with the College's resolution process.

If the parties choose an Advisor from outside the pool of those identified by the College, the Advisor may not have been trained by the College and may not be familiar with College policies and procedures. Right NOT to have an Advisor: Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing. At a hearing, Parties must have an Advisor to facilitate cross-examination, as described in the Procedural Guidelines for the Formal Grievance Process set forth in this Policy. If a Party does not have an Advisor for a hearing, the Title IX Coordinator or designee will appoint an Advisor for the limited purpose of conducting any cross examination.

The College cannot guarantee equal Advisory rights, meaning that if one party selects and pays for an Advisor who is an attorney, but the other party does not or cannot afford an attorney, Aquinas is not obligated to provide an attorney.

*b. The Advisor's Role in Meetings and Interviews*

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

*c. Advisors in Hearings/College-Appointed Advisor*

Under U.S. Department of Education regulations under Title IX, the opportunity for each party to engage in a form of questioning of the other party and the other party's witness(es) ("cross examination") is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, the College will appoint an Advisor for the limited purpose of conducting any questioning of the other party and witnesses.

*d. Advisor Expectations*

All Advisors are subject to the same Aquinas College policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors are not present in a hearing to present statements or arguments or to facilitate direct examination of their own advisee or their advisee's witnesses. The Advisor may consult with their advisee, either privately as

needed or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

*e. Sharing Information with the Advisor*

The College expects that the parties may wish to have Aquinas share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The College also provides a consent form that authorizes the College to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before Aquinas is able to share records with an Advisor. Advisors are expected to maintain the privacy of any documentation, exhibits or other shared with them.

*f. Expectations of the Parties with Respect to Advisors*

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

## **6. Promptness**

All allegations are acted upon promptly by the College once it has received a report of concern or a Formal Complaint. Complaints can take 60-90 business days to resolve from the date of filing of a Formal Complaint, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the College seeks to avoid all undue delays within its control. Any time the general timeframes for resolution outlined in Title IX procedures will be delayed, the College will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

## **7. Amnesty for Complainants and Witnesses**

The College encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the College community that all individuals who may be involved in a situation or proceeding under this Policy be forthcoming during the process. To encourage reporting and participation in the process, the College maintains a policy of offering parties and witnesses amnesty from

minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution.

## **8. False Allegations and Evidence**

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination. Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation may be subject to discipline under College policy.

## **9. Counterclaims**

The College is obligated to ensure that the grievance process is not abused for retaliatory purposes. The College permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith, but are, on occasion, also made for purposes of Retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

## **10. Dismissal of Complaint**

**Mandatory Dismissal:** A complaint is outside the jurisdiction of Title IX, and must be dismissed as an alleged Title IX violation, if any time during the investigation or hearing it is determined that:

- a) The conduct alleged in the Formal Complaint would not constitute Sexual Harassment as defined above, even if proved; and/or
- b) The conduct did not occur in an educational program or activity controlled by the College, and/or the College does not have jurisdiction over the Respondent; and/or
- c) The conduct did not occur against a person in the United States; and/or d) At the time of filing a Formal Complaint, the Complainant is not participating in or attempting to participate in the education program or activity of the Recipient, except for instances in which the College determines a Formal Complaint is appropriate due to the current status of the Respondent and campus safety considerations. Where a complaint is dismissed as a Title IX Complaint under any of the above criteria, but the alleged conduct would violate another College policy or rule if established to have occurred, it may be referred for handling under separate applicable procedures of the College. Alternatively, at the College's election the College may continue to utilize the Formal Grievance Procedure as set forth in this Policy as a mechanism to investigate and adjudicate the allegations of such a matter. Conduct between members of the College Community that occurs outside of the United States as part of a study-abroad program is one example of a situation in which this could occur.

Discretionary Dismissal: Dismissal of the Title IX complaint is discretionary if, at any time during the investigation or hearing:

- a) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; or
- b) The Respondent is no longer enrolled in or employed by the College; or
- c) Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon any dismissal, the Title IX Coordinator will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

The College's decision to dismiss or not to dismiss is appealable by either Party under the procedures for appeal below.

### **P. Informal Resolution Options**

In some cases, where desired by all parties and determined appropriate by the College, an Informal Resolution process can be considered as an alternative to the Formal Grievance Process.

Informal Resolution can include three different approaches:

- When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- When the parties agree to resolve the matter through an alternate resolution mechanism, such as mediation, before a formal investigation takes place.
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process (similar to above, but usually occurs post-investigation).

To initiate Informal Resolution, a Complainant needs to submit a Formal Complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the Title IX Coordinator.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, the College will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the College.

The College will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

### **Q. Privacy of Resolution Processes (Informal and Formal)**

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with College policy.

Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose related to Informal Resolution, discussed below. The College encourages parties to discuss any sharing of information with their Advisors before doing so.

## **R. Retaliation**

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this policy. Acts of alleged Retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The College will take all appropriate and available steps to protect individuals who fear that they may be subjected to Retaliation.

Aquinas College and any member of the College's community are prohibited from taking materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

## **PROCEDURAL GUIDELINES FOR THE FORMAL GRIEVANCE PROCESS (Title IX)**

### **A. Report and Complaint**

Upon receipt of a report or complaint to the Title IX Coordinator of an alleged violation of the policy, the College will initiate a prompt initial assessment to determine the next steps the College needs to take. The initial assessment will involve:

- 1) Title IX Coordinator determines if Complainant wishes to make a Formal Complaint, and assists him/her in doing so if desired.
- 2) If there is no Formal Complaint filed by the Complainant, Title IX Coordinator determines if there is an institutional risk to health, safety sufficient for the Title IX Coordinator to sign the Formal Complaint.
- 3) Title IX Coordinator offers Supportive Measures to the Complainant and notifies him/her of his/her right to have an Advisor as part of the process.

The initial assessment will conclude in at least one of the following responses:

- 1) The offer of Supportive Measures; and/or
- 2) Proceeding with an Informal Resolution if a Formal Complaint has been filed and such informal resolution process is desired by the parties and approved by the College; and/or
- 3) Proceeding with a Formal Grievance Process
  - a. If the Complainant wishes to proceed with a Formal Grievance Process, the Title IX Coordinator will determine if the alleged Sexual Harassment falls within the scope of the Title IX Policy.
  - b. If it does not fall within the scope of the Title IX Policy, the Title IX Coordinator will dismiss the Title IX complaint, and offer any other policy options to the Complainant that may be available.
  - c. If the actions alleged fall within the scope of the Title IX Policy, the Title IX Coordinator will initiate (or designate an Investigator to initiate) an investigation of whether the alleged Sexual Harassment violates the College's Title IX Policy.

### **B. Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany him/her. The

NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A copy of, or instructions for the opportunity to review, the Formal Complaint,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that the College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about the College's policy on Retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that the College's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link or information about relevant community or college resources, including mental health resources,
- The name(s) of the external Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

The NOIA will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official College records, or e-mailed to the parties' College-issued e-mail or designated accounts. Once mailed, e mailed, and/or received in person, notice will be presumptively delivered.

### **C. Respondent's Opportunity to Submit Written Response**

Following issuance of the NOIA, the Respondent will be provided a reasonable opportunity (generally at least seven (7) days) to submit a written response to the Formal Complaint. If Respondent denies responsibility for the alleged violation(s) in whole or in part, the matter will proceed to investigation. If no written response is submitted, this will be treated the same as a denial of responsibility, and the matter will proceed to investigation.

### **D. Appointment of Investigator**

Once the decision to commence a formal investigation is made, the Title IX Coordinator facilitates the assignment of an Investigator at its discretion. The Investigator may be a trained College official such as a



qualified Campus Safety officer, or other person, or may be a qualified external investigator. That Investigator will reach out to the parties and begin the investigation.

#### **E. Timing of the Initiation of the Investigation Process and Interactions with Law Enforcement**

The College may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The College will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The College will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the College will implement supportive measures as deemed appropriate.

College action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

#### **F. Investigation Process**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; gathering information to obtain available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide regular status updates to the Title IX Coordinator throughout the investigation, who will then update the parties.
- Write a comprehensive draft investigation report fully summarizing the investigation, all witness interviews, and addressing all evidence identified as relevant. Appendices including relevant physical or documentary evidence will be included.
- Parties and their respective Advisors (if so desired by the parties) will receive a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the College does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days.

- The Investigator(s) will consider any responses submitted by the parties as a result of such review, incorporate relevant elements of the parties' written responses into the finalized investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period.
- The finalized investigation report is then shared with the Title IX Coordinator, who will share it with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The investigator also provides the Title IX Coordinator with a file of any directly related evidence that was not included in the report, which will be shared with the parties and Advisors for their use as desired in connection with preparation for the hearing.
- The Investigator's report shall summarize the relevant evidence gathered in the investigation. The report will not include Factual Findings or a Determination of Responsibility, as those matters will be determined by the Hearing Decision maker(s).

## **G. Evidentiary Considerations in the Investigation**

### **1. The Scope of the Evidence Gathered in the Investigation.**

The investigation is intended to identify evidence that is relevant to the ultimate Factual Finding(s) and/or Determination(s), through a process that involves receiving information "directly related" to the allegation(s), as that term is described in the Title IX regulations. In this context, "directly related" evidence may be a broader category of evidence than the evidence ultimately determined to be "relevant" to a Factual Finding or Determination of Responsibility. "Directly related" evidence essentially consists of evidence having any bearing on the issues in the case. "Directly related" evidence includes information regarding the events in an incident, and, under applicable regulatory guidance, may also extend to encompass character evidence or evidence of prior bad acts, even when such evidence may be negative or "prejudicial" to a party, when such evidence could bear upon a determination of what occurred in the alleged incident. "Directly related" evidence does not encompass information protected by a legally recognized privilege, and does not include a party's health treatment records if the party has not given written consent for the disclosure of such records.

### **2. The Scope of Evidence Included in the Investigation Report.**

Once the investigation is complete, including the review of the evidence by the parties and the consideration of any comments provided as a result of such review, the Investigator will prepare a final written investigation report that will summarize that portion of the evidence determined by the Investigator to be "relevant" to the Hearing Decision-maker(s) ultimate Factual Finding as to whether conduct occurred, and/or a Determination of Responsibility as to whether a violation of the Policy occurred. "Relevance" generally be construed consistent with the Federal Rules of Evidence as evidence that tends to make a fact that is necessary to the matter ("fact of consequence") more or less probable than it would be without the evidence, but shall exclude any evidence that is excluded from the scope of "directly related" evidence as set forth in Section G.1.

Evidence about the Complainant's sexual predisposition is not relevant, nor is evidence about prior instances of the Complainant's prior sexual behavior, unless offered to prove that a person other than the Respondent committed the conduct alleged by the Complainant, or unless such instances pertain to conduct with the Respondent and are offered to prove consent.

## **H. Referral for Hearing**

Once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the Decision-maker—unless all parties and the Decision-maker agree to an expedited timeline.

The Title IX Coordinator will select appropriate Decision-makers depending on whether the Respondent is an employee or a student.

### **I. Hearing Decision-Maker Selection**

The College may designate a single Hearing Decision-maker or a three member Hearing Decision maker panel at the discretion of the Title IX Coordinator. The single Hearing Decision-maker, or, in the case of a panel, one of the three members, will serve as Chair. The Hearing Decision-maker(s) will be trained regarding Title IX requirements and hearing procedures.

The Decision-maker(s) will not have had any previous involvement with the investigation, or a conflict of interest in performance of their role in the case.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision-makers. Those who are serving as Advisors for any party may not serve as Decision makers in that matter.

The Title IX Coordinator may not serve as a Decision-maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role.

### **J. Notice of Hearing**

No less than ten (10) business days prior to the hearing, the Title IX Coordinator will send notice of the hearing to the parties. Once mailed, e-mailed, and/or received in person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness' testimony and any statements given prior to the hearing will not be considered by the Decision maker(s). For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the

Title IX Coordinator if they do not have an Advisor, and the Recipient will appoint one. Each party must have an Advisor present. There are no exceptions.

- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-maker will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Whether parties can/cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the College and remain within the 60-90 business day goal for resolution. In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal).

#### **K. Alternatives to In-Person Hearing Participation**

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator at least five (5) business days prior to the hearing.

The Title IX Coordinator is permitted to arrange to use technology to allow remote testimony, where the Title IX Coordinator determines that such arrangements can be accomplished without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

#### **L. Pre-Hearing Preparation**

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Hearing Decision-maker(s) at the hearing. Any written comments prepared for submission to the Hearing Decision-maker(s) will be exchanged between each party. The Title IX Coordinator will meet or otherwise communicate with the parties on an equitable basis to provide information and support to the parties' hearing preparation efforts.

The Title IX Coordinator will request the parties to identify in writing any fact witnesses they wish to call at the hearing. The Hearing Decision-maker(s) may, but are not required, to identify witnesses to appear at the hearing as well, and will notify the Title IX Coordinator of any such witnesses. The Hearing Decision-maker(s) will determine whether any requested witness' testimony will or will not be permitted, based on its assessment of whether such witness' testimony is relevant and necessary to a determination of the case.

The Title IX Coordinator after any necessary consultation with the parties will provide the names of persons who will be participating in the hearing to the parties at least ten (10) business days prior to the hearing.

## **M. Hearing Procedures**

At the hearing, the Decision-maker(s) will have the authority to hear and make Factual Findings and Determinations of Responsibility on all allegations of Sexual Harassment and/or Retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the Sexual Harassment and/or Retaliation, even though those collateral allegations may not specifically fall within the policy, with appropriate notice to the parties.

Participants at the hearing will include the Hearing Decision-maker(s), the hearing facilitator, the parties, Advisors to the parties, any called witnesses, and anyone providing authorized accommodations or assistive services. Witnesses may be asked to wait outside the hearing room until their testimony is requested.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties and will then be excused.

## **N. The Order of the Hearing – Introductions and Explanation of Procedure**

The Chair conducts the hearing according to the hearing script. The hearing script will be provided to the Parties in advance of the hearing.

## **O. Evidentiary Considerations at the Hearing**

The evidence presented at the hearing will occur in two phases: a determination of whether the Respondent is responsible for the alleged violation of policy, and, if that question is determined in the affirmative, a determination of Remedies including any Sanctions.

During both phases, any evidence that the Decision-maker(s) determine(s) is relevant, in accordance with the parameters outlined in **G.2.** of these procedures, and with appropriate reference to Federal Rules of Evidence when instructive and consistent with such parameters, may be considered. The Hearing Decision-maker(s) may determine duplicative evidence not to be relevant. The Hearing Decision-makers(s) may exclude evidence from the hearing that is determined not to be relevant.

At any applicable Remedy/Sanction phase, previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, as the College utilizes a progressive discipline system. This information is only considered at the Remedy/Sanction stage unless otherwise determined to be relevant at an earlier phase based on the particular facts of the case.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the Remedy/Sanction stage of the process when a determination of responsibility is reached.

## **P. Testimony and Questioning at Hearing**

### **1. Generally**

In advance of the hearing, the Hearing Decision-makers will have reviewed the Investigative Report and any relevant supporting evidence referenced in such report. At the hearing, the parties will, additionally, have an equal opportunity to refer to the evidence presented in the Investigation Report, as well as any of the additional investigation evidence provided for their review at the investigation phase, including for purposes of cross-examination, subject to a determination by the Hearing Decision-makers that such evidence is relevant.

The Hearing Decision-makers may request information from the parties and witnesses, and the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors (“cross-examination”).

### **2. Cross-Examination**

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request if agreed to by all parties and the Chair), the proceeding will pause to allow the Chair to consider it (and state it if it has not been stated aloud), and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may invite explanations or persuasive statements regarding relevance with the Advisors, if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Chair has ruled on a question.

#### *a. Refusal to Submit to Cross-Examination and Inferences*

If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The Decision-maker(s) must disregard that statement. Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some cross-examination questions, only statements related to the cross-examination questions they refuse to answer cannot be relied upon. However, if the statements of the party who is refusing to submit to cross-examination or refuses to attend the hearing are the subject of the allegation itself (e.g., the case is about verbal harassment or a quid pro quo offer), then those statements are not precluded from admission.

The Decision-maker(s) may not draw any inference solely from a party's or witness' absence from the hearing or refusal to answer cross-examination or other questions.

### **Q. Joint Hearings**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

### **R. Recording Hearings**

Hearings (but not deliberations) are recorded by the College for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted. The Decision-maker(s), the parties, their Advisors, and appropriate administrators of the College will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

### **S. Deliberation, Decision-Making, and Standard of Proof**

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. A simple majority vote of the panel of Decision-makers is required to determine the finding.

After post-hearing deliberation, the Decision-maker renders a determination based on the preponderance of the evidence: whether it is more likely than not that the Respondent violated the Policy as alleged. The Chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, and credibility assessments.

### **T. Remedies/Sanctions**

If a Determination of Responsibility is made that a Respondent has violated the Policy, the Hearing Decision-maker(s) will deliberate and determine appropriate Remedies, which may include Sanctions. Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s);
- The Respondent's disciplinary history;
- Previous allegations or allegations involving similar conduct;
- The need for sanctions/responsive actions to bring an end to the Sexual Harassment and/or Retaliation;
- The need for sanctions/responsive actions to prevent the future recurrence of Sexual Harassment and/or Retaliation;
- The need to remedy the effects of the Sexual Harassment and/or Retaliation on the Complainant and the community.

For student Respondents: Sanctions for students can include, but are not be limited to: a verbal or written warning, probation, suspension or expulsion from Aquinas College. Other forms of sanctions may be issued as appropriate for the circumstances of the case.

For employee Respondents: Sanctions can include, but are not limited to: a verbal or written warning, a performance improvement plan, suspension, or termination from Aquinas College. Other forms of sanctions may be issued as appropriate for the circumstances of the case.

## **U. Notice of Outcome**

The Chair will prepare a Notice of Outcome, with any appropriate procedural support from the Title IX Coordinator. The Title IX Coordinator will then share the Notice of Outcome with the parties and their Advisors, as requested, simultaneously.

The Notice of Outcome will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official College records, or e-mailed to the parties' College-issued e-mail or otherwise approved account. Once mailed, e-mailed, and/or received in person, notice will be presumptively delivered.

The Notice of Outcome will include:

- Identification of the allegations potentially constituting Sexual Harassment or Retaliation, including the applicable policy provisions;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- The Factual Findings regarding each alleged Policy violation;
- The Determination of Responsibility regarding each alleged Policy violation;
- A statement of, and rationale for, the result as to each alleged Policy Violation;
- Any Sanctions and/or other Remedies to the extent such measures are permitted to be disclosed;
- The Procedures and permissible bases for Appeal.

## **V. Withdrawal or Resignation While Charges Pending**

### **1. Students**

Should a student decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from Aquinas College, the Formal Resolution Process ends as the College no longer has disciplinary jurisdiction over the withdrawn student. A hold will be placed on the student's ability to return, pending resolution of the process. The Respondent may also be barred from College property and/or events. Aquinas will continue to address and remedy any systemic issues, ongoing effects of the alleged Sexual Harassment.

### **2. Employees**

Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the College no longer has disciplinary jurisdiction over the resigned employee. The employee would no longer be eligible for rehire, absent appropriate resolution of the resolution process.



Aquinas College will continue to address and remedy any systemic issues, ongoing effects of alleged Sexual Harassment.

## **W. Appeals**

Either party may appeal the Determination(s) of Responsibility (whether found in the affirmative or the negative) or applicable Remedies/Sanctions of the Hearing Panel within five (5) business days of receipt of the Notice of Outcome. Appeals are to be submitted to the Title IX Coordinator who will then forward the written appeal to the designated Appellate Officer (dependent if Respondent is a student or employee). If one of the parties does submit an appeal, the Title IX Coordinator will contact the other party to inform them that an appeal has been submitted and provide such party a copy of the appeal.

Appeals must be based on at least one of the following reasons listed below and must include justification for that reason:

1. A procedural error which substantially impacted the fairness of the hearing.
2. To consider new evidence, unavailable during the original hearing or investigation, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
3. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complaint or Respondent that affected the outcome of the matter.

If the grounds for the Request for Appeal do not meet the requirements of this policy, that request will be denied by the Appellate Officer and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this policy, then the Appellate Officer will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) will be mailed, e-mailed, and/or provided a hard copy of the request with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appellate Officer and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in five (5) business days, which will be circulated for review and comment by all parties.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the College is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the College is permitted to share under state or federal law.

**Sanctions Status During the Appeal:** Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

**X. Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions**

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appellate Officer). Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the College and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

Incident Being Reported	Procedure	Evidentiary Standard
Sexual Assault (Sexual Misconduct)	<p>Depending on when reported (immediate vs. delayed report, institution will provide complainant with medical care.</p> <p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests AND provide complainant with contact information for local police department.</p> <p>Institution will provide written instructions on how to preserve evidence.</p> <p>Institution will provide complainant with referrals to on and off campus mental health providers.</p> <p>Institution will assess need to implement interim or term protective measures, such as housing changes, change in class schedule, "Personal Protection" order between both parties.</p> <p>Institution will provide a "No Trespassing" directive to accused party if deemed appropriate.</p> <p>Institution will provide written instructions on how to apply for a protective order.</p> <p>Institution will provide a copy of the Sexual Assault Policy to complainant and inform the complainant regarding timeframes for inquiry investigation and resolution.</p> <p>Institution will 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.</p> <p>Institution will 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 the investigation.</p>	Preponderance of Evidence

Stalking	<p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests and the institution will provide the complainant with contact information with local police department.</p> <p>Institution will provide written instructions on how to apply for a “Protective Order”.</p> <p>Institution will provide written information to complainant on how to preserve evidence.</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</p> <p>Institution will provide a “No Trespass” order to accused party if deemed appropriate.</p>	Preponderance of Evidence
Dating Violence	<p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests and the institution will provide the complainant with contact information with local police department.</p> <p>Institution will provide written instructions on how to apply for a “Protective Order”.</p> <p>Institution will provide written information to complainant on how to preserve evidence.</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</p> <p>Institution will provide a “No Trespass” order to accused party if deemed appropriate.<sup>0</sup></p>	Preponderance of Evidence
Domestic Violence	<p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests and the institution will provide the complainant with contact information with local police department.</p> <p>Institution will provide written instructions on how to apply for a “Protective Order”.</p> <p>Institution will provide written information to complainant on how to preserve evidence.</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</p> <p>Institution will provide a “No Trespass” order to accused party if deemed appropriate.</p>	Preponderance of Evidence

On September 22, 2017 the Department of Education issued new guidelines for how colleges adjudicate sexual assault cases. Aquinas College has not changed the level of evidence required for adjudicating a sexual assault case.

The Department of Education also removed the ‘promptness requirement’ from sexual assault investigations stating:

*“There is no fixed time frame under which a school must complete a Title IX investigation. OCR will evaluate a school’s good faith effort to conduct a fair, impartial investigation in a timely manner designed to provide all parties with resolution.”*

The Department of Education stated that colleges may choose who can appeal stating:

*“If a school chooses to allow appeals from its decisions regarding responsibility and/or disciplinary sanctions, the school may choose to allow appeal solely by the responding party; or by both parties, in which case any appeal procedures must be equally available to both parties.”*

The Department of Education has also stated that Universities and Colleges must change the standards used for reaching conclusions after an investigation:

*“The findings of fact and conclusions should be reached by applying either a preponderance of the evidence standard or a clear and convincing evidence standard.”*

For more information please view the posting by the Department of Education called *Q&A on Campus Sexual Misconduct* or [click here](#).

## **Assistance for Victims: Rights and 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, Aquinas 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. In Michigan, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

Michigan Criminal Rights Law states: Article I, §24 states – Rights of Crime Victim; Enforcement;

Assessment against Convicted Defendants

Crime Victims, as defined by law, shall have the following rights, as provided by law:

- a. The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
  - b. The right to timely disposition of the case following the arrest of the accused.
  - c. The right to be reasonably protected from the accused throughout the criminal justice process.
  - d. The right to notification of court proceedings.
  - e. The right to attend trial and all other court proceedings the accused has the right to attend.
  - f. The right to confer with the prosecution.
  - g. The right to make a statement to the court at sentencing.
  - h. The right to restitution
  - i. The right to information about the conviction, sentence, imprisonment and release of the accused.
2. The legislature may provide by law for the enforcement of the section.
  3. The legislature may provide for assessment against convicted defendants to pay for crime victim’s rights.

To review the entire WILLIAM VAN REGENMORTER CRIME VICTIM'S RIGHTS ACT of 1985, please visit this website [here](#).

Or visit [http://www.legislature.mi.gov/\(S\(j0ktr4rt31qkzvelnswk2ozn\)\)/documents/mcl/pdf/mcl-87-1985-1.pdf](http://www.legislature.mi.gov/(S(j0ktr4rt31qkzvelnswk2ozn))/documents/mcl/pdf/mcl-87-1985-1.pdf)

### **Personal Protection Orders (Kent County 17<sup>th</sup> Circuit Court)**

Any person who obtains an order of protection from Michigan or any reciprocal state (Per MCL. 600.2950 upon service, a personal protection order may also be enforced by another state, Indian tribe, or a territory of the United States) should provide a copy to the Campus Safety Department. A complainant may then meet with Campus Safety to develop a Safety Action Plan, which is a plan for Campus Safety and the victim to reduce risk of harm while on campus or coming and going from campus. Aquinas College will assess the need to implement interim or long-term protective measures to protect the complainant and if appropriate will provide either a "No Trespass" or "Restraining Order" directive (or both) to the accused party.

Aquinas College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). In Kent County, a victim is required to apply directly for these services with the 17th Circuit Court Personal Protection Orders Department (180 Ottawa NW, Suite 3500, Grand Rapids, MI 49503 (Tel. 616-632-5071)). Personal Protection Orders may be obtained through The Personal Protection Orders Department who assists victims of domestic violence and victims of stalking in obtaining personal protection orders, assists the petitioning party with processing extensions and addressing violations. They also assist restrained parties with the processing of making objections.

The PPO Office will assist in making the filing process go as smoothly as possible. Please remember that you have initiated your own lawsuit, you are representing yourself in this action. The PPO staff are not attorneys, investigators, enforcers or process servers.

### **PPO Criteria**

The petitioner and respondent are in one of the following types of relationships:

Are a husband and wife and an action for annulment, divorce, or support (is/not) pending

2. Were husband and wife
3. Reside or resided in the same household
4. Have a child in common
5. Have or had an intimate dating relationship
6. Have some other family relationship
7. Are in a stalking situation as defined by: MCLA 750.411(h)

MCLA 750.411h states:

(1) As used in this section:

(a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate non continuous acts evidencing a continuity of purpose.

(d) "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.

### **Statutory Requirements**

Personal Protection Orders are not for civil matters such as custody and neighbor disputes. (For help in neighbor conflict, contact the Dispute Resolution Center at (616) 774-0121) Petitioner must be at least 18 years old unless accompanied by someone of that age or older who will consent to be petitioner's NEXT FRIEND, preferably a parent

### **Available Forms**

The Kent County Personal Protection office makes available the proper personal protection forms, provides direction for completing and filing those forms, and offers information on local sources that deal with domestic violence. The initial paperwork (the instruction sheet, petition and affidavit) can be found on the page for the 17th Circuit Court, Personal Protection Orders Department. Or by clicking [here](#).

### **Other Requirements**

Parties filing need to present valid picture ID (includes other State driver's license, passport or school identification)

A signed personal protection order must be served upon the respondent and a proof of that service needs to be filed in the case.

### **Hours**

General walk-in office hours Monday-Friday from 8:00am to 5:00pm.  
Client interviews from 9:00am to 2:30pm.

### **PPO Expiration date**

PPO's are only in effect up to the expiration date. This date is located near the bottom right of the order in RED. IF you need to extend your order, you must come in to this office approximately three weeks before the expiration date, or call (616) 632-5071 to request the paperwork to extend. Extensions may be requested for another 6 months, 1-year, or 5-years, the Judge has the final say as to how long an extension will be granted for.

### **Enforcement of PPO**

If a violation occurs, do not call the PPO office -- call the police. A police report is helpful, but not required to pursue a violation of the respondent through the courts. If no arrest is made and you wish to pursue the violation, contact the PPO Office for paperwork to schedule a hearing. The petitioner will need to follow the PPO conditions as well as the respondent. Please note that only the Judge may change the conditions of or dismiss the PPO

### **Change of Address**

Persons who obtain Personal Protection Orders will be responsible for providing the PPO office from which they obtained the order with any updated address or phone number changes for the duration of the order.

Aquinas College may also issue an institutional no "Trespass" or "Restraining" order or both if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting

and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, 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.

Aquinas College does not publish the name of crime victims nor house identifiable information regarding victims in the Campus Safety Department's Public Crime Log or online. Victims may request that directory information on file be removed from public sources by request in person at the office of the Dean of Students, via email by contacting the Director of Campus Safety at [titleix@aquinas.edu](mailto:titleix@aquinas.edu), or by telephone at 616-632-2467

## Resources for Victims of Domestic Violence, dating violence, sexual assault and stalking

Counseling	Address	Ext / Phone Number
Counseling, Health and Wellness Services	Lower Level Donnelly Center	Internal: 2905 External: (616) 632-2905 After Hours (616) 632-2462
Campus Ministry	Academic Building Rm 309 & 311	Internal: 2491 External: (616) 632-2491
Human Resources	Holmdene 2nd Floor	Internal: 2499 External: (616) 632-2499
YWCA Nurse Examiner Program	25 Sheldon Blvd. SE Grand Rapids, MI 49503	(616) 776-7273 Available 24 Hrs.
YWCA Domestic Crisis Center	25 Sheldon Blvd. SE Grand Rapids, MI 49503	616-451-2744 24 hrs.
Sexual Assault/Incest Support Group	25 Sheldon Blvd. SE Grand Rapids, MI 49503	(616) 459-2744
Men's Assistance	25 Sheldon Blvd. SE Grand Rapids, MI 49503	(616) 459-4652
Network 180 Mental Health	790 Fuller Ave. NE Grand Rapids, MI 49503	(616) 336-3909 Available 24 Hrs.
Medical Services	Address	Ext/Phone Number
Aquinas College Health Center	Lower Level Wege Center	Internal: 2969 External: (616)632-2969
Metro Health Hospital	5900 Byron Center Ave. SW Wyoming, MI 49519	(616) 252-7200
Spectrum Health (Blodgett)	1840 Wealthy St. SE Grand Rapids, MI 49506	(616) 774-7444
Mercy Health (St. Mary's)	200 Jefferson Ave. SE Grand Rapids, MI 49503	(616) 685-6789

Law Enforcement Department	Address	Ext / Phone Number
Aquinas College Campus Safety	1700 Fulton St E.	Emergency Internal: 3333 Internal: 2462 External: (616) 632-2462
Grand Rapids Police Dept.	1 Monroe Center NW Grand Rapids, MI 49503	Emergency: 911 Non Emergency (616) 456-3400
East Grand Rapids Public Safety	770 Lakeside Dr. SE. East Grand Rapids, MI 49506	Emergency: 911 Non Emergency (616) 949-7010
Kent County Sheriff Dept.	701 Ball Ave. NE. Grand Rapids, MI 49503	Emergency: 911 Non Emergency (616) 698-6580
Michigan State Police	345 Northland Dr. NE Rockford, MI 49341	Emergency: 911 Non Emergency (800) 824-7053

In addition to the above, this information may be found at the following link on the Aquinas College Campus Safety Webpage [Victims Resource information](#)

## Active Bystander Information

How to be an “Active Bystander”

Recognizing the signs when someone is in danger and stepping in to prevent it is an important step and any minor intervention can prevent the momentum of something bad happening. This is called being an active bystander. Active bystanders learn how to recognize and safely intervene in potentially dangerous situations. Sometimes this means distracting someone who appears to be targeting someone who is too drunk to consent. Other times, it means reaching out to Aquinas staff or the police for help.

Active bystanders:

- Can intervene before sexual assault occurs.
- Can address sexist attitudes and beliefs to combat behavior that supports sexual violence.
- Are pro-social and intervene in ways that impact the outcome positively.
- Influence their peer group and community.

Some simple steps to becoming an Active Bystander:

- **Notice the situation:** Be aware of your surroundings.
- **Interpret it as a problem:** Do I recognize that someone needs help?
- **Feel responsible to act:** See yourself as being part of the solution to help.
- **Know what to do:** Educate yourself on what to do.
- **Intervene safely:** Take action but be sure to keep yourself safe.
- How to Intervene Safely:
- **Tell another person.** Being with others is a good idea when a situation looks dangerous.
- **Ask a victim if he/she is okay.** Provide options and a listening ear.
- **Ask the person if he/she wants to leave.** Make sure that he/she gets home safely.
- **Call the police (911)** or someone else in authority or yell for help.
- **Call Campus Safety or Counseling Center:** for support and options.
- **Or call the National Sexual Assault Hotline at 1.800.656.HOPE.**

**What can my friends and I do to be safe?**

Acting as a community helps Aquinas to be a safe place. Remember these tips when you are out...



## Risk Reduction

If you become the victim of a crime, **it is not your fault**. Perpetrators, not victims, are responsible for dating violence, domestic violence, sexual assault, stalking and other crimes

- **Have a plan.**  
Talk with your friends about your plans for the night **BEFORE** you go out. Do you feel like *drinking*? Are you interested in *hooking up*? Where do you want to go? Having a clear plan ahead of time helps friends look after one another. Have a safety plan. Use the on-campus escort program (AQC.A.R.E.S.).
- **Go out together.**  
Go out as a group and come home as a group; never separate and never leave your friend(s) behind.
- **Watch out for others.**  
If you are walking at night with friends and notice a woman walking by herself in the same direction, ask her to join you so she doesn't have to walk alone.
- **Diffuse situations.**  
If you see a friend coming on too strong to someone who may be too drunk to make a consensual decision, interrupt, distract, or redirect the situation. If you are too embarrassed or shy to speak out, get someone else to step in.
- **Trust your instincts.**  
If a situation or person doesn't seem "right" to you, trust your gut and remove yourself, if possible, from the situation.
- **Remember you are an individual.**
  - Remember that **no ALWAYS means no**. Ask your partner if you are uncertain about what they want you to do. Do not give mixed messages; be clear.
  - Know that you have the right to say no **at any point** in any sexual act regardless of whether you have had sex with that person before.
  - Remember, you can reject what someone is doing without rejecting them.
- **Remember**  
You can't tell if someone has the potential to rape based on how they look or because they have been non-violent in the past.

## Sexual Assault prevention tips:

- First, be respectful. Anytime you are uncertain whether your partner is comfortable with your behavior, ask! You can simply say, "Are you okay with this?"
- Remember that "no" means no. What's more, assume that "I'm not sure" means no and silence means no.
- Understand that a person who is incapacitated due to drugs or alcohol or due to a temporary or permanent physical or mental health condition is not legally capable of giving consent. If the other person is not capable of making an informed decision, do not have sex.
- Recognize that your sexual needs do not give you the right to do whatever you want. Any sexual activity must be mutually desired.
- Be aware that committing rape has severe consequences. For the victim, there can be years of emotional trauma, unwarranted guilt, fear and health risks. For the person committing the offense, sexual assault can lead to University conduct sanctioning, criminal charges, attorney expenses and/or prison.

## **Amnesty for Reporting Prohibited Misconduct**

Aquinas College seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. The college recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential consequences for his/her own conduct. An individual who reports misconduct, either as a complainant or a third party witness, will not be subject to disciplinary action by the college for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that the specific incident has not come to the college's attention via normal reporting channels and/or any such violations did not and do not place the health or safety of any other person at risk. The college may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

## **EMERGENCY NOTIFICATIONS AND RESPONSE**

Upon a report of a possible emergency, Campus Safety will confirm the emergency by either dispatching an officer, observing video feeds, notification by "AQ C.A.R.E.S. (Campus News, Alerts, Response Guide, Emergency, Services), or by additional third party reports. Campus Safety acts as the first response to all emergencies on campus and will contact emergency services as required to resolve the situation. AQ C.A.R.E.S. is available on the Google Play Store and iTunes store.

Aquinas College utilizes an Emergency Notification System (AQ C.A.R.E.S) for faculty, staff, and students. After responsible personnel have been made aware of an emergency affecting all or part of the Aquinas College Campus, the Emergency Notification System will be activated without delay by the Director of Campus Safety or his/her designee. Initial confirmation for activating the emergency notification system may occur by observation of a security officer, notification from an emergency liaison, multiple witness telephone calls or an automated alarm system notification received at dispatch.

The message content will contain pre-scripted brief messages or tailored content developed by the Director of Campus Safety or the Emergency Management Coordinator. The information will be shared to help the public take action for their safety. An "all clear" message or follow up information will be disseminated utilizing the Mass Notification System as appropriate.

Localized incidents within a building, such as a small fire or hazardous material spill in a lab most likely will not require a mass notification.

In the event of an emergency, "AQ C.A.R.E.S" will be activated to notify faculty, staff, and students, as Aquinas College Administration deems necessary, based on the circumstances of the event.

The "AQ C.A.R.E.S" System activation will make notifications in the following manner:

- SMS Text Message
- E-mail
- Digital Signage and
- Aquinas College Domain interrupt for all devices connected to the Aquinas College Domain.

Faculty, staff, and students are responsible for providing all necessary information to insure a successful message delivery. Aquinas College cannot provide communication to those who fail to provide a correct and current phone number and/or email address information.

The following Aquinas College officials shall have authority to activate the Emergency Notification System:

- Associate Vice President for Student Affairs
- Dean of Student Development
- Campus Safety Director
- Emergency Management Coordinators
- Campus Safety Patrol Supervisors
- Director of Housing and Residence Life Experience

The “AQ C.A.R.E.S” System may be used to transmit brief urgent messages as quickly as possible. Emergency notifications may include, but are not limited to:

- Campus Closures
- Weather Warnings (Severe Thunderstorm Warnings & Tornado Watches & Warnings)
- Fire
- Natural gas leaks or hazardous material spills
- Natural disasters affecting the Campus
- Campus wide power outages and/or utility failures
- Violent criminal behavior
- Bomb threats or other imminent violent threats
- Explosions on campus
- Terrorism incidents

Dependent upon the contact information supplied by faculty, staff, and students, notification may be made in the following manners:

- Cell phone
- E-mail
- SMS text to cell phone
- Digital Signage
- All devices connected to the Aquinas College Domain utilizing the Alertus interrupt.

The Emergency Notification System will be tested on the 1<sup>st</sup> Friday of each quarter as close to 12:00 noon as possible. Emergency liaisons, in addition to select staff, will receive the quarterly test notifications. In the event that adverse weather conditions exist on the test day, the test will be delayed until the adverse conditions clear the area to prevent any misinterpretation of the test activation and also keep the Emergency Notification System available in case of a true emergency condition.

The following standard test messages will be sent:

E-mail: Quarterly Emergency Test

This is a quarterly test of the Aquinas College Emergency Notification System. This is only a test. If this were an actual emergency, information and instructions would be included. This test is normally sent on the first Friday of each quarter

SMS text message:

This is the quarterly test of the Aquinas College Emergency Notification System. **THIS IS ONLY A TEST!**

It is the responsibility of each faculty member, staff member, and student to provide the correct information for contact and update the appropriate campus office to include the colleges Colleague database utilizing “My AQ” Emergency Contact screen when changes are made.

## **Timely Warnings**

In an effort to provide timely notice to the AQ community, and in the event of a serious incident which may pose an ongoing threat to members of the AQ Community, a Crime Alert is posted electronically on ACORN and The Moose. The Department may also post Crime Alerts at building entrances printed on colored paper. The alerts are written by the Director of Campus Safety or his/her designee or the Associate Vice President Marketing and Communication or his/her designee. Updates to the AQ community about any particular case resulting in a Crime Alert may be distributed via ACORN or The Moose or may be shared with The Saint for a follow-up story. When crime alerts are posted in campus buildings, they are printed on colored paper and posted in the lobby/entrance area of the affected building(s) for at least seven days.

Crime Alerts are usually distributed for the following FBI's Uniformed Crime Reporting Program (UCR) classifications: criminal homicide, robbery, and motor vehicle theft. Cases of sex offenses including forcible rape, aggravated assault, burglary, and arson are considered on a case by case basis, depending on the facts of the case and the information known by Campus Safety. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other AQ community members and a Crime Alert would not be distributed. The Director of Campus Safety or his/her designee reviews all reports to determine if there is an ongoing threat to the community and if the distribution of a Crime Alert is warranted. Crime Alerts may also be posted for other crime classifications, as deemed necessary.

When a crime is reported to the Campus Safety Office or a Campus Security Authority, either on or off campus that is deemed to be an ongoing or continuing threat to the Aquinas community, a campus-wide Crime Alert will be issued to serve as a timely warning and to aid in the prevention of similar crimes. The Campus Safety Director, Campus Safety Supervisor, or Emergency Management Coordinator will develop the content of this warning. A copy of the crime alert will be posted on the Aquinas Campus Safety website, and fliers will be posted in all residence halls and buildings on the Campus of Aquinas College. If the timely warning affects areas other than on campus living, fliers will be sent to the emergency liaisons of each department to post around campus. Alerts will also be posted on “The MOOSE” and Facebook, if off campus students need to receive the alert information.

### **Factors for Determining Method of Communication**

Communication methods will be employed based on a number of factors that will be evaluated for each individual incident. These factors include the nature and extent of the threat, the technology available in the building or area, the time of day the incident has occurred, etc. Other communication methods besides the methods previously mentioned may include door to door notification, social networking sites, portable radios, city's outdoor warning sirens, handheld bullhorns, and mass media.

## Emergency Response Plan

Aquinas College's Emergency Response Plan can be viewed on our Campus Safety website or by accessing the following link: [Emergency Response Plan](#) Building specific evacuation maps are posted in strategic locations in campus buildings

Campus Safety conducts drills, tabletop exercises, and functional exercises on a continual basis. These activities allow the College to maintain a state of preparedness as well as evaluate current procedures for their effectiveness. These activities did include at least an evacuation for each campus building during 2014.

## Missing Student Policy

Aquinas College regards the reports of a missing student as a priority and as such will take all actions necessary in accordance with established policy and procedure as documented in the Campus Safety Operations Guide SOP.

### What do I do when a person goes missing?

#### What to do:

- Do not panic. They may have simply forgotten their phone, got caught up in some activity or plain forgot to check in.
- Contact friends and family to ask if they have any knowledge of the missing person's whereabouts.
- Keep your phone within reach, make sure your ringer is on and the phone stays fully charged, in case they try to reach you.
- Once you have sufficient reason to believe they are in fact missing, contact your local law enforcement agency and or Aquinas College Campus Safety at (616) 632-2462 to make a missing person's report.
- Depending on the policy of the police department, you may be asked to wait a sufficient amount of time (24 - 72 hours) before they will take your report. This should NOT apply to missing juveniles, missing elderly persons or persons suspected to be a victim of foul play.
- Keep in mind, it is NOT illegal for an adult to voluntarily go missing. The police have certain rules and regulations to protect privacy in case this is the situation. Don't get frustrated by the police sticking to their guidelines; remember they are in place for a reason.
- If the missing person is vulnerable (i.e., under 18 years of age, over 65 years of age, suffering from physical or mental illness, depressed/suicidal or the disappearance is completely out of character) report the disappearance to police immediately if your suspicions are aroused. It's never too soon in these instances and time may be of the essence. This could also include someone on life-saving medication who has not taken their medicine with them. You can contact police and the local media to ask for help in publicizing their story. REMEMBER ... it's never too soon.
- Police will need details like the missing person's photo, date of birth, address, physical description, clothing last seen wearing and other details of the life of your missing person. Make it a routine to take at least one head and shoulders photograph of your loved ones each year.

Please be complete with the information you provide to law enforcement; it's always better to have too much information, than not enough.

- Keep in mind, police may request your assistance in getting bank records, social media account information and cell phone records for your missing person as well.
- Down the line, police may ask for additional information like dental records and DNA samples. Keep in mind there is a possibility your loved one could be found deceased, and outside of your local jurisdiction. You would never want your loved one to be kept in a morgue or buried as an unidentified person. These records are kept on file in case such an event occurs.
- Family reference DNA samples can also be taken. This is a non-invasive swab taken from the inside of the cheek of a potential donor. The DNA is entered into the CODIS DNA databank and can be cross-referenced with unidentified human remains samples that are also entered.
- Ask police to keep in touch and if they don't, phone them. Keep in mind they have other pressing cases, but don't let them forget about yours. If they don't ask about DNA and dental records and your missing person has been gone for over 30 day, offer them up.
- If your missing person does not fit the foul play/endangered missing situation, the Internet provides options for you to search for your loved one. If your missing person is deemed voluntary by your local police department, you can still conduct searches on your own. The web site [NamUs](http://www.namus.gov), [www.namus.gov](http://www.namus.gov), provides a platform for a nationwide posting of your missing person's photo, physical description and circumstances. Keep in mind you still have to involve law enforcement to have your missing person's case profiled on the NamUs site, but they will include voluntary missing cases.
- Canine search teams and pedestrian searches may also be an option to search for your loved one. First, let your local police department decide if they want to do this. If they choose not to, and you are of the opinion your missing person is not missing voluntarily, there are several non-profit agencies that can assist with setting up searches.

#### **What NOT to do:**

- Do not panic.  
Do not wait, especially if the missing person is vulnerable; notify police as soon as you think something is wrong.
- Do not delay in searching; time can be of the essence.
- Do not keep their disappearance a secret. The more people you tell, the more people you have looking on your behalf and the speedier the results might be.
- Do not tidy up their bedroom or car until the police have seen it, whether it's messy or not. Do not dust before fingerprints have been taken.
- Do not alter social media accounts, cell phone messages, text messages, etc. These may be important indicators of your missing person's motive or lack thereof when they went missing.
- Don't be put off if you don't get an immediate response from law enforcement...you know your loved one and their behaviors...follow your intuition.
- To avoid being the victim of a hoax, do not put your own telephone number or address on missing posters or advertisements. Instead use a police department contact number. People may prey upon you and can be cruel. Do not get caught up in any hoaxes and contact law enforcement if you believe you have been the victim of one.
- Do not give up, keep appealing and searching. Remember that people want to help. Try to keep your loved one's name and photo in the public eye. Your missing person is important.

**Resources:**

[Missing Persons of West Michigan](#)

[National Missing and unidentified Persons System](#)

## **Illegal Use of Alcohol and Other Drugs**

**Health Risk**

The use of illicit drugs and the abuse of alcohol present major health risks, such as addiction, acute and chronic illness, and death. Other risks associated with alcohol and drug use include impaired learning, violence, injuries, accidents, drunk driving, acquaintance rape, unplanned pregnancies, and sexually transmitted diseases.

**Treatment Programs**

Alcohol and drug information, referral, counseling, treatment, and rehabilitation programs are available to faculty, staff, and students through a variety of on- and off-campus resources. Some of these services and programs are without charge; other are covered by insurance or based on ability to pay. Students may obtain further information about available services by calling the Career and Counseling Center. Employees may direct their inquiries to Human Resources. All faculty, staff, and students with questions, concerns or problems related to the use of illicit drugs or the abuse of alcohol is urged to take immediate advantage of the help that is available. All members of the College community, however, must clearly understand that they jeopardize their education, their jobs, their health, and their future if they unlawfully possess, use, or distribute drugs or alcohol at Aquinas. Sanctions for such misconduct will be consistently enforced.

**Student Code of Conduct**

Section E of the Student Code of Conduct discusses alcohol use by students. Below is the policy.

Only students of legal age defined by the state statute may possess and consume alcoholic beverages in approved designated areas of the College residence facilities (as prescribed in Residence Hall Rules and Regulations).

Students may not consume, transport, or possess any alcoholic beverages in open containers on College property unless permission is granted as specified above. Students of legal age may not supply by any means any alcoholic beverage to students of less than legal age.

There shall be no possession or consumption of alcoholic beverages at any student activity, sporting event, or other student gathering on College owned or controlled property unless permission is granted as specified above.

Excessive use of alcohol under any circumstances is not condoned by the College. Students who drink to excess may be required to attend counseling. Recurring incidents could result in required assessment and treatment at an alcoholic rehabilitation center (at the student's expense) or dismissal from the College.

Section F delineates the College's controlled substance policy and follows.

Students are not to use, possess, or distribute any state or federally controlled drug, narcotic, barbiturate, hallucinogen, marijuana, or amphetamine on College premises or property owned or controlled by the College, except as authorized by law. NOTE: Participation in the Michigan Medical Marijuana Program and/or possession of a MMMP patient card shall not exempt any person from the prohibition of possession or use of marijuana on the premises of Aquinas College.

### **Penalties**

The Federal Government and the State of Michigan decide if and how a drug should be controlled. Prescription drugs to psychoactive (mind-altering), are categorized according to a Schedule I-V which tells under what conditions a physician can prescribe the drug. This schedule also includes a drug's known and potential value, its potential for physical or psychological dependence, and the risk to public health. Penalties for the illegal sale or distribution of a drug are established using the Schedule I-V. Schedule I drugs have a high potential for abuse with no medical use. Production of these drugs is controlled. Examples include heroin, methaqualone, all hallucinogens (except phencyclidine-PCP), marijuana and hashish. Tetrahydrocannabinol (THC), depending on its form, can also be a Schedule II drug. Schedule II drugs have a high potential for abuse; they also have some medical uses. Production of these drugs is also controlled. Examples include opium, morphine, codeine, some other narcotics, barbiturates, cocaine, amphetamines and phencyclidine (PCP).

Penalties for selling Schedule I and II drugs vary with the quantity of the drug. Additionally, if death or serious injury is associated with the sale, or if it is a second offense, penalties are more severe. When establishing penalties for sale, marijuana and hashish are separated from this designation according to the schedule. The penalties are similar to those set for Schedule I and II drugs. Federal penalties for first offense sale of small amounts of Schedule I and II drugs is not less than five years and not more than 40 years. In the case of death or serious injury, not less than 20 years and not more than life. There is also a fine for the second offense of not more than \$2 million of individuals and \$5 million for other than individual.

State penalties for "delivery possession with intent to deliver, and manufacture" of less than 25 grams is mandatory one to 20 years; up to \$25,000, or life probation. The penalty for possession of less than 25 grams is up to four years, or a fine up to \$25,000 or both. Both offenses are felonies. Use of Schedule I and II drugs is a misdemeanor which has a penalty of up to two years, \$2,000 fine, or both. Schedule III, IV and V drugs have some potential for abuse, but less than I and II. The potential for abuse of Schedule IV drugs is less than Schedule III, and Schedule V is less than IV. All drugs in this category have medical uses, and their production is not controlled. Examples include some narcotics, chloral hydrate (IV), barbiturates (III), other depressants (III and IV), amphetamines (III), and other stimulants (III and V).

Federal Penalties for a first offense sale of a Schedule III drug is not more than five years, and a fine of not more than \$250,000 per individual, and \$1 million, not individual. The penalty for first offense sale of Schedule IV drugs is not more than three years. The fine is the same as for Schedule III drugs. The penalty for first offense sale of Schedule V drugs is not more than one year and a fine of not more than \$100,000 per individual or \$250,000, not individual.

State Penalties for the sale of some Schedule III drugs is a felony and has a penalty of up to seven years, or a fine of up to \$5,000, or both. The penalty for the sale of Schedule IV drugs is also a felony and has a



penalty of up to four years, or a fine up to \$2,000, or both. The sale of Schedule V drugs is a felony too, and has a penalty of up to two years, or a fine up to \$2,000, or both.

The State of Michigan has additional penalties for the following:

- I. OUIL (Operating under the influence of alcohol)
  - a. Description: Allowing intoxicated person to drive in an area open to the public.
  - b. Penalty: Not more than 90 days, or \$100-\$500 fine, or both.
- II. Permitting Person Under the Influence to Drive
  - a. Description: A person, licensed or not, under the influence of alcohol, or drugs, or both.
  - b. Penalty: First arrest - not more than 90 days, or \$100-\$500 fine, or both.
- III. Minor Possessing or Transporting in a Motor Vehicle
  - a. Description: Persons under 21 may not possess or transport alcohol in a vehicle.
  - b. Penalty: Not more than 90 days, or a fine of not more than \$100. Vehicle can be impounded.
- IV. Purchase/Possess/Consume by Minor
  - a. Description: Persons under 21 may not purchase, possess, or consume alcohol.
  - b. Penalty: Civil infraction: first arrest - \$25, second arrest - \$50, and third arrest - \$100.
- V. Impaired Driving
  - a. Description: A person driving in an area open to the public while impaired from alcohol, drugs, or both.
  - b. Penalty: Not more than 90 days, or a fine of not more than \$300, or both.

## Use of Weapons

Aquinas is committed to maintaining a safe and secure environment that supports the academic mission of the College. Firearms and weapons are not allowed on campus without the prior written approval of the Aquinas College President and Director of Campus Safety. The written approval will specify the limitations for possessing a firearm or weapon on College property.

## Annual Disclosure of Crime Statistics

The information below provides context for the crime statistics reported as part of compliance with the Clery Act. This report may be found on the Aquinas College website under Campus Safety or by clicking [here](#). Campus Safety prepares this report in cooperation with the Associate Vice President for Student Affairs, Residence Life, Student Accounts, Athletics, local law enforcement, and law enforcement agencies around the country. Each year, email notification is made to all enrolled students, faculty, and staff providing a link to access this report. Those statistics can be viewed on the next page.

## **Policy Applicability**

All policy statements contained in the Annual Security Report apply to the Aquinas College campus unless otherwise stated within each section of this Report. The information in this document is accurate as of the date it was posted. This report is intended to be informative and is not a guarantee of services. The College reserves the right to modify its programs, services, and levels of staffing.

CRIMINAL OFFENSES Aquinas College	2019				2020				2021			
	On-Campus Property		Public Property	Non-Campus	On-Campus Property		Public Property	Non-Campus	On-Campus Property		Public Property	Non-Campus
	Reside nce Hall	On- Campus			Reside nce Hall	On- Campus			Reside nce Hall	On- Campus		
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	2	2	0	0	1	1	0	0	0	1	0	0
Fondling	2	2	1	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	2	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
VAWA OFFENSES												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	1	1	0	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	0	0	2	0	0	0	0	0	0	0	0	0
Alcohol	0	0	1	0	0	0	0	0	0	0	0	0
JUDICIAL REFERRALS												
Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	4	4	0	0	0	0	0	0	0	0	0	0
Alcohol	18	18	0	0	19	20	0	0	26	26	0	0
HATE CRIMES												
Murder/Non-negligent Manslaughter	0	0		0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0

**Hate Crime Key:** (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (GI) Gender Identity

## Annual Fire Safety Report

If a fire occurs in an Aquinas building, community members should immediately notify Campus Safety at (616) 632.2462. Campus Safety will send officer(s) to the scene and contact the appropriate fire department. If a member of the community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, the individual should immediately notify Campus Safety to investigate and document the incident. A fire alarm alerts the community of a potential hazard; community members are required to evacuate the building immediately upon hearing a fire alarm. Fire alarms are monitored 24/7 at the campus safety office and when an alarm is activated an officer responds to secure the scene and investigate as well as directing emergency services to the scene. Use the nearest exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. The Safety Committee has placed maps throughout buildings indicating exit routes and other emergency features of the building. Community members should use the stairs, not an elevator, to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus are programmed to call Campus Safety. Campus Safety publishes this fire safety report as part of its annual Clery Act Compliance. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire.

Buildings are equipped with a variety of features that are designed to detect, stop and/or suppress the spread of a fire.

- A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells of residence halls, are designed to stand up to fire longer than those of an individual room. It is important that these doors are CLOSED for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open.
- Sprinklers are 98% effective in preventing the spread of fire when operating properly. DO NOT obstruct the sprinkler heads with materials like clothing hanging from the piping.
- Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of College Policy and city ordinance.
- Almost  $\frac{3}{4}$  of all fires that are caused by smoking material are the result of a cigarette being abandoned or disposed of carelessly. Smoking is NOT PERMITTED in any Aquinas building or within ten (10) feet of any building entrance. A daily fire log is available for review 24 hours a day on the Campus Safety website at [http://www.aquinas.edu/campus\\_safety](http://www.aquinas.edu/campus_safety) or at the Campus Safety Office during College business hours, Monday through Friday, excluding holidays. The information in the fire log typically includes information about fires that occur in residential facilities, including the nature, date, time, and general location.

### Fire Policies for On Campus Residence Halls

- No person shall possess or use firecrackers, fireworks, firearms, or other dangerous weapons or explosives. Setting off fireworks in any campus residence and the areas surrounding the buildings may result in arrest and/or suspension from the College.
- Candles, candle warmers, potpourri pots, scented oil burners, and incense sticks/burners are prohibited due to the danger of fire.
- No person shall possess combustible materials, explosives, caustic chemicals, or acid solutions in any campus residence.

- No person shall tamper with fire equipment, nor use such equipment for other than the prevention or control of fire (Fire equipment includes, but is not limited to, smoke detectors, fire alarm mechanisms, extinguishers, fire hoses, and any other firefighting devices). Misusing equipment can cause the loss of life or property. You risk fines of up to \$500 and/or imprisonment if you tamper with fire safety equipment or cause a false alarm. This rule is strictly enforced at Aquinas.
- No person shall set a fire in any campus residence or areas immediately associated with any residence.
- No person shall remain in a residence after a fire alarm has been sounded. Fire drills are conducted in College housing to comply with state regulations and to ensure your safety. During fire drills you are expected to follow directions and maintain a mature attitude.
- To prevent fires, only artificial, flame-retardant Christmas trees will be allowed in residents' rooms. If you wish to decorate your tree, the lights must be UL approved and used only when you are in your room.
- Due to the risk of fire due to careless use of electrical appliances or defective appliances, the following are prohibited from the residential facilities:
  - Air conditioners (unless approved by the Director of Housing and Residence Life Experience)
  - Candles/Candle Warmers/Potpourri Pots/Scented Oil Burners/Incense Sticks & Burners
  - Coffeepots/Popcorn Poppers/Toasters (unless they are used in kitchens in the Ravine Apartments or Houses)
  - Electric blankets
  - Electric frying pans/griddles/grills/devices/cake-pop and cupcake makers • Extension cords (all types)
  - Halogen and Lava Lamps
  - Hot plates
  - Heaters (Hot Water/Space)
  - Sun Lamps
- Aquinas College is a tobacco free campus and the regulations regarding smoking on campus are as follows:
  - Smoking is prohibited on all College properties.
  - Smoking is prohibited in all campus buildings, owned or operated by Aquinas College.
  - Smoking is prohibited on all campus grounds owned or operated by Aquinas College.
  - Smoking of any other materials is prohibited.
  - Smoking is prohibited in all Aquinas residences, including residence halls, apartments and houses.
  - Smoking is prohibited in personal vehicles while on Aquinas properties.
  - Organizers and attendees at public events such as conferences, meetings, public lectures, social events and cultural events, using Aquinas facilities will be required to abide by the College's smoking policy. Organizers of such events are responsible for communicating this policy to attendees and for enforcing this policy.
  - Smoking is permitted by individuals on campus who are within 10 feet of public travel ways on the perimeter of campus, being at least 20 feet away from any campus roadway or pedestrian walkway into campus.
  - The sale of any type of tobacco or tobacco like products on campus is prohibited. This includes the delivery of tobacco or tobacco like products to campus by means of delivery services of any kind.
  - The free distribution of tobacco or tobacco like products on campus is prohibited.

- Campus organizations are prohibited from accepting money or gifts from tobacco or tobacco like product companies. This includes events sponsored by tobacco companies, including the distribution of tobacco or tobacco like products of promotional materials (T-shirts, hats etc.) on campus.
- Tobacco advertising in all public spaces, such as billboards and signs in sports venues, is prohibited. Tobacco or Tobacco like product advertisements are prohibited in college-run publications.
- Aquinas College will provide information to students and employees on tobacco cessation treatment products and/or programs near campus.

#### **Fire Definitions**

**Buildings equipped with fire alarm systems and smoke detectors:** Buildings that have functional fire alarm systems and smoke detectors installed.

Please note, all residence halls and apartments are equipped with a functional fire alarm system and smoke detectors.

**Buildings protected with automatic sprinkler system:** Indicates where an automatic sprinkler system protects areas of a building. Please note, most residence halls and apartments are not equipped with sprinkler systems.

**Evacuation procedures posted:** When a fire alarm is activated, evacuation is mandatory. DO NOT use elevators; evacuate the building using the nearest available exit and proceed to the designated gathering spot for the building to begin an accountability and assessment process.

**Estimated U.S. dollar loss related to fire incidents:** The estimated total U.S. dollar loss of both contents and structure or property destroyed because of a fire incident. This does not include loss of business.

**Fire:** Rapid oxidation of combustible material accompanied by heat, light and smoke of combustible material, which is found outside of its normal appliance, whether or not it is extinguished prior to arrival of emergency.

**Fire-related deaths:** Number of persons who were fatalities because of a fire incident, including death resulting from a natural or accidental cause while involved in fire control, attempting a rescue, or persons escaping from the fire scene (including an individual who dies within one (1) year of injuries sustained as a result of a fire).

**Fire-related injuries:** Number of persons receiving injuries from fire-related incidents, including an injury from a natural or accidental cause who received medical treatment at a local medical facility. This includes first responders attempting to control the fire, attempting a rescue, or persons escaping from the fire scene. Persons may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Partial sprinkler systems:** Defined as having sprinklers in the common areas only.

**Full sprinkler systems:** Defined as having sprinklers in both the common areas and individual rooms.

## Fire Protection Equipment Systems

A majority of College buildings are equipped with automatic fire detection and alarm systems that are continually monitored by Campus Safety. Additionally buildings on campus are equipped with a variety of fire equipment such as fire extinguishers, smoke detectors, and sprinkler systems.

Building Fire Protection Systems		
BUILDING	FIRE ALARM SYSTEM	SUPPRESSION SYSTEM
Sturris Sports and Fitness Center and the Alksnis Bulding	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
St. Joseph Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Bukowski Chapel	N/A	Fire Extinguishers
Art & Music Center	Smoke Detectors, Pull Stations	Sprinkler System
Maintenance	N/A	Fire Extinguishers
Campus Safety Office	N/A	Fire Extinguishers
Academic Building	Smoke Detectors, Pull Stations	Sprinkler System, Dry Chemical, Fire Extinguishers
Wege Center	Smoke Detectors, Pull Stations	Sprinkler System, Commercial Hood System, Fire Extinguishers
Gatehouse	Smoke Detectors, Pull Stations	Fire Extinguishers
Performing Arts Center	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Albertus Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Brink Hall	Smoke Detectors, Pull Stations	Fire Extinguishers
Theater Annex	Smoke Detectors, Pull Stations	Fire Extinguishers
Cook Carriage House	N/A	Sprinkler System, Fire Extinguishers
Regina Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Holmdene	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Hruby Hall (Residential & Business)	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Willowbrook	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers

Hawkins Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Browne Center (Residential & Business)	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Grounds Building	N/A	Fire Extinguishers
Jarecki/Lacks/Hauenstein	Smoke Detectors, Pull Stations	Sprinkler System, Dry Chemical, Fire Extinguishers
Donnelly Center	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Meijer Hall	Smoke Detectors, Pull Stations	Fire Extinguishers
Knappe Hall	Smoke Detectors, Pull Stations	Fire Extinguishers
Dominican Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Woodcock Hall	Smoke Detectors, Pull Stations	Fire Extinguishers
Woodward House	Smoke Detectors, Local Only	Fire Extinguishers
Fulton House	Smoke Detectors, Pull Stations	Fire Extinguishers
Ruth Rathmus Eberhard Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Fr. Bartolome de las Casas Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
St. Martin de Porres Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
St. Rose of Lima Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Brookby Manor	Smoke Detectors; External monitoring	Fire Extinguishers
Brookby Greenhouse	N/A	Fire Extinguishers
Brookby Gardner House	Smoke Detectors	Fire Extinguishers
Brookby Chaufer House	Smoke Detectors	Fire Extinguishers
Mother Victor Flannery Hall	Smoke Detectors, Pull Stations	Fire Extinguishers
Our Lady Seat of Wisdom	Smoke Detectors, Pull Stations	Fire Extinguishers, Sprinkler System



## Fire Logs

### 2021 Fire Log

Building	Address	Room #	Date and Time	Fire	Cause	Death	Injury	Cost \$
Sturuss Sports and Fitness Center	1580 E. Fulton	N/A	N/A	0	N/A	0	0	0
Alksnis Athletics and Recreation Building	1580 E. Fulton	N/A	N/A	0	N/A	0	0	0
St. Joseph Hall	1565 Oak Circle Dr.	N/A	N/A	0	N/A	0	0	0
Bukowski Chapel	1618 White Pine Lane	N/A	N/A	0	N/A	0	0	0
Art & Music Center	1620 Beech Lane	N/A	N/A	0	N/A	0	0	0
Maintenance	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Campus Safety Office	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Academic Building	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Wege Center	1603 Redwood Ln	N/A	N/A	0	N/A	0	0	0
Gatehouse	1605 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Performing Arts Center	1703 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Albertus Hall	1661 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Brink Hall	1721 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Theater Annex	1721 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Cook Carriage House	1707 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Regina Hall	1705 Elderberry	N/A	N/A	0	N/A	0	0	0

	Ln							
Holmdene	1700 Wege Circle Dr	N/A	N/A	0	N/A	0	0	0
Hruby Hall (Residential & Business)	1760 E. Fulton St.	N/A	N/A	0	N/A	0	0	0
Willowbrook	1901 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Hawkins Hall	1903 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Browne Center (Residential & Business)	2001 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Grounds Building	2001 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Jarecki Center, Lacks Center, and Hauenstein Library	159 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Donnelly Center	157 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Meijer Hall	155 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Knape Hall	63 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Dominican Hall	53 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Woodcock Hall	43 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Woodward House	31 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Fulton House	1862 E. Fulton St.	N/A	N/A	0	N/A	0	0	0
Ruth Rathmus Eberhard Hall	39 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Fr. Bartolome de las Casas Hall	37 Woodward Ln	N/A	N/A	0	N/A	0	0	0

St Catherine of Siena	35 Woodward Ln	N/A	N/A	0	N/A	0	0	0
St. Martin de Porres Hall	33 Woodward Ln	N/A	N/A	0	N/A	0	0	
St. Rose of Lima Hall	143 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Brookby Manor	250 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Brookby Greenhouse	N/A	N/A	N/A	0	N/A	0	0	0
Brookby Gardner House	1836 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Brookby Chaufer House	1840 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Mother Victor Flannery Hall	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Our Lady Seat of Wisdom	1700 Fulton St E	N/A	N/A	0	N/A	0	0	0

#### 2020 Fire Log

Building	Address	Room #	Date and Time	Fire	Cause	Death	Injury	Cost \$
Sturuss Sports and Fitness Center	1580 E. Fulton	N/A	N/A	0	N/A	0	0	0
Alksnis Athletics and Recreation Building	1580 E. Fulton	N/A	N/A	0	N/A	0	0	0
St. Joseph Hall	1565 Oak Circle Dr.	N/A	N/A	0	N/A	0	0	0
Bukowski Chapel	1618 White Pine Lane	N/A	N/A	0	N/A	0	0	0
Art & Music Center	1620 Beech Lane	N/A	N/A	0	N/A	0	0	0
Maintenance	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Campus Safety Office	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Academic Building	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0

Wege Center	1603 Redwood Ln	N/A	N/A	0	N/A	0	0	0
Gatehouse	1605 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Performing Arts Center	1703 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Albertus Hall	1661 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Brink Hall	1721 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Theater Annex	1721 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Cook Carriage House	1707 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Regina Hall	1705 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Holmdene	1700 Wege Circle Dr	N/A	N/A	0	N/A	0	0	0
Hruby Hall (Residential & Business)	1760 E. Fulton St.	N/A	N/A	0	N/A	0	0	0
Willowbrook	1901 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Hawkins Hall	1903 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Browne Center (Residential & Business)	2001 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Grounds Building	2001 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Jarecki Center, Lacks Center, and Hauenstein Library	159 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Donnelly Center	157 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Meijer Hall	155 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Knape Hall	63 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Dominican Hall	53 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Woodcock Hall	43 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Woodward House	31 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Mother Euphrasia	1862 E. Fulton St.	N/A	N/A	0	N/A	0	0	0

Sullivan Hall								
Ruth Rathmus Eberhard Hall	39 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Fr. Bartolome de las Casas Hall	37 Woodward Ln	N/A	N/A	0	N/A	0	0	0
St Catherine of Siena	35 Woodward Ln	N/A	N/A	0	N/A	0	0	0
St. Martin de Porres Hall	33 Woodward Ln	N/A	N/A	0	N/A	0	0	0
St. Rose of Lima Hall	143 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Brookby Manor	250 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Brookby Greenhouse	N/A	N/A	N/A	0	N/A	0	0	0
Brookby Gardner House	1836 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Brookby Chauffer House	1840 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Mother Victor Flannery Hall	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Our Lady Seat of Wisdom	1700 Fulton St E	N/A	N/A	0	N/A	0	0	0

#### 2019 Fire Log

Building	Address	Room #	Date and Time	Fire	Cause	Death	Injury	Cost \$
Sturrs Sports and Fitness Center	1580 E. Fulton	N/A	N/A	0	N/A	0	0	0
Alksnis Athletics and Recreation Building	1580 E. Fulton	N/A	N/A	0	N/A	0	0	0
St. Joseph Hall	1565 Oak Circle Dr.	N/A	N/A	0	N/A	0	0	0
Bukowski Chapel	1618 White Pine Lane	N/A	N/A	0	N/A	0	0	0

Art & Music Center	1620 Beech Lane	N/A	N/A	0	N/A	0	0	0
Maintenance	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Campus Safety Office	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Academic Building	1607 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Wege Center	1603 Redwood Ln	N/A	N/A	0	N/A	0	0	0
Gatehouse	1605 Robinson Rd	Meeting Area	02/07/2019 11:56 am	1	Electrical Issue	0	0	\$0 - \$300
Performing Arts Center	1703 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Albertus Hall	1661 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Brink Hall	1721 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Theater Annex	1721 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Cook Carriage House	1707 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Regina Hall	1705 Elderberry Ln	N/A	N/A	0	N/A	0	0	0
Holmdene	1700 Wege Circle Dr	N/A	N/A	0	N/A	0	0	0
Hruby Hall (Residential & Business)	1760 E. Fulton St.	N/A	N/A	0	N/A	0	0	0
Willowbrook	1901 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Hawkins Hall <sup>1</sup>	1903 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Browne Center (Residential & Business)	2001 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Grounds Building	2001 Robinson Rd	N/A	N/A	0	N/A	0	0	0

Jarecki Center, Lacks Center, and Hauenstein Library	159 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Donnelly Center	157 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Meijer Hall	155 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Knape Hall	63 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Dominican Hall	53 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Woodcock Hall	43 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Woodward House	31 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Fulton House	1862 E. Fulton St.	N/A	N/A	0	N/A	0	0	0
Ruth Rathmus Eberhard Hall	39 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Fr. Bartolome de las Casas Hall	37 Woodward Ln	N/A	N/A	0	N/A	0	0	0
St Catherine of Siena	35 Woodward Ln	N/A	N/A	0	N/A	0	0	0
St. Martin de Porres Hall	33 Woodward Ln	N/A	N/A	0	N/A	0	0	0
St. Rose of Lima Hall <sup>7</sup>	143 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Brookby Manor	250 Woodward Ln	N/A	N/A	0	N/A	0	0	0
Brookby Greenhouse	N/A	N/A	N/A	0	N/A	0	0	0
Brookby Gardner House	1836 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Brookby Chauffer House	1840 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Mother Victor Flannery Hall	1905 Robinson Rd	N/A	N/A	0	N/A	0	0	0

Our Lady Seat of Wisdom	1700 Fulton St E	N/A	N/A	0	N/A	0	0	0
-------------------------	------------------	-----	-----	---	-----	---	---	---

## Reporting Process

### General Procedures for Reporting a Crime or Emergency

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to Campus Safety in a timely manner. To report a crime or emergency from the College phone system, call Campus Safety at extension 3333. To report a crime or emergency from outside the College phone system, call (616) 632.2462. To report a non-emergency security or public safety related matter, call Campus Safety at extension 2462 or from outside the College phone system, (616) 632.2462.

Dispatchers are available at these respective telephone numbers 24 hours a day to answer your calls. In response to a call, Campus Safety will take action by either dispatching an officer or having the dispatcher take the necessary information to file an incident report. Incident Reports involving College employees are forwarded to the Director of Human Resources for review and possible referral for potential action, as appropriate. Incident reports involving students and non-College affiliated individuals are forwarded to the Associate Vice-President for Student Affairs Office for review and possible referral to a judicial affairs officer for potential action, as appropriate. The Director of Campus Safety will assign a supervisor to further investigate a report when it is deemed appropriate.

Additional information obtained via the investigation will also be forwarded to the Director of Human Resources or Associate Vice-President for Student Affairs. If assistance is required from the Grand Rapids Police Department or Kent County Sheriff's Department, Campus Safety will contact the appropriate agency. If a sexual assault should occur, staff on the scene, including Campus Safety, will offer the victim a wide variety of services, including the Nurse Examiner Program at the YWCA. All Campus crimes should be reported to the Department of Campus Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

### Notification to the AQ Community about Reported Crimes

Representatives from The Saint, the AQ student newspaper, are invited to meet with the Director of Campus Safety or a designee to discuss crime, security, or policies on campus. Editorial decisions on newspaper content are solely the purview of The Saint.

A [public crime log](#) is available for review 24 hours a day on the Campus Safety website or at the Campus Safety office from 8 a.m.–5 p.m. Monday through Friday, excluding holidays. Campus Safety is unable to maintain a static web address for the frequently updated public crime log. The information in the crime log typically includes the case number, classification, date reported, date occurred, time occurred, general location, and disposition of each crime. The printed crime log, located in our office, must remain in the Campus Safety office.

### Statistical Disclosure of Reported Incidents

Incidents reported to Campus Safety that fall into one of the required reporting classifications will be disclosed as a statistic in this annual report published by Department of Campus Safety.



**Reporting Methods Available on Campus**

Campus Safety can be contacted from on-campus telephones by dialing 2462 for non-emergency calls or 3333 for an emergency. Black courtesy phones are located in the lobbies and corridors of many campus buildings. Red emergency phones are located in stairwells, entrances, and lobbies of many buildings. There are 29 red or blue boxed emergency phones located along many paths, sidewalks, and parking lots. Additionally, many Area of Refuge phones are located throughout campus; crimes or emergencies may be reported from any of these phones. From non-campus phones, one may contact Campus Safety by dialing (616) 632.2462.

**Reporting a Crime to the Grand Rapids Police Department**

A person reporting a crime to Campus Safety has the right to report the crime to the Grand Rapids Police Department (GRPD) or other appropriate law enforcement agency. AQ Campus Safety officers regularly discuss this option with the victim of a crime and will assist the victim or reporting person with that process.

**Off-Campus Crime**

If GRPD is contacted about criminal activity occurring off-campus involving AQ students, GRPD may notify Campus Safety. However, there is no official GRPD policy requiring such notification. Students in these cases may be subject to arrest by GRPD and college judicial proceedings through the Division of Student Affairs.