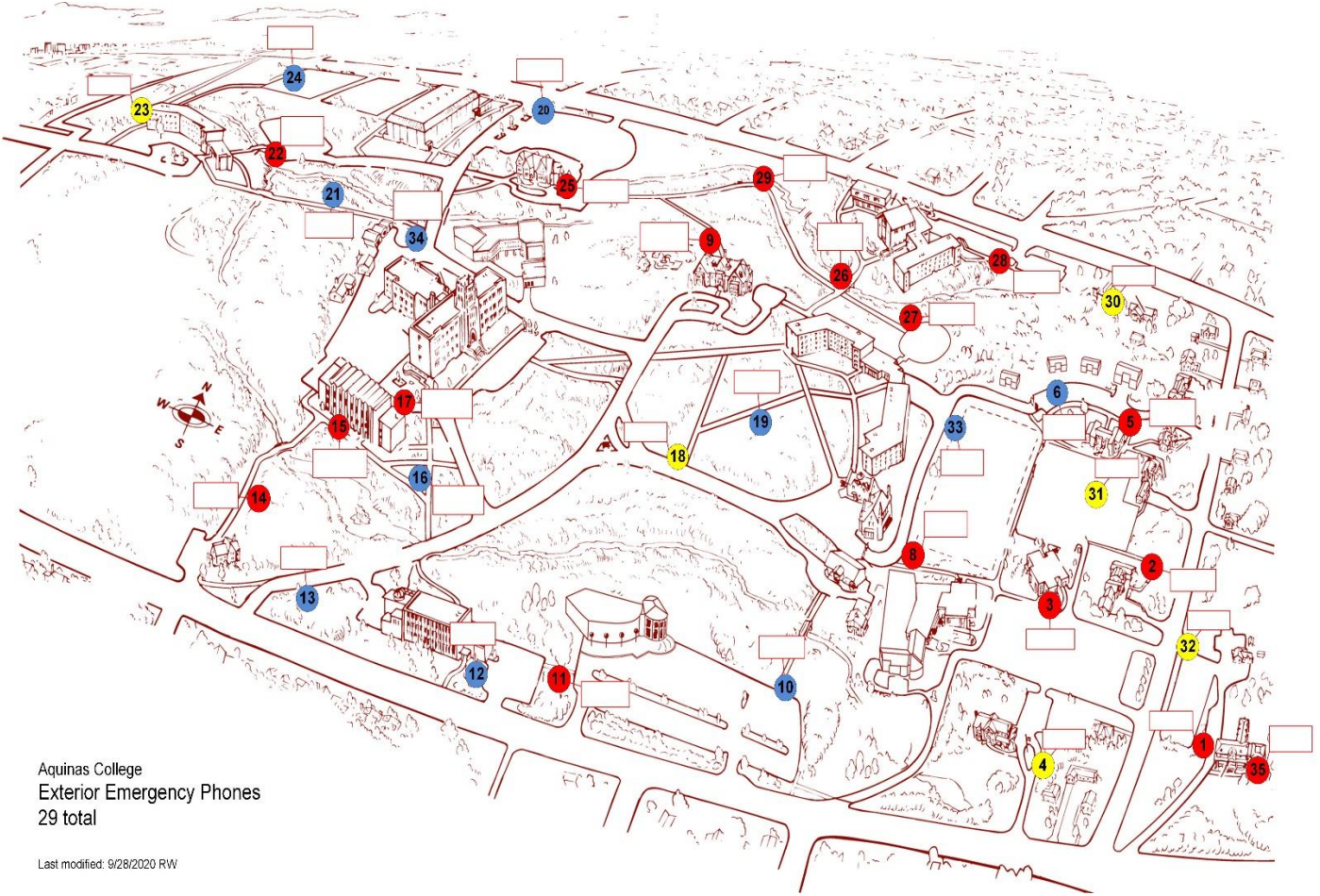


Aquinas College



2024 Annual Security and Fire Safety Report Statistical Information 2021, 2022, 2023

EMERGENCY PHONE LOCATIONS ON CAMPUS



Aquinas College
Exterior Emergency Phones
29 total

Last modified: 9/28/2020 RW

Table of Contents

Introduction – About Aquinas College	1
Introduction – Director Aquinas College Campus Safety	1
Aquinas College – Campus Safety Department	2
Training	2
Working Relationship with Law Enforcement Agencies	2
Services to Provide a Safe and Secure Campus	2
Lighting	3
Locking Buildings	3
Locking Residence Halls	3
Key and Lock Requests	4
Maintenance	4
Housing & Residence Life Experience Staff	4
Crime Prevention	4
Bicycle Registration	4
Blue Light Emergency Phones	5
Safety Escort Services	5
Clery Public Log	5
Reporting a Crime or Suspicious Behavior on Campus	5
On Campus Phones	6
Confidential Reporting	6
Reporting Crime Off Campus	7
Help for Crime Victims	7
Sex Offender Registration	8
Criminal Definitions	8
Aggravated Assault	8
Arson	8

Bias Crime	8
Burglary	8
Dating Violence	8
Domestic Violence	8
Drug Law Violations	9
Hate Crime	9
Intimidation	9
Larceny	9
Liquor Law Violations	9
Manslaughter by Negligence	9
Motor Vehicle Theft	9
Murder and Non-Negligent Manslaughter	9
Robbery	9
Simple Assault	9
Stalking	9
Vandalism	9
Weapon Law Violations	9
Sex Offences – Forcible	9
Sexual Assault	9
Rape	9
Fondling	10
Incest	10
Statutory Rape	10
Forcible Sodomy	10
Sexual Assault with an Object	10
Sex Offenses – Non-Forcible	10
Incest	10
Statutory Rape	10
Geography Definitions	10

On-Campus	10
Non-Campus Building or Property	11
Public Property	11
Consent	11
Sexual Assault	11
Forcible Rape	12
Rape	12
Fondling	12
Incest	12
Statutory Rape	12
Michigan Law	12
Michigan Criminal Law section 750.520a: Definitions of Sexual Assault	12
Michigan Criminal Law section 750.520b: Criminal sexual Conduct: 1 st Degree	13
Michigan Criminal Law section 750.520c: Criminal sexual Conduct: 2 nd Degree	15
Michigan Criminal Law section 750.520d: Criminal sexual Conduct: 3 rd Degree	16
Michigan Criminal Law section 750.520e: Criminal sexual Conduct: 4 th Degree	17
Michigan Criminal Law section 750.81: Assault or assault and battery	19
Michigan Criminal Law section 750.411h: Stalking	19
Education and prevention programs	23
Policy Prohibiting sexual Misconduct & Harassment and Prevention	24
Procedures for reporting a complaint	32
Assistance for Victims: Rights and Options	67
Personal Protection Orders (Kent Count 17 th Circuit Court)	68
Resources for Victims of Domestic Violence, dating violence, sexual assault and stalking	70
Active Bystander Information	71
Amnesty for Reporting Prohibited Misconduct	73
Emergency Notifications and Response	73
Timely Warnings	75

Factors for Determining Method of Communications	76
Emergency Response Plan	76
Missing Student Policy	76
Illegal Use of Alcohol and Other Drugs	78
Health Risk	78
Treatment Programs	78
Student Code of Conduct	78
Penalties	79
Use of Weapons	80
Annual Disclosure of Crime Statistics	80
Policy Applicability	91
Annual Fire Safety Report	91
Fire Policies for On Campus Residence Halls	92
Fire Definitions	93
Fire Protection Equipment Systems	94
Fire Logs	96
Reporting Process	102
General Procedures for Reporting a Crime or Emergency	102
Notification to the AQ Community about Reported Crimes	103
Statistical Disclosure of Reported Incidents	103
Reporting Methods Available on Campus	103
Reporting a Crime to the Grand Rapids Police Department	103
Off Campus Crime	103

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,

The Campus Safety Department and I welcome you to our Campus Community. The Campus Safety Department takes all matters pertaining to safety, security and emergency response very seriously 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 2 full-time officers, 2 full-time dispatchers, one Locksmith, one Emergency Management Coordinator and one Office Manager. Supporting this core staff are four to ten part-time officers and dispatchers and 8 to 15 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) 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 at all times and are only accessible by card access. Students are issued ID cards that also act as their building access cards which must be used to access residence halls 24 hours a day. In addition, hall floors are locked at all times and must also be accessed by utilization of an approved college issued ID card. 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 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 contractors 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 7:00 p.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 Light Emergency 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.

Safety 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 person's 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 Aquinas website and may be viewed at [Aquinas College Campus Safety](#): Current Year Public Crime Log.

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 act 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 [Title IX Resources website](#).

In order to receive help from the Campus Safety Department or other services that are provided to victims, please contact Aquinas College's Title IX Coordinator via email at titleix@aquinas.edu.

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;

[Title IX at Aquinas College 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 16th, 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: [Michigan State Police Offender Watch](#).

Criminal Definitions

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.

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.

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 Law

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

- 1) "**Actor**" means a person accused of criminal sexual conduct.
- 2) "**Developmental disability**" means an impairment of general intellectual functioning or adaptive behavior that meets all of the following criteria:
 - a) It originated before the person became 18 years of age.
 - b) It has continued since its origination or can be expected to continue indefinitely.
 - c) It constitutes a substantial burden to the impaired person's ability to perform in society.
 - d) It is attributable to 1 or more of the following:
 - i) Intellectual disability, cerebral palsy, epilepsy, or autism.
 - ii) 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.
- 3) "**Electronic monitoring**" means that term as defined in section 85 of the corrections code of 1953, 1953 PA 232, MCL 791.285.
- 4) "**Intellectual disability**" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
- 5) "**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.
- 6) "**Intimate parts**" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.
- 7) "**Mental health professional**" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b
- 8) "**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.
- 9) "**Mentally disabled**" means that a person has a mental illness, is intellectually disabled, or has a developmental disability.

- 10) "**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.
- 11) "**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.
- 12) "**Nonpublic school**" means a private, denominational, or parochial elementary or secondary school.
- 13) "**Physically helpless**" means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
- 14) "**Personal injury**" means bodily injury, disfigurement, mental anguish, chronic pain, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.
- 15) "**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.
- 16) "**School district**" means a general powers school district organized under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.
- 17) "**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:
 - a) Revenge
 - b) To inflict humiliation
 - c) Out of Anger
- 18) "**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.
- 19) "**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 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.

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.

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 unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress.

Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

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:
 - . 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.
 - a. 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:
 - . Refrain from stalking any individual during the term of probation.
 - a. Refrain from having any contact with the victim of the offense.
 - b. 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.

Michigan Criminal Law section 750.145d: Cyber Stalking.

750.145d Use of internet or computer system; prohibited conduct; violation; penalty; jurisdiction; order to reimburse state or local governmental unit; definitions. Sec. 145d. (1) A person shall not use the internet or a computer, computer program, computer network, or computer system to communicate with any person for the purpose of doing any of the following: (a) Committing, attempting to commit, conspiring to commit, or soliciting another person to commit conduct proscribed under section 145a, 145c, 157c, 349, 350, 520b, 520c, 520d, 520e, or 520g, or section 5 of 1978 PA 33, MCL 722.675, in which the victim or intended victim is a minor or is believed by that person to be a minor. (b) Committing, attempting to commit, conspiring to commit, or soliciting another person to commit conduct proscribed under section 411h or 411i. (c) Committing, attempting to commit, conspiring to commit, or soliciting another person to commit conduct proscribed under chapter XXXIII or section 327, 327a, 328, or 411a(2). (2) A person who violates this section is guilty of a crime as follows: (a) If the underlying crime is a misdemeanor or a felony with a maximum term of imprisonment of less than 1 year, the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$5,000.00, or both. (b) If the underlying crime is a misdemeanor or a felony with a maximum term of imprisonment of 1 year or more but less than 2 years, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$5,000.00, or both. (c) If the underlying crime is a misdemeanor or a felony with a maximum term of imprisonment of 2 years or more but less than 4 years, the person is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$5,000.00, or both. (d) If the underlying crime is a felony with a maximum term of imprisonment of 4 years or more but less than 10 years, the person is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$5,000.00, or both. (e) If the underlying crime is a felony punishable by a maximum term of imprisonment of 10 years or more but less than 15 years, the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both. (f) If the underlying crime is a felony punishable by a maximum term of imprisonment of 15 years or more or for life, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$20,000.00, or both. (3) The court may order that a term of imprisonment imposed under this section be served consecutively to any term of imprisonment imposed for conviction of the underlying offense. (4) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law committed by that person while violating or attempting to violate this section, including the underlying offense. (5) This section applies regardless of whether the person is convicted of committing, attempting to commit, conspiring to commit, or soliciting another person to commit the underlying offense. (6) A violation or attempted violation of this section occurs if the communication originates in this state, is intended to terminate in this state, or is intended to terminate with a person who is in this state. (7) A violation or attempted violation of this section may be prosecuted in any jurisdiction in which the communication originated or terminated. (8) The court may order a person convicted of violating this section to reimburse this state or a local unit of government of this state for expenses incurred in relation to the violation in the same manner that expenses may be ordered to be reimbursed under section 1f of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1f. (9) As used in this section: (a) "Computer" means any connected, directly interoperable or interactive device, equipment, or facility that uses a computer program or other instructions to perform specific operations including logical, arithmetic, or memory functions with or on computer data or a computer program and that can store, retrieve, alter, or communicate the results of the operations to a person, computer program, computer, computer system, or computer network. Computer includes a computer game device or a cellular telephone, personal digital assistant (PDA), or other handheld device. (b) "Computer network" means the interconnection of hardwire or wireless communication lines with a computer through remote terminals, or a complex consisting of 2 or more interconnected computers.

Rendered Wednesday, September 11, 2024 Page 1 Michigan Compiled Laws Complete Through PA 122

of 2024 ☐ Courtesy of www.legislature.mi.gov (c) "Computer program" means a series of internal or external instructions communicated in a form acceptable to a computer that directs the functioning of a computer, computer system, or computer network in a manner designed to provide or produce products or results from the computer, computer system, or computer network. (d) "Computer system" means a set of related, connected or unconnected, computer equipment, devices, software, or hardware. (e) "Device" includes, but is not limited to, an electronic, magnetic, electrochemical, biochemical, hydraulic, optical, or organic object that performs input, output, or storage functions by the manipulation of electronic, magnetic, or other impulses. (f) "Internet" means that term as defined in section 230 of the communications act of 1934, 47 USC 230. (g) "Minor" means an individual who is less than 18 years of age. History: Add. 1999, Act 32, Eff. Aug. 1, 1999;☐Am. 1999, Act 235, Eff. Mar. 10, 2000;☐Am. 2000, Act 185, Eff. Sept. 18, 2000; ☐Am. 2012, Act 353, Eff. Jan. 1, 2013

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: [Minimum Standards for Establishing A Mandatory Prevention and Education Program for all Incoming Students on Campus](#)

The following events were conducted for students and employees during the 2023 calendar year.

Program		Location	Students or Employees	Behavior
Community Standards/ Title IX	August, 2023	Sturris Sport and Fitness Center	Students	SA, DoV, DaV
Academic Success/ Campus Safety/ Self Defense Course	March 2023	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
Reporting Process Awareness campaign	Virtual	Digital Signage	Students / Employees	SA, DoV, DaV
Clothesline Project	October 2023	Carriage House	Students / Employees	SA, DoV, DaV
Sexual Misconduct & Assault prevention	February 2023	Carriage House	Students	SA, DoV, DaV
Sexual Assault Awareness and Prevention	April 2023	Campus Wide	Students / Employees	SA, DoV, DaV

Policy Prohibiting sexual Misconduct & Harassment

A. Rationale For Policy

Aquinas College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities that are free from sexual misconduct and harassment as defined in this policy. When an alleged violation of this policy is reported, the allegations are subject to resolution under “Formal Grievance Process Under 2020 Title IX Regulations (“Process A”),” “Administrative Resolution for Student Respondents (“Process B”),” or “Administrative Resolution for Employee Respondents (“Process C”),” as determined by the Title IX Coordinator, and as detailed in applicable procedures.

B. Sexual Misconduct (applicable to students)

This section is applicable to students at Aquinas College. Aquinas College prohibits the following forms of sexual misconduct.

Conduct on the basis of sex that satisfies one or more of the following:

1. Sexual Exploitation

Sexual exploitation is taking non-consensual or abusive sexual advantage of another for the person's own advantage or benefit, or for the advantage or benefit of anyone other than the person being exploited. Examples include, but are not limited to:

- a. Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed);
- b. Causing or attempting to cause the *incapacitation* of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give *consent* (as defined in this policy) to sexual activity;
- c. Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as disseminating sexual pictures/videos without the photographed/videoed person's consent), including the making or posting of revenge pornography;
- d. Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the infection.

2. Sexual Harassment: Hostile Environment

- a. Unwelcome conduct,
- b. taken against a person on the basis of sex, and
- c. determined to be so severe, or
- d. pervasive, or
- e. persistent,
- f. that it effectively interferes with or denies an individual's ability to participate in or benefit from Aquinas College's education program or activity, and/or

Harassment may be in the form of verbal, written, graphic, or physical conduct.

Aquinas College will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a “hostile environment.” When harassment rises to the level of creating a hostile environment, Aquinas College may also impose sanctions on the Respondent through application of the appropriate grievance process.

Aquinas College reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under Aquinas College policy, but may be addressed through respectful conversation, remedial actions, education, formal resolution, and/or informal resolution mechanisms.

3. Sexual Assault (defined in 20 U.S.C. 1092(f)(6)(A)(v)):

an offense classified as forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, and further defined as:

a. Sex Offenses, Forcible:

- 1) Any sexual act directed against another person
- 2) without consent of the Complainant,
- 3) including instances in which the Complainant is incapable of giving consent.

a) **Rape:**

- i. Penetration, no matter how slight,
- ii. of the vagina or anus with any body part or object, or
- iii. oral penetration by a sex organ of another person, iv. without consent of the Complainant.

b) **Sodomy:**

- i. Oral or anal sexual intercourse with another person,
- ii. forcibly, and/or
- iii. against that person’s will (non-consensually), or iv. not forcibly or against the person’s will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

c) **Sexual Assault with an Object:**

- i. The use of an object or instrument to penetrate,
- ii. however slightly,
- iii. the genital or anal opening of the body of another person, iv. forcibly, and/or
- v. against that person’s will (non-consensually), or
- vi. not forcibly or against the person’s will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

d) **Fondling:**

- i. The touching of the private body parts of another person (buttocks, groin, breasts),
- ii. for the purpose of sexual gratification,
- iii. forcibly, and/or
- iv. against that person's will (non-consensually), or
- v. not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

b. Sex Offenses, Non-Forcible:

- 1) Unlawful
- 2) non-forcible
- 3) sexual intercourse, including the following two types:

a) **Incest:**

- i. Non-forcible sexual intercourse,
- ii. between persons who are related to each other,
- iii. within the degrees wherein marriage is prohibited by Michigan law.

b) **Statutory Rape:**

- i. Non-forcible sexual intercourse,
- ii. with a person who is under the statutory age of consent of 16.

4. Dating Violence (defined in 34 U.S.C. 12291(a)(10)):

- a. Violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
 - 1) The existence of such a relationship shall be determined based on the Complainant'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—
 - 2) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - 3) Dating violence does not include acts covered under the definition of domestic violence.

5. Domestic Violence (defined in 34 U.S.C. 12291(a)(8)):

- a. Violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,

- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Michigan, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Michigan.

6. Stalking (defined in 34 U.S.C. 12291 (a)(30)):

- a. Engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
 - 1) would cause a reasonable person to fear for the person's safety, or
 - 2) the safety of others; or
 - 3) Suffer substantial emotional distress.

For the purposes of this definition—

- a) *Course of Conduct* means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- b) *Reasonable Person* means a reasonable person under similar circumstances and with similar identities to the Complainant.
- c) *Substantial Emotional Distress* means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

C. Title IX Sexual Harassment (applicable to students, faculty, & staff)

Section C of this policy is applicable to students, faculty, and staff at Aquinas College. Aquinas College has adopted the following definition of "*Title IX Sexual Harassment*" in order to comply with the requirements mandated by the 2020 Title IX Regulations, 34 CFR 106.30. Sexual harassment that that does not meet the definition(s) set forth in this section may be addressed under Section B. Sexual Misconduct of this policy (for students), or other applicable Human Resources policies (for employees).

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking and is defined as:

Conduct on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo Sexual Harassment:

- a. An employee of the College,
- b. conditions the provision of an aid, benefit, or service of the College,
- c. on an individual's participation in unwelcome sexual conduct.

2. Hostile Environment Sexual Harassment:

- a. Unwelcome conduct, that is

- b. sexual or based on sex, and
- c. determined by a reasonable person,
- d. to be so severe, and
- e. pervasive, and,
- f. objectively offensive,
- g. that it effectively denies a person equal access to the College's education program or activity.

3. **Sexual Assault** (as defined in Section B. of this policy)

4. **Dating Violence** (as defined in Section B. of this policy)

5. **Domestic Violence** (as defined in Section B. of this policy)

6. **Stalking** (as defined in Section B. of this policy)

D. Consent

Aquinas College applies this definition of consent to all forms of prohibited conduct under this policy: a. **Consent** is

- 1) affirmative, and
- 2) knowing, and
- 3) voluntary, and 4) clearly communicated 5) by word or action.

b. Consent may be withdrawn by either party at any time. Once consent is withdrawn, the sexual activity must cease immediately, and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.

c. Consent to one form of sexual activity does not constitute consent to other forms of sexual activity. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in each sexual activity.

d. In evaluating whether consent was obtained, the presence of physical violence, threats, intimidation, and/or *coercion* will be considered.

- 1) **Coercion** is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent.

- a) When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

e. Consent cannot be obtained by taking advantage of the *incapacitation* of another, where it was known, or reasonably should have been known, that the other was incapacitated.

- 1) **Incapacitation** is such that it renders the person incapable of self-care and protection and occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give informed (knowing) consent

(e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

- b) Incapacitation could be the result of alcohol, other drugs, sleep or unconsciousness, a temporary or permanent physical or mental health condition, or involuntary physical restraint.

E. Prohibition of Retaliation

Retaliation is taking or attempting to take 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: reported an incident of prohibited conduct under this policy, participated in a grievance process related to this policy, supported an impacted party, assisted in providing information relevant to an investigation, and/or acted 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 and addressed.

F. Jurisdiction of This Policy

This policy applies to the education programs and activities of the College, to conduct that takes place on the campus or on property owned or controlled by the College, at college-sponsored events, or in buildings owned or controlled by the College’s recognized student organizations. This policy also applies to activities on the College’s computer and internet networks, digital platforms, and computer hardware or software owned or operated by the College.

Off-Campus Conduct: This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to the College’s educational programs. The College may also extend jurisdiction to off-campus locations and activities when the Title IX Coordinator determines that the conduct meets the definition of sexual harassment or retaliation and affects a substantial College interest.

A substantial College interest includes:

1. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
2. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;
3. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
4. Any situation that is detrimental to the educational interests or mission of the College.

Regardless of where the conduct occurred, the College will address reports/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off campus sponsored program or activity.

Unless otherwise determined by the College in its discretion, the Respondent must be a member of the College's community for the Formal Grievance Process to apply. However, irrespective of whether the Respondent is known or is a member of the Aquinas College Community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. Further, even when the Respondent is not a member of the College community, Supportive Measures, Remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator. In addition, the College may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from college property and/or events.

The scope of Title IX does not extend to activities occurring outside the United States. However, conduct that occurs abroad in connection with the College's educational programming and meets the definition of Sexual Harassment under this policy is still prohibited by the College even if not within the scope of Title IX law and regulations.

When a situation involves both conduct alleged to violate this policy and conduct alleged to have violated one or more other rules or policies of the College, the College may, at its discretion and with notice to the parties, elect to utilize the Formal Grievance Process to consider and address all such allegations in one proceeding.

G. Online Behavior

The policies of Aquinas College are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the College's education program and activities or use the College networks, technology, or equipment.

Although Aquinas College may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to the College, it will engage in a variety of means to address and mitigate the effects.

Members of the College Community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the Aquinas College community.

H. Notifying the College of Concerns Under this Policy

Any person who experiences or observes any conduct believed to constitute a violation of this policy is encouraged to report it in accordance with the College's procedures. The Title IX Coordinator will provide information and support as outlined in the procedures.

I. Mandated Reporters

All faculty, staff, administrators, and student employees in Residence Life and the Center for Diversity, Inclusion, & Equity (except for licensed counselors in Counseling, Health, & Wellness Services, Chaplains, and medical professionals in the Student Health Center) are designated as Mandated Reporters and are expected to immediately report all known details to the Title IX Coordinator when they become aware of any act of sexual misconduct or sexual harassment involving a member of the Aquinas College community. Reports from Mandated Reporters should be made through the online reporting form at www.aquinas.edu/titleix.

In the event of notification by a Mandated Reporter, the Title IX Coordinator will connect with the Complainant to provide information about supportive measures, resources, rights, and options related to reporting as outlined in the procedures.

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 reasonably 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:

Alicia A. Lloyd, M.Ed
Dean of Students
Phone: (616) 632-2455

Email: aal006@aquinas.edu

Situations involving staff:

Kelly Scott
Director of Human Resources
Email: scottk@aquinas.edu
Phone: (616) 632-2912

Situations involving faculty:

Terry Keller, PhD
Provost and Executive Vice President of Academic Affairs
Email: kelleter@aquinas.edu
Phone: (616) 632-2150

[Katharina Häusler-Gross](#), Ph.D.
Associate Provost for Engagement and Outreach
Email: grosskat@aquinas.edu
Phone: (616) 632-2122

Gretchen Rumohr
Associate Provost and Director of the center of Teaching Excellence
Email: Ghr001@aquinas.edu
Phone: (616) 632-2872

Situations involving athletes:

Ronald D. Reeves, PhD
Director of Intercollegiate Athletics
Email: Reevesr@aquinas.edu
Phone: (616) 632-2108

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: [City of Grand Rapids Police Department Website](#).

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 [National Protocol for Sexual Assault Medical Forensic Examinations 2nd Edition Major Updates](#).

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
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 14th, 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 here: [Aquinas College Sexual Misconduct Reporting form](#)
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.

GENERAL PROCEDURES

A. Introduction

Aquinas College has developed procedures that provide a prompt, fair, and impartial process for those involved in an allegation of sexual misconduct or harassment. Aquinas values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved. These procedures are intended to affirm the College's commitment to fairness and equity in all aspects of the College's educational programs and activities, and to ensure compliance with federal civil rights laws. Aquinas College's Policy Prohibiting Sexual Misconduct & Harassment ("the Policy") prohibits all forms of sexual misconduct and/or harassment under Title IX of the Education Amendments of 1972, 2020 Title IX Regulations (34 CFR § 106), and Section 304 of the Violence Against Women Reauthorization Act of 2013 (VAWA).

B. Applicable Scope

These procedures apply to complaints alleging violations of the Policy. When an alleged violation of this policy is reported, the allegations are subject to resolution under "Formal Grievance Process Under 2020 Title IX Regulations ("Process A"), "Administrative Resolution for Student Respondents ("Process B")," or "Administrative Resolution for Employee Respondents ("Process C")," as determined by the Title IX Coordinator, and as detailed in these procedures.

When the Respondent^[1] is a member of the Aquinas College community, a grievance process may be available regardless of the status of the Complainant,^[2] who may or may not be a member of the College community. This community includes, but is not limited to students,^[3] student organizations, faculty, administrators, staff, and third parties such as volunteers and invitees. These procedures may apply to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with these procedures.

C. Title IX Coordinator

The Title IX Coordinator oversees implementation of the Title IX Policy and these procedures and has the primary responsibility of monitoring the College's compliance under Title IX of the Education Amendments of 1972 and 2020 Title IX Regulations (34 CFR § 106).^[4] The Title IX Coordinator has the primary responsibility for coordinating the College's efforts related to the intake, investigation, and

resolution of reports, as well as the implementation of supportive measures designed to eliminate, remediate, and prevent sexual harassment.

D. Independence and Conflict of Interest

The Title IX Coordinator manages the individuals that may assist with various aspects of administering the Policy (“Title IX team”) and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under the Policy and these procedures. The members of the Title IX team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the Director of Human Resources at 616-632-2498 or hr@aquinas.edu. Concerns of bias or a potential conflict of interest by any other Title IX team member should be raised with the Title IX Coordinator.

E. Reports/Notice of Prohibited Conduct Under The Policy

Aquinas College encourages anyone who experiences or becomes aware of sexual misconduct or harassment to report the incident to the College. The act of reporting carries no obligation on the part of a Complainant to pursue the Formal Grievance Process, as the College respects Complainant requests regarding complaints. Reports can be made through 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 email address, or by mail to the office address, listed for the Title IX Coordinator:

Title IX Coordinator
Academic Building 107 (616)
632-2439
titleix@aquinas.edu

2. Report online, using the reporting form posted at www.aquinas.edu/titleix. Anonymous reports are accepted but 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. The College seeks to provide supportive measures to all Complainants, which is impossible with an anonymous report.

3. The College has also classified most employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing sexual misconduct or harassment. The Policy identifies which employees are Mandated Reporters and outlines their obligations, accordingly. Discussing an incident involving any of these behaviors with a person who is a Mandated Reporter will also result in the concern being reported to the Title IX Coordinator.

Inquiries concerning any alleged policy violations may also be made externally to:

Office for Civil Rights ("OCR")

U.S. Department of Education 400 Maryland Avenue, SW

Washington, D.C. 20202-1100

Customer Service Hotline #: (800) 421-3481

Facsimile: (202) 453-6012 TDD#:
(877) 521-2172

E-Mail: OCR@ed.gov

Web: <http://www.ed.gov/ocr>

Office of Civil Rights ("OCR") – Regional Office

U.S. Department of Education

1350 Euclid Avenue, Suite 325

Cleveland, OH 44115

Phone: (216) 522-4970

Facsimile: (216) 522-2573

E-Mail: OCR.Cleveland@ed.gov

For complaints involving employees, external inquiries may also be made to: [Equal Employment Opportunity Commission](#) ("EEOC"):

EEOC – Headquarters

131 M Street, NE

Washington, DC 20507

Phone: (202) 663-4900

EEOC – Detroit Field Office

Patrick V. McNamara Building

477 Michigan Avenue, Room 865

Detroit, MI 48226

Phone: (800) 669-4000

Facsimile: (313) 226-4610

F. Upon Receipt of a Report

Upon receipt of a report made to the Title IX Coordinator alleging a violation of the Policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps the College needs to take. The Title IX Coordinator will inform the Complainant of the option to file a Formal Complaint with the College either at that time or in the future, and will assist them to do so, if desired.

The Title IX Coordinator will initiate at least one of two responses:

- 1) Offer supportive measures because the Complainant does not want to file a Formal Complaint; and/or
- 2) Initiate the Formal Grievance Process including an investigation and a hearing (upon submission of a Formal Complaint).

G. Initial Assessment

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

1. The Title IX Coordinator seeks to determine if the Complainant wishes to make a Formal Complaint, and assists them in doing so, if desired.
 - a. If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
2. Title IX Coordinator works with the Complainant to:
 - a. offer supportive measures,
 - b. ensure they are aware of the right to have an Advisor,
 - c. determine whether the Complainant prefers 1) a supportive and remedial response, 2) an Informal Resolution, or 3) the Formal Grievance Process.
 - i. If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assesses the request, and implements accordingly. The Complainant can elect to submit a Formal Complaint and initiate the Formal Grievance Process in the future.
 - ii. If an Informal Resolution is preferred, the Title IX Coordinator will determine if complaint is suitable for informal resolution and may seek to determine if the Respondent is willing to engage in informal resolution.
 - iii. If the Formal Grievance Process is preferred and a Formal Complaint is submitted, the Title IX Coordinator determines whether the alleged misconduct falls within the scope of the 2020 Title IX Regulations:
 - a. If it does, the Title IX Coordinator will initiate the Formal Grievance Process.
 - b. If it does not, the Title IX Coordinator determines that the regulations do not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies and/or procedures may apply, and will refer the matter accordingly.^[5]

H. Privacy of Reports & Resolution Proceedings

Every effort is made to preserve the privacy of reports.^[6] The College will not share the identity of any individual who has made a report or complaint of sexual misconduct and/or harassment; any Complainant, any individual who has been reported to be the perpetrator of Sexual Harassment or Retaliation, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under the Policy and these procedures.

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, except for information the parties agree not to disclose related to Informal Resolution as outlined in these procedures.

I. Supportive Measures

The Title IX Coordinator will offer and implement appropriate and reasonable Supportive Measures to the parties upon report or notice of alleged sexual misconduct and/or harassment as outlined below.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the College's education programs or activities, including measures designed to protect the safety of all parties or the College's educational environment and/or deter harassment and/or retaliation.

The Title IX Coordinator works with the Complainant to ensure that their wishes are considered with respect to the supportive measures that are planned and implemented. The College will maintain the privacy of the Supportive Measures, to the extent that maintaining such privacy would not impair the College's ability to provide the supportive measures.

The College will implement measures in a way that does not unreasonably burden the other party.

Supportive Measures may include, but are not limited to:

- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic adjustments, extensions of deadlines, or other course/program-related adjustments
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Even when the Respondent is not a member of the Aquinas College community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

J. Promptness

All allegations are acted upon promptly by the College once it has received a report. Our goal is to complete the resolution process approximately within a 60-90 business-day period. While ensuring the integrity and completeness of an investigation, as well as consideration of law enforcement and other pertinent factors of the investigation, temporary delay may occur. Pertinent factors may include accommodation of the availability of witness, account for university breaks or vacations, complexities of a case, (the number of witnesses and volume of information provided by the parties) or other legitimate reasons. If at any time the general timeframes for resolution outlined in these 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.

K. Time Limits on Reporting

There is no time limitation on reporting to the College. 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.

Acting on reports that are significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

L. 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 wish to file a Formal Complaint, they may make such a request to the Title IX Coordinator, who will evaluate that request considering 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, the Complainant may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under these procedures irrespective of their level of participation.

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 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, they can change that decision if they decide to pursue a Formal Complaint in the future. 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 these procedures.

M. Interim/Emergency Actions

Upon receipt of a report alleging a violation of the Policy or at any time prior to a final determination regarding responsibility for an alleged violation, 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.

N. Preservation of Evidence

The preservation of evidence in incidents of sexual assault and stalking is critical to potential criminal prosecution and to obtaining restraining/protective orders and is particularly time sensitive. In particular, Complainants and potential Complainants are encouraged to consider the following:

Sexual Assault

- Seek free and confidential forensic medical assistance at the [YWCA West Central Michigan](#), ideally within 120 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.

- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- If clothes are changed, place soiled clothes in a paper bag (plastic may impact evidence).
- Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

Stalking

- Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.
 - Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
 - Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
- Save copies of e-mail correspondence, including notifications related to account access alerts.
- Take timestamped photographs of any physical evidence including notes, gifts, etc. in place when possible.
- Save copies of any messages showing a request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

O. Amnesty

To encourage reporting and participation in the process, the College maintains a policy of offering reporting 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.

P. Recordkeeping

Aquinas College will maintain for a period of at least seven years records of:

1. Each investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the College's education program or activity;
4. Any appeal and the result therefrom; and

5. Any actions, including any supportive measures, taken in response to a report or formal complaint of prohibited behavior, including:
 - a. The basis for all conclusions that the response was not deliberately indifferent;
 - b. Any measures designed to restore or preserve equal access to the College's education program or activity; and
 - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The College will also maintain any and all records in accordance with state and federal laws.

Q. Federal Timely Warning and Statistical Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the federal Clery Act, the College must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community. The College will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions considering the potential danger.

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes under the Clery Act:

1. All "primary crimes," which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
2. Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
3. Violence Against Women Act-based crimes which include sexual assault, domestic violence, dating violence, and stalking; and
4. Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be shared with Campus Safety regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include student affairs/student conduct staff, campus safety staff, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

R. Revision of the Policy and these Procedures

The Policy and these procedures supersede any previous policies addressing sexual misconduct and/or harassment and will be reviewed and updated periodically by the Title IX Coordinator. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator or Human Resources Director (when an employee respondent is involved) may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in the Policy and these procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings. This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

INFORMAL RESOLUTION OPTIONS

A. Overview

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 the following different approaches:

- When the parties agree to resolve the matter through an alternate resolution mechanism, such as mediation, and/or
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process.

To initiate Informal Resolution, a Complainant needs to file 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 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.

FORMAL GRIEVANCE PROCESS UNDER 2020 TITLE IX REGULATIONS (“PROCESS A”)

A. Overview

Aquinas College will act on any Formal Complaint under the Policy. Impacted parties will be sent a timely notice for any meetings at which they may be present. The procedures below apply only to qualifying allegations of sexual misconduct and/or harassment. When an allegation does not fall within the jurisdiction of the Formal Grievance Process, as determined by the Title IX Coordinator, it may be subject to other resolution processes.

Aquinas College uses the Formal Grievance Process to determine whether the Policy has been violated. This is a prompt, fair, and impartial process from the initial investigation to the final determination. All proceedings are conducted in a manner that is consistent with these procedures and transparent to impacted parties. If a violation is found, the College will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual misconduct and/or harassment, their potential recurrence, or their effects.

B. Filing a Formal Complaint

Filing a Formal Complaint initiates the Formal Grievance Process. A Formal Complaint is a document filed by a Complainant or signed by the Title IX Coordinator, alleging a policy violation by a Respondent and requesting that Aquinas College investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in these procedures, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint.

If documentation of a Formal Complaint is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

1. Dismissal of Complaint (Mandatory and Discretionary) ^[7]

The College must dismiss a Formal Complaint or any allegations therein, if any time during the investigation or hearing it is determined that:

- i The conduct alleged in the Formal Complaint would not constitute Sexual Harassment as defined in the Policy, even if proved; and/or
- ii The conduct did not occur in an educational program or activity controlled by the College (including buildings or property controlled by registered student organizations), and/or the

College does not exercise substantial control of the Respondent; and/or iii The conduct did not occur against a person in the United States; and/or

- iv 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 College-

The College may dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing:

- i A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; or
- ii The Respondent is no longer enrolled in or employed by the College; or
- iii 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. This dismissal decision is appealable by either party under the appeal section of these procedures.

2. 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 below, 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, 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 these procedures. 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 policy.

3. False Allegations and Evidence

Deliberately false and/or malicious accusations under the Policy and these procedures are serious offenses 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.

C. 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.^[8] The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.^[9] While the advisors may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties at any meeting and/or proceeding, or otherwise participate in, or in any manner disrupt, such meetings and/or proceedings.

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). All Advisors are subject to Aquinas College policies and procedures.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

Under certain circumstances, 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.

1. Advisor Role in Hearing

In compliance with the 2020 Title IX Regulations (34 CFR § 106), the College provides each party the opportunity to engage in a form of indirect questioning of the other party and any witnesses present at the hearing, 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. Notice of Investigation

The Title IX Coordinator will provide written notice of the investigation (the "NOI") 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 them. The NOI is also copied to the Complainant, who will be given advance notice of when the NOI will be issued to the Respondent.

The NOI will include:

- a) A meaningful summary of all allegations,
- b) The identity of the involved parties (if known),
- c) The precise misconduct being alleged,
- d) The date and location of the alleged incident(s) (if known),
- e) The specific policies implicated,
- f) A description of the applicable procedures, including the potential sanctions/responsive actions that could result,
- g) A statement that the College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- h) 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,
- i) A statement about the College's policy on retaliation,
- j) Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,

k) A statement informing the parties that the College's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,

l) An instruction to preserve any evidence that is directly related to the allegations.

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

The NOI will be made in writing and may be delivered by one or more of the following methods: in person or e-mailed to the parties' college-issued e-mail accounts. Once emailed and/or received in person notice, will be presumptively delivered.

E. Appointment of Investigator(s)

Once the decision to commence a formal investigation is made, the Title IX Coordinator will appoint one or more investigators to conduct a prompt, thorough, fair, and impartial investigation. The Investigator may be a trained College official or a qualified external investigator.

F. Investigation Process

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

During the investigation, the parties will have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to submit questions that they believe should be directed by the investigator to each other or to any witness. The investigator will notify and seek to meet separately with the complainant, the respondent, and third-party witnesses, and will gather other relevant and available evidence and information, including without limitation, electronic or other records of communications between the parties or witness (via voice-mail, text message, email and social media sites), photographs (including those stored in computers, phones, tablets, etc.), and medical records (subject to the consent of the applicable party).

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.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances may require individuals to be interviewed remotely if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The College will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

G. Draft Investigation Report

The investigator(s) will write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included.

Prior to the conclusion of the investigation, parties will be provided with 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.

H. Final Investigation Report

The Investigator(s) will incorporate any relevant feedback, make any necessary revisions, and finalize the report. The final investigation report is then shared with all parties and their Advisors through secure electronic transmission or hard copy. The parties are also provided with a file of any directly related evidence that was not included in the report. Once the final investigation report is issued, the matter will be referred to a hearing

I. Evidentiary Considerations

Neither the investigation nor the hearing will consider: (1) incidents not relevant^[10] or not directly related¹¹ to the possible violation(s), unless they evidence a pattern; or (2) questions and evidence about the Complainant's sexual predisposition; or (3) questions and evidence about the Complainant's prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Within the boundaries stated above, the investigation and the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

Any witness scheduled to participate in the hearing must have been first interviewed by the investigator(s) during the investigation. Any evidence offered at the hearing must have been submitted to investigator(s) during the investigation.

J. Hearing Decision-maker(s)

At their discretion, the Title IX Coordinator will designate a single Hearing Decision-maker or a three-member panel. Decision-maker(s) may be trained College officials or qualified external individuals. The Decision-makers will not have had any previous involvement with the investigation. The Title IX Coordinator may serve as an administrative facilitator of the hearing if their previous roles in the matter do not create a conflict of interest.

K. Notice of Hearing

The hearing will be scheduled and held at least ten (10) business days from when the final investigation report is sent to the parties, unless both parties and the Decision-maker agree to an expedited

timeline. The Title IX Coordinator will send notice of the hearing to the parties. Once emailed and/or received in person, notice will be presumptively delivered. The notice will include the date, time, and location of the hearing, along with other information pertinent to the hearing.

L. Alternative Hearing Participation Options

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. Additionally, the Title IX Coordinator can arrange to use technology to allow remote participation for some or all attendees without compromising the fairness of the hearing.

2. Joint Hearings

Circumstances 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.

M. 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.

The parties will be given a list of the names of the Decision-maker(s) at least five (5) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than two (2) business days prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

N. Pre-Hearing Meetings

The Chair may convene pre-hearing meetings with the parties and their Advisors to invite them to submit the questions the parties wish to ask at the hearing, so that the Chair can rule on their relevance ahead of time. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration based on any new information or statements offered at the hearing. The Chair must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Chair, only with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their statements can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing.

O. Hearing Procedures

At the hearing, the Decision-maker(s) will have the authority to hear and make determinations of responsibility on all allegations of sexual misconduct and/or harassment and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the sexual misconduct and/or harassment, 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 Chair, any additional Decision-maker(s), the hearing facilitator, the parties, Advisors to the parties, any called witnesses, and anyone providing authorized accommodations or assistive services.

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

P. Statements and Questioning

Parties and witnesses will submit to indirect questioning by the Decision-makers and then by the parties through their Advisors. All questions are subject to a relevance determination by the Chair, who has final say on all questions and determinations of relevance. Any party or witness may choose not to answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The Decision-maker(s) can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility.

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

If a party's Advisor of choice refuses to comply with the Chair's established rules of decorum for the hearing, the College may require the party to use a different Advisor. If a college-provided Advisor refuses to comply with the rules of decorum, the College may provide that party with a different Advisor to ask questions on behalf of that party.

Q. 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 or review a transcript of the recording, upon request to the Title IX Coordinator. No person will be allowed to make a copy of the recording without permission of the Title IX Coordinator.

R. 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. The preponderance of the evidence standard of proof is used.

The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations. When there is a finding of responsibility on one or more of the allegations, the Decision-makers will review any previously submitted party impact statements and any pertinent conduct history and will determine the appropriate sanction(s).

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 not relied upon in its determination, credibility assessments, and any sanctions. This statement will be submitted to the Title IX Coordinator within three (3) business days of the end of deliberations. Parties will be notified if the Title IX Coordinator extends this window.

S. Notice of Outcome

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome. The Notice of Outcome, which includes the final determination, rationale, and any sanction(s) (if applicable), will be shared simultaneously with the parties and their Advisors within three (3) business days of receiving the deliberation statement.

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 information on when the results are considered by the College to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

T. Sanctions/Corrective Actions

Factors considered when determining sanctions may include:

- 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 misconduct and/or harassment;
- The need for sanctions/responsive actions to prevent the future recurrence of sexual misconduct and/or harassment;
- The need to remedy the effects of the sexual misconduct and/or harassment on the Complainant and the community;
- Any other information deemed relevant by the Decision-maker(s).

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in these procedures are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by external authorities.

3. Student Sanctions/Corrective Actions

For student Respondents sanctions can include but are not limited to a written warning, probation, suspension or expulsion from Aquinas College, and/or other actions as deemed appropriate.

4. Employee Sanctions/Corrective Actions

For employee Respondents sanctions can include but are not limited to a written warning, a performance improvement plan, suspension, termination from Aquinas College, and/or other actions as deemed appropriate.

5. Failure to Comply with Sanctions

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 Appeal Chair). 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.

U. Withdrawal, or Resignation While Charges Pending

1. Students

Should a student Respondent permanently withdraw from Aquinas College, the College may dismiss the Formal Complaint or any allegations therein, at any time during the investigation or hearing.

If the Formal Complaint is dismissed, the College will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged sexual misconduct and/or harassment. The student who withdraws or leaves while the process is

pending may not return to Aquinas College. Admissions will be notified that they cannot be readmitted, and they may also be barred from Aquinas College property and/or events.

If the resolution process continues and the student is found in violation, that student is not permitted to return to the College unless and until all sanctions have been satisfied.

2. Employees

Should an employee Respondent resign with unresolved allegations pending, the College may dismiss the Formal Complaint or any allegations therein, at any time during the investigation or hearing.

If the Formal Complaint is dismissed, the College will continue to address and remedy any systemic issues or concerns that contributed to the alleged violation(s), and any ongoing effects of the alleged sexual misconduct and/or harassment. The employee who resigns with unresolved allegations pending is not eligible for rehire with Aquinas College, and the records retained by the Title IX Coordinator and Human Resources will reflect that status. All College responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

V. Appeals

Any party may submit a Request for Appeal, in writing to the Title IX Coordinator within three (3) business days of the delivery of the Notice of Outcome.

A single Appeal Decision-maker will be appointed by the Title IX Coordinator to Chair the appeal review.

The request for appeal will be forwarded to the Appeal Chair who will conduct a review for standing and determine if the request meets the grounds for appeal. This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

3. Grounds for Appeal

Appeals are limited to the following grounds:

- i. A procedural irregularity that affected the outcome of the matter;
- ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- iii. 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 Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in these procedures, that request will be denied by the Appeal Chair 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 these procedures, then the following parties will be notified in writing: the Complainant and Respondent, their respective Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s). These parties will be mailed, e-mailed, and/or provided a hard copy of the request with the approved grounds and then be given three (3) 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 submit a Request for Appeal under a new ground. If so, that will be reviewed to determine if it meets the grounds in these procedures by the Appeal Chair. 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 three (3) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses, and the Appeal Chair will render a decision in no more than three (3) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

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.

Notification 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 institutional records, or emailed to the parties' college-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

4. Sanctions Status During the Appeal

Any sanctions imposed are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

5. Appeal Considerations

- Decisions on appeal are to be deferential to the original decision-maker, remanding only when there is clear error and a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-maker may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.

- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). When appeals result in no change to the finding or sanction, that decision is final.
- In rare cases where a substantive error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).
- The results of a remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases where the appeal results in reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status.

W. Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented or in place of sanctions if none are determined applicable, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the behavior, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy/procedural modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found. When no policy violation is found, the Title IX Coordinator will address any remedies owed by the College to the Respondent to ensure no effective denial of educational access.

The College will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the College's ability to provide these services.

ADMINISTRATIVE RESOLUTION FOR STUDENT RESPONDENTS (“PROCESS B”)

A. Overview

Aquinas College will act on any complaint of violation of the Policy Prohibiting Sexual Misconduct & Harassment (“the Policy”) that is received by the Title IX Coordinator. Impacted parties will be sent a timely notice for any meetings at which they may be present.

Process B is applicable for Student Respondents only when Process A is inapplicable, or allegations subject to Process A have been dismissed, as determined by the Title IX Coordinator, and as outlined in these procedures.

Administrative Resolution can be pursued for any behavior for which the Respondent has not accepted responsibility that constitutes conduct prohibited in the Policy.

Administrative Resolution is a prompt, fair, and impartial process from the initial investigation to the final determination.

If Administrative Resolution is initiated, the Title IX Coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically, notice is given at least 24 hours in advance of an interview. Advanced notice facilitates the parties’ ability to identify and choose an Advisor, if any, to accompany them to the interview.

Notification will include a meaningful summary of the allegations, a list of all policies allegedly violated, and a description of the applicable procedures, 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 Aquinas College records, or emailed to the parties' Aquinas College-issued or designated email account.

Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notification should include the policies allegedly violated, if known at the time. Alternatively, the policies allegedly violated can be provided at a later date, in writing, as the investigation progresses, and details become clearer.

Aquinas College aims to complete all investigations within a ninety (90) business day period, which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate. Aquinas College will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Once the decision is made to commence an investigation, the Title IX Coordinator will appoint one or more Investigators, who may be a trained College official or a qualified external investigator, usually within five (5) business days of determining that an investigation should proceed.

Investigations involve interviews with all relevant parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary.

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

B. Advisors

Each party have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose.^[11] The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.^[12] While the advisors may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties at any meeting and/or proceeding, or otherwise participate in, or in any manner disrupt, such meetings and/or proceedings.

Parties whose Advisors are disruptive or who do not abide by Aquinas College policies and procedures may face the loss of that Advisor and/or possible policy violations.

Upon written request of a party, Aquinas College will copy the Advisor on all communications between the College and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

C. Investigation

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

- Determine the identity and contact information of the Complainant

- In coordination with institutional partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct
- Assist the Title IX Coordinator with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy
 - If there is insufficient evidence to support reasonable cause, the process is closed with no further action
- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses
- Meet with the Complainant to finalize their statement, if necessary
- Prepare the initial Notice of Investigation (NOI) on the basis of the initial assessment. Notice may be one step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOI accordingly and provide it to the parties.
- Provide the parties with an opportunity to review and verify the Investigator's summary notes from interviews and meetings with that specific party
- Interview all relevant individuals and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest questions they wish for the Investigator(s) to ask the other party and witnesses
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Prior to the conclusion of the investigation, summarize for the parties the list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation and all relevant evidence
- Provide the parties with a copy of the draft investigation report when it is completed, including all relevant evidence, analysis, credibility assessments, and recommended finding(s)
- Provide each party with a full and fair opportunity to respond to the report in writing within 5 business days and incorporate that response, if any, into the report
- Investigators may choose to respond in writing in the report to the responses of the parties, and/or to share the responses between the parties for their responses, while also ensuring that they do not create a never-ending feedback loop
- Share the report with the Title IX Coordinator or legal counsel for review and feedback
- Provide the final report to the Title IX Coordinator with one of two options:
 - Include a recommendation on a determination, based on a preponderance of the evidence, whether a policy violation is more likely than not to have occurred, OR

- Gather, assess, and synthesize evidence without making a finding, conclusion, determination or recommendation.

D. Determination

Within two to three (2-3) business days of receiving the Investigator's final report, Title IX Coordinator or a trained, designated Decision-maker reviews the report and all responses, and then makes the final determination on the basis of the preponderance of the evidence.

The recommendation of the Investigator(s) should be strongly considered but is not binding on the Title IX Coordinator or Decision-maker. The Title IX Coordinator or Decision-maker may invite and consider impact statements from the parties if and when determining appropriate sanction(s), if any.

The Title IX Coordinator then provides the parties with a written Notice of Outcome in a timely manner to include findings, any sanction(s), and a detailed rationale, delivered simultaneously (without undue delay) to the parties

E. Additional Details of the Resolution Process

6. Witness Responsibilities

Witnesses (as distinguished from the parties) who are students, faculty, or staff of Aquinas College are expected to cooperate with and participate in Aquinas College's investigation and resolution process. A witness's failure to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may be subject to discipline.

7. Remote Processes

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) or Decision-maker determine that timeliness or efficiency dictates a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. Where remote technologies are used, Aquinas College makes reasonable efforts to ensure privacy, and that any technology does not work to the detriment of any party or subject them to unfairness.

8. Recording

No unauthorized audio or video recording of any kind is permitted during the resolution process. The investigators and decision makers may create an audio recording of meetings for expediency and to ensure accuracy of the educational record when producing the necessary documentation for the process. The meeting participants are informed at the start that the meeting will be audio recorded. This recording is the sole property of Aquinas College.

9. Evidence

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of misconduct. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

10. Sexual History/Patterns

Unless the Title IX Coordinator determines it is appropriate, the investigation and the finding do not consider: (1) incidents not directly related to the possible violation, unless they evidence a pattern; (2) the sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); or (3) the character of the parties.

11. Previous Allegations/Violations

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the Title IX Coordinator with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s).

12. Notice of Outcome

If the Respondent admits to the violation(s), or is found in violation, the Decision-makers, in consultation with other administrators as appropriate, determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the sexual misconduct and/or harassment; prevent its recurrence; and remedy the effects of the behavior, both on the Complainant and the community.

The Title IX Coordinator simultaneously informs the parties of the determination within two to three (2-3) business days of the resolution. Notifications are 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 Aquinas College records; or emailed to the parties' Aquinas College-issued or designated email account. Once mailed, emailed, and/or received in-person, notice is presumptively delivered.

The Notice of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which Aquinas College is permitted to share pursuant to state or federal law, and the rationale supporting the essential findings to the extent the Aquinas College is permitted to share under state or federal law.

The notice will detail when the determination is considered final and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notice of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal, as outlined in these procedures.

F. Sanctions

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the sexual misconduct and/or harassment
- The need for sanctions/responsive actions to prevent the future recurrence of sexual misconduct and/or harassment
- The need to remedy the effects of the sexual misconduct and/or harassment on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Title IX Coordinator

Sanctions imposed are implemented immediately unless the Title IX Coordinator delays their implementation in extraordinary circumstances, pending the outcome of any appeal. For students: Graduation, study abroad, internships/ externships, etc., do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during the pendency of any appeal.

The sanctions described in these procedures are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities.

1. Student Sanctions/Corrective Actions

For student Respondents sanctions can include but are not limited to a written warning, probation, suspension or expulsion from Aquinas College, and/or other actions as deemed appropriate.

2. Failure to Comply with Sanctions

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 Appeal Chair). 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.

G. Withdrawal or Resignation While Charges are Pending

1. Students

Should a student withdraw while the student has an allegation pending for violation of the Policy, Aquinas College may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the resolution process to be completed.

H. Appeals

Any party may submit a Request for Appeal, in writing to the Title IX Coordinator within three (3) business days of the delivery of the Notice of Outcome.

A single Appeal Decision-maker will be appointed by the Title IX Coordinator to Chair the appeal review.

The request for appeal will be forwarded to the Appeal Chair who will conduct a review for standing and determine if the request meets the grounds for appeal. This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

1. Grounds for Appeal

Appeals are limited to the following grounds:

- i. A procedural irregularity that affected the outcome of the matter; and
- ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter.

If any of the grounds in the Request for Appeal meet the grounds in these procedures, then the title IX Coordinator will share the request with the other party(ies) or other appropriate persons such as the Investigator(s), who may file a response within three (3 business days).

Within five (5) business days of receiving any responses from parties and appropriate persons, the Appeal Chair will render a decision. Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand.

A Notice of Appeal Outcome will be simultaneously sent to parties in writing, and in accordance with the standards for Notice of Outcome as defined above.

2. Appeal Considerations

- Decisions on appeal are to be deferential to the original decision-maker, remanding only when there is clear error and a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-maker may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.

- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). When appeals result in no change to the finding or sanction, that decision is final.
- In rare cases where a substantive error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).
- The results of a remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases where the appeal results in reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status.

I. Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented or in place of sanctions if none are determined applicable, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the behavior, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy/procedural modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found. When no policy violation is found, the Title IX Coordinator will address any remedies owed by the College to the Respondent to ensure no effective denial of educational access.

The College will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the College's ability to provide these services.

ADMINISTRATIVE RESOLUTION FOR EMPLOYEE RESPONDENTS (“PROCESS C”)

A. Overview

Aquinas College will act on any complaint of violation of the Policy Prohibiting Sexual Misconduct & Harassment (“the Policy”) that is received by the Title IX Coordinator.

“Process C” is a general term that refers to resolution processes maintained by Human Resources that are applicable to allegations involving Employee Respondents. Process C is applicable only when Process A is inapplicable, or allegations subject to Process A have been dismissed, as determined by the Title IX Coordinator, and as outlined in these procedures. In these instances, Employee Respondents will be referred to the Director of Human Resources (or their designee) who determine the applicable resolution process.

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[1] *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute a violation of the Policy.

[2] *Complainant* means an individual who is alleged to be the victim of conduct that could constitute a violation of the Policy.

[3] For the purpose of the Policy and these procedures, Aquinas College defines “student” as any person participating in, or attempting to participate in, the College's education programs or activities. For example, a student includes anyone who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with the College.

[4] Anywhere these procedures indicate “Title IX Coordinator,” Aquinas College may substitute a trained designee.

[5] Please note that dismissing a complaint under the 2020 Title IX regulations is solely a procedural requirement under Title IX, which does not limit the College’s authority to address a complaint with an appropriate process and remedies.

[6] For these procedures, privacy and confidentiality each have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of college employees who “need to know” to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the College’s response to notice under these procedures receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”). The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, and counselors (each a “Confidential Resource”). The law creates a privilege between certain health care providers, mental health care providers, attorneys, spouses, and others, with their patients, clients, and spouses. When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clery Act. Other information may be shared as required by law.

[7] These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR §106.45.

[8] This could include an attorney, advocate, or support person (witnesses are not entitled to Advisors within the process, though they can be advised externally).

[9] “Available” means the party cannot insist on an Advisor who simply doesn’t have inclination, time, or availability. “Eligible” means the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

[10] “Relevant” evidence is evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint, but shall exclude any evidence that is not “directly related” as defined in these

procedures. " "Directly related" evidence is evidence connected to the complaint, but which is neither inculpatory (tending to prove an issue in the complaint) nor exculpatory (tending to disprove an issue in the complaint) and cannot be relied upon by the Decision-maker(s).

[11] This could include an attorney, advocate, or support person (witnesses are not entitled to Advisors within the process, though they can be advised externally).

[12] "Available" means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. "Eligible" means the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

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:

The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.

- a. The right to timely disposition of the case following the arrest of the accused.
- b. The right to be reasonably protected from the accused throughout the criminal justice process.
- c. The right to notification of court proceedings.
- d. The right to attend trial and all other court proceedings the accused has the right to attend.
- e. The right to confer with the prosecution.
- f. The right to make a statement to the court at sentencing.
- g. The right to restitution
- h. 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 [WILLIAM VAN REGENMORTER CRIME VICTIM'S RIGHTS ACT \(EXCERPT\) Act 87 of 1985](#)

Personal Protection Orders (Kent County 17th 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 into 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, 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

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 "My AQ", "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
- 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:

- Dean of 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

The Emergency Notification System will be tested on the 1st 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 the 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 days, 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, 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.

Aquinas College

2023 Criminal Offenses	CAMPUSON		ON CAMPUS(TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
CRIMINAL HOMICIDE					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
SEX OFFENSES					
SEX OFFENSE: FONDLING	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0
SEX OFFENSE: RAPE	2	0	2	0	0
SEX OFFENSE: STATUTORY RAPE	0	0	0	0	0
ROBBERY	0	1	1	0	0
AGGRAVATED ASSAULT	0	0	0	0	0
BURGLARY	1	1	2	0	0
MOTOR VEHICLE THEFT	0	2	2	0	0
ARSON	0	0	0	0	0

UNFOUNDED CRIMES TOTAL: 0		
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2022 Criminal Offenses	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
CRIMINAL HOMICIDE					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
SEX OFFENSES					
SEX OFFENSE: FONDLING	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0
SEX OFFENSE: RAPE	2	0	2	0	0
SEX OFFENSE: STATUTORY RAPE	0	0	0	0	0
ROBBERY					
ROBBERY	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0
BURGLARY	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0
ARSON	0	0	0	0	0
UNFOUNDED CRIMES TOTAL: 0					

2021 Criminal Offenses	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
CRIMINAL HOMICIDE					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
SEX OFFENSES					
SEX OFFENSE: FONDLING	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0
SEX OFFENSE: RAPE	0	1	1	0	0
SEX OFFENSE: STATUTORY RAPE	0	0	0	0	0

ROBBERY	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0
BURGLARY	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0
ARSON	0	0	0	0	0
UNFOUNDED CRIMES TOTAL: 0					

2023 Arrest and Judicial Referrals	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
ARRESTS					
LIQUOR LAW VIOLATIONS	0	0	0	0	0
DRUG LAW VIOLATIONS	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
JUDICIAL REFERRALS					
LIQUOR LAW VIOLATIONS	29	0	29	0	0
DRUG LAW VIOLATIONS	4	0	4	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0

2022 Arrest and Judicial Referrals	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
ARRESTS					
LIQUOR LAW VIOLATIONS	0	0	0	0	0
DRUG LAW VIOLATIONS	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
JUDICIAL REFERRALS					
LIQUOR LAW VIOLATIONS	64	0	64	0	0
DRUG LAW VIOLATIONS	1	0	1	0	0
ILLEGAL WEAPONS POSSESSION	1	0	1	0	0

2021 Arrest and Judicial Referrals	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			

ARRESTS

LIQUOR LAW VIOLATIONS	0	0	0	0	0
DRUG LAW VIOLATIONS	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0

JUDICIAL REFERRALS

LIQUOR LAW VIOLATIONS	26	0	26	0	0
DRUG LAW VIOLATIONS	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0

ON CAMPUS

2023 ON CAMPUS Clery Act Reportable Offenses	Race	Gender	Category of Hate Crime					National Origin	Gender Identity
			Religion	Sexuality	Ethnicity	Disability			
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0	
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0	
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0	
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0	
SIMPLE ASSAULT	0	0	0	0	0	0	0	0	
INTIMIDATION	0	0	0	0	0	0	0	0	
LARCENY	0	0	0	0	0	0	0	0	
DESTRUCTION OF PROPERTY	0	0	1	0	0	0	0	0	
Totals	0	0	1	0	0	0	0	0	

2022 ON CAMPUS Clery Act Reportable Offenses	Race	Gender	Category of Hate Crime					National Origin	Gender Identity
			Religion	Sexuality	Ethnicity	Disability			
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0	
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0	
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0	
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0	

SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2021 ON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime							National Origin	Gender Identity
	Race	Gender	Religion	Sexuality	Ethnicity	Disability			
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0	
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0	
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0	
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0	
SIMPLE ASSAULT	0	0	0	0	0	0	0	0	
INTIMIDATION	0	0	0	0	0	0	0	0	
LARCENY	0	0	0	0	0	0	0	0	
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0	
Totals	0	0	0	0	0	0	0	0	

NON CAMPUS

2023 NON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime							National Origin	Gender Identity
	Race	Gender	Religion	Sexuality	Ethnicity	Disability			
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0	
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0	
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0	
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0	
SIMPLE ASSAULT	0	0	0	0	0	0	0	0	
INTIMIDATION	0	0	0	0	0	0	0	0	
LARCENY	0	0	0	0	0	0	0	0	
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0	
Totals	0	0	0	0	0	0	0	0	
2022 NON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime							National Origin	Gender Identity
	Race	Gender	Religion	Sexuality	Ethnicity	Disability			
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0	
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0	
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0	
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0	
SIMPLE ASSAULT	0	0	0	0	0	0	0	0	

INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2021 NON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime						National Origin	Gender Identity
	Race	Gender	Religion	Sexuality	Ethnicity	Disability		
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

PUBLIC PROPERTY

2023 PUBLIC PROPERTY Clery Act Reportable Offenses	Race	Gender	Category of Hate Crime				National Origin	Gender Identity
			Religion	Sexuality	Ethnicity	Disability		
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2022 PUBLIC PROPERTY Clery Act Reportable Offenses	Race	Gender	Category of Hate Crime				National Origin	Gender Identity
			Religion	Sexuality	Ethnicity	Disability		
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0

SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2021 PUBLIC PROPERTY Clery Act Reportable Offenses	Category of Hate Crime							National Origin	Gender Identity
	Race	Gender	Religion	Sexuality	Ethnicity	Disability			
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0	
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0	
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0	
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0	
SIMPLE ASSAULT	0	0	0	0	0	0	0	0	
INTIMIDATION	0	0	0	0	0	0	0	0	
LARCENY	0	0	0	0	0	0	0	0	
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0	
Totals	0	0	0	0	0	0	0	0	

2023	VAWA	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
VAWA Crimes						
	Dating Violence	2	0	2	0	0
	Domestic Violence	0	0	0	0	0
	Stalking	1	0	1	0	0
2022	VAWA	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
VAWA Crimes						
	Dating Violence	4	0	4	2	0
	Domestic Violence	0	0	0	0	0
	Stalking	4	2	6	0	0
2021	VAWA	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
VAWA Crimes						
	Dating Violence	0	0	0	0	0
	Domestic Violence	0	0	0	0	0
	Stalking	0	0	0	0	0

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.

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 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 Building	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
St. Joseph Hall	Smoke Detectors, Pull Stations	Sprinkler System, Fire Extinguishers
Bukowski Hall	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
Knape 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
Mother Euphrasia Sullivan Hall	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 Chauffer House	Smoke Detectors	Fire Extinguishers
Mother Victor Flannery Hall	Smoke Detectors, Pull Stations	Fire Extinguishers
Our Lady Seat of Wisdom Chapel	Smoke Detectors, Pull Stations	Fire Extinguishers, Sprinkler System

Fire Logs

2023 Fire Log

Building	Address	Room #	Date and Time	Fire	Cause	Death	Injury	Cost \$
Sturris 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 Hall	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 Sullivan Hall	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	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 Chapel	1702 Elderberry Lane SE	N/A	N/A	0	N/A	0	0	0

2022 Fire Log

Building	Address	Room #	Date and Time	Fire	Cause	Death	Injury	Cost \$
Sturris 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 Hall	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 Sullivan Hall	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	203	01/05/2022 19:02	1	Oven Heating Element	0	0	\$500
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	1905 Robinson Rd	N/A	N/A	0	N/A	0	0	0
Our Lady Seat of Wisdom Chapel	1702 Elderberry Lane SE	N/A	N/A	0	N/A	0	0	0

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 Hall	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 Sullivan Hall	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	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 Chapel	1702 Elderberry Lane SE	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.